

Queensland



CENTRAL QUEENSLAND UNIVERSITY ACT 1989

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(includes amendments up to Act No. 65 of 1996)**

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Information about this reprint

This Act is reprinted as at 15 July 1997. The reprint shows the law as amended by all amendments that commenced on or before that day (Reprints Act 1992 s 5(c)).

The reprint includes a reference to the law by which each amendment was made—see list of legislation and list of annotations in endnotes.

This page is specific to this reprint. See previous reprints for information about earlier changes made under the Reprints Act 1992. A table of earlier reprints is included in the endnotes.

Also see endnotes for information about—

- **when provisions commenced**
- **editorial changes made in earlier reprint.**

Queensland



CENTRAL QUEENSLAND UNIVERSITY ACT 1989

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CENTRAL QUEENSLAND UNIVERSITY ACT 1989

[as amended by all amendments that commenced on or before 15 July 1997]

**An Act to provide for the establishment and incorporation of the
Central Queensland University at Rockhampton and for related
purposes**

PART 1—PRELIMINARY

Short title

1. This Act may be cited as the *Central Queensland University Act 1989*.

Interpretation

4. In this Act—

“**academic staff**” means such staff of the university as are determined to be academic staff in the statutes.

“**appointed member**” means a member of the council other than an ex-officio member.

“**company**” includes, for the purposes of sections 5(2)(f), 46, 48 and 49, a corporation within the meaning of the Companies (Queensland) Code, an association or a partnership.

“**convocation**” means the convocation of the university constituted under part 2.

“**council**” means the council of the university constituted under part 2.

“**enrolled student**” means a student enrolled in the university.

“graduate” means any person to whom is granted a degree or diploma of the university.

“rules” means the rules made by the council under section 44.

“statutes” means the statutes of the university made under part 2.

“union” means the Central Queensland University Union established and incorporated under part 2.

“university” means the Central Queensland University established and incorporated under part 2.

“vehicle” means a vehicle within the meaning of the *Traffic Act 1949*.

PART 2—UNIVERSITY

Division 1—Constitution and government of the university

Subdivision 1—The university

Establishment and incorporation of the university

5.(1) The university established under this section as originally enacted is established under the name Central Queensland University.

(1A) The university continues to consist of—

- (a) the council; and
- (b) the enrolled students; and
- (c) the university’s graduates; and
- (d) the university’s academic and other staff.

(1B) The university continues to be established at Rockhampton.

(2) The university is a body corporate, has perpetual succession and a common seal and is capable of—

- (a) suing and being sued;

- (b) compounding or proving in any court of competent jurisdiction, all debts or sums of money due to it;
- (c) taking, acquiring by grant, purchasing, taking on lease, property (whether situated in Queensland or elsewhere);
- (d) surrendering to the Crown, granting, selling, alienating, leasing, assigning and transferring, property (whether situated in Queensland or elsewhere);
- (e) accepting gifts, grants, bequests or devises and creating and administering trust funds;
- (f) causing the formation of companies, and becoming a member of or managing any company or companies for any purpose which may seem directly or indirectly calculated to further the objects, functions or powers of the university or to benefit the university in any way whatsoever;
- (g) doing and suffering all other acts and things that bodies corporate may by law do and suffer.

Functions and powers of the university

6.(1) The functions of the university shall be—

- (a) to provide courses of study appropriate to a university and to provide courses of study or instruction at such levels of attainment as the council deems proper to meet the needs of the community;
- (b) to disseminate knowledge and to promote scholarship appropriate to a university;
- (c) to encourage by study, research and other means the advancement and development of knowledge;
- (d) to encourage by study, research and other means the advancement and development of technology and the practical application of such technology to Government, industry, commerce and the community;
- (e) subject to the statutes, to award and confer degrees, diplomas and other awards;

- (f) to encourage and provide facilities for study and research generally;
- (g) to provide educational facilities at university standard for persons seeking the benefits of such facilities who, being eligible, are permitted by the university to use such facilities;
- (h) to provide facilities and resources for the welfare of staff and students;
- (i) to establish such facilities as the university deems desirable for providing courses of study or instruction at such levels of attainment as the council deems proper to meet the special needs of the community;
- (j) to exploit commercially, for the benefit of the university, any facility or resource of the university including any study, research or knowledge, or the practical application thereof, developed by or belonging, whether alone or in conjunction with any other person or body, to the university.

(2) For the purpose of discharging the functions of the university, the council shall have and may exercise such powers and authorities as are incidental to the proper discharge by the university of any of its functions under this Act, including but not limited to the powers and authorities to—

- (a) acquire by purchase, lease or otherwise, land, whether improved or not, for staff and student residential purposes;
- (b) erect on lands of the university, whether acquired for that purpose or not, buildings suitable for staff and student residential purposes;
- (c) enter into arrangements with any other person or body for the provision of student and staff residential accommodation;
- (d) establish such organisational sections or units as it sees fit;
- (e) assist students enrolled at the university by means of loan, grant or benefit in kind to such students.

Subdivision 2—The council**The council**

7.(1) There shall be a council of the university which shall have and may exercise and discharge the functions, powers, authorities and duties conferred or imposed upon it by or under this Act.

(2) The council shall be the governing body of the university.

Constitution of the council

8.(1) Subject to subsection (2), the council shall consist of—

- (a) the chancellor of the university, who shall be an ex-officio member;
- (b) the vice-chancellor of the university, who shall be an ex-officio member;
- (c) the Director-General of Education, or the director-general's nominee, who shall be an ex-officio member;
- (ca) where an academic board is established under a statute—the chairperson, by whatever name called, of the board, who is to be an ex-officio member;
- (d) 3 members who are members of the full-time academic staff of the university, elected by members of that staff in the manner prescribed by the statutes;
- (e) 1 member who is a member of the full-time staff of the university, other than the academic staff, elected by members of that staff in the manner prescribed by the statutes;
- (f) 2 members, each of whom is an enrolled student of the university, elected or appointed in the manner prescribed by the statutes;
- (g) 2 members who are members of convocation, neither of whom shall be a full-time staff member or enrolled student of the university, appointed by and from convocation in the manner prescribed by the statutes;

(h) 8 members appointed by the Governor in Council.

(2) The council as constituted for the time being may from time to time appoint members, but so that—

- (a) the number of persons so appointed shall not, at any one time, exceed 2;
- (b) a person whose sole or principal employment is in connection with the person's duties as a member of the full-time staff of the university shall not be appointed a member of the council under this subsection;
- (c) a person who is an enrolled student shall not be appointed a member of the council under this subsection.

Assumption of office by members of the council

9. The members of the council constituted in accordance with section 8 shall assume office on a day appointed for that purpose by the Governor by proclamation.

Subdivision 3—Convocation

Constitution of convocation

10. There shall be a convocation of the university which shall consist of—

- (a) all members and past members of the council, the council of the University College of Central Queensland and the council of the Capricornia Institute of Advanced Education established under the *Education Act 1964*;
- (b) all graduates of the university enrolled as members of convocation in the register of graduates in accordance with the provisions of the statute relating to such register and all graduates of the University College of Central Queensland and the Capricornia Institute of Advanced Education established under the *Education Act 1964*;
- (c) all members of the full-time academic staff of the university and

such other members or classes of members of the staff of the university as the statutes may prescribe;

- (d) such graduates of other universities, or other persons or classes of persons, as are in accordance with the statutes, admitted as members of convocation.

Functions of convocation

11.(1) The members of convocation shall be entitled to elect or appoint, in the manner prescribed by the statutes, such members of the council as are prescribed by this Act.

(2) The members of convocation may, at meetings held by them in accordance with the statutes, consider any matters relating to the university and its affairs and administration and may make recommendations to the council in respect of any such considerations.

(3) Convocation shall have any additional functions as may be prescribed by the statutes.

Subdivision 4—Central Queensland University Union

Central Queensland University Union

12.(1) The association established under this section as originally enacted is established under the name Central Queensland University Union.

(2) The union is a body corporate, has perpetual succession and a common seal and is capable of—

- (a) suing and being sued; and
- (b) compounding or proving in any court of competent jurisdiction all debts or sums of money due to it; and
- (c) taking, acquiring by grant, purchasing, taking on lease, property (whether situated in Queensland or elsewhere); and
- (d) accepting gifts, grants, bequests or devises and creating and administering trust funds; and

- (e) doing and suffering all such other acts and things as bodies corporate may by law do and suffer.

Composition and role of the union

13.(1) All persons as shall be defined by its constitution shall be eligible for membership of the union.

(2) The union shall be an organised association of such students and other members for the furthering of the objects of the union as defined by its constitution.

(3) The union shall have such role and other powers and authorities and be subject to such obligations as shall, from time to time, be prescribed by or under the statutes.

(4) It is not the intention of this subdivision that the union shall be, or shall be regarded as, for any purpose, the servant or agent of the council or the university.

Constitution of the union

14. The constitution of the union and all amendments thereto or alterations or modifications thereof shall be submitted to the council and shall have no force or effect unless and until approved by the council.

Statutes affecting the union

15. Except in the case of emergency (of which the council shall be sole judge), the council shall submit to the union a draft of any proposed statute affecting the powers, authorities or obligations of the union and shall consider any representations the union may make thereon.

Division 2—Administrative provisions***Subdivision 1—Administrative provisions relating to the council*****Council deemed to be duly constituted**

16. The council shall be deemed to be duly constituted and shall discharge its duties and functions and may exercise its powers and authorities notwithstanding that a member or members have not been appointed or elected as contemplated by section 8(1)(d), (e), (f), (g) or (h) and notwithstanding any vacancy on the council provided the number of members of the council for the time being is not less than 10.

Term of appointment

17.(1) The appointed members of the council appointed or elected as contemplated by section 8(1)(d), (e), (f), (g) and (h) shall, subject to this Act, hold office for a period of 3 years.

(2) The term of appointment of a member of the council appointed pursuant to section 8(2) shall, subject to this Act, expire on a date determined by the council at the time of the member's appointment but shall not, in any case, exceed 3 years from the date of the appointment.

(3) Notwithstanding subsections (1) and (2), the Governor in council, acting on the advice of the Minister and in the interests of uniformity of expiry dates, may reduce the term of appointment of any appointed member of council.

(4) A term of appointment so reduced pursuant to subsection (3) shall expire on the date specified by the Governor in Council, and a vacancy on the council within the meaning of section 22 shall result.

Failure to elect or appoint

18. If a body or persons permitted or required by section 8(1) to appoint or elect a person or number of persons to be a member or members of the council fails or refuses to appoint or elect a sufficient number of such persons by a date determined by the council, the Minister may appoint a

sufficient number of persons who shall be deemed to have been appointed or elected by the body or persons who could or should have appointed or elected him, her or them.

Eligibility for reappointment

19.(1) The appointed members of the council shall, if otherwise qualified, be eligible for reappointment.

(2) However, a person shall not be eligible to be a member of the council, in the same capacity, for more than 2 consecutive terms of appointment, without the approval of the Minister first had and obtained.

Disqualification from office

20.(1) It is not competent to a person who—

- (a) is an undischarged bankrupt or takes advantage of the laws in force for the time being relating to bankrupt or insolvent debtors; or
- (b) has been convicted in Queensland of an indictable offence or has been convicted elsewhere than in Queensland in respect of an act or omission which if done or made by the person in Queensland would have constituted an indictable offence, unless the council is of the opinion that the circumstances of the offence do not warrant disqualification from office;

to become or continue to be a member of the council.

(2) It is not competent to a person who ceases to hold the office or qualification essential to the person's appointment or election as a member of the council in terms of section 8(1)(d), (e), (f) or (g) or (2) to continue to be a member of the council in terms of the relevant provisions of that section.

Vacation of office

21. An appointed member shall be deemed to have vacated office as an appointed member if—

- (a) the member dies; or

- (b) the member is absent, without leave granted by the council, from every meeting of the council, of which due notice has been given to the member, in any period of 6 months; or
- (c) the member resigns office by signed notice delivered to the chancellor; or
- (d) the member becomes an ex-officio member.

Vacancy on the council from expiry of term of appointment

22. In the event of a vacancy in the membership of the council arising from the expiration of an appointed member's term of appointment, a member shall be appointed or elected as provided in this Act or, in the case of a member appointed pursuant to section 8(2), may be appointed as provided in this Act.

Casual vacancies on the council

23. In the event of a casual vacancy in the office of an appointed member of the council, a member shall be appointed or elected—

- (a) in such cases and in such circumstances as are specified in the statutes—in the manner prescribed by the statutes; or
- (b) where no cases or circumstances are so specified—in the same manner as that in which the member whose office is vacant was appointed or elected;

and the person so appointed or elected shall hold office for the residue of his or her predecessor's term of appointment.

Temporary replacement of member

24. If—

- (a) an appointed member of the council is or may be prevented by absence, illness or other cause whatsoever, from performing the member's duties as a member of the council; and
- (b) the person who, or the executive or other group or person charged with the management of the affairs of the body which appointed

or elected such member, is or are of the opinion that the member will be so prevented from performing those duties during the period during which 2 or more ordinary meetings of the council may be held;

that person, executive or other group, as the case may be, with the permission of the chancellor first had and obtained, may appoint some other eligible person to act as a member of the council in place of the member during such time as the member is prevented from performing those duties, and the person appointed whilst so acting shall have and may exercise all the powers, functions and authorities of, and may perform all the duties of, a member of the council.

Election of chancellor

25.(1) There shall be a chancellor of the university who shall hold office for such period (not exceeding 5 years) and on such conditions as are prescribed by the statutes.

(2) The council, whenever a vacancy occurs, shall elect a chancellor.

(3) The chancellor may be elected from amongst the members of the council or otherwise.

(3A) An enrolled student, a member of the academic staff or any other employee of the university shall not be elected as the chancellor.

(4) When the person elected as chancellor is already an appointed member of the council at the time of the election, the office that the person held as such a member shall be declared vacant, and thereupon the appropriate steps shall be taken pursuant to section 23.

Election of deputy chancellor

26.(1) There shall be a deputy chancellor of the university who shall hold office for 1 year from the date of election pursuant to subsections (2) and (3) or until the election, pursuant to subsection (2), of another deputy chancellor in the event of a vacancy, whichever first occurs, and on such conditions as are prescribed by the statutes.

(2) The council, whenever a vacancy occurs, shall elect a deputy chancellor.

(3) The council shall elect one of its members to be deputy chancellor.

(4) In the absence of the chancellor or during a vacancy in the office of chancellor or during the inability of the chancellor to act, the deputy chancellor shall have all the powers and duties of the chancellor.

Chair of the council

27.(1) The chancellor shall be the chairperson of the council and shall preside at all meetings of the council at which the chancellor is present.

(2) At any meeting of the council at which the chancellor is not present—

(a) the deputy chancellor; or

(b) where the deputy chancellor is not present, a member of the council elected by and from the members present;

shall preside.

Appointment of vice-chancellor

28.(1) The council shall appoint a person to be vice-chancellor who, on and from the date of assuming such office, shall be an officer of the university.

(2) Whenever a vacancy occurs in the office of vice-chancellor, the council shall, subject to subsection (5), appoint a person to be vice-chancellor.

(3) The vice-chancellor shall be appointed for such period and on such conditions as the council determines.

(5) The council may, during any vacancy in the office of vice-chancellor or during any absence of the vice-chancellor or inability of the vice-chancellor to perform the duties of office as such, appoint a person to be acting vice-chancellor for such period and on such conditions as the council determines provided that the period of any such appointment shall not exceed 12 months.

(5A) Any person appointed under subsection (5) shall, during the term of the appointment, possess all the powers and perform all the duties of the vice-chancellor.

(6) The vice-chancellor shall be the chief executive officer of the university and shall possess such powers and perform such duties as the statutes prescribe or, subject to the statutes, as the council determines.

(8) The vice-chancellor may delegate the vice-chancellor's powers to any person.

Quorum of the council

29. At any meeting of the council, a quorum shall be one-half, or if one-half is not a whole number, the whole number next higher than one-half of the total number of members for the time being of the council.

Re-election or reappointment

30. Subject to this Act, a person may be re-elected to the office of chancellor or deputy chancellor or reappointed to the position of vice-chancellor if the person is otherwise capable for the time being of holding that office or position.

Validity of proceedings

31. No proceedings of the council, or of any committee thereof or of any committee or board of the university, and no act done by the chancellor, deputy chancellor, vice-chancellor or any other officer whilst any of those persons is acting pursuant to and in accordance with the statutes in the office to which he or she was elected or appointed shall be invalidated by reason of—

- (a) any defect in the appointment or election of, or of any disqualification of, any member of the council or of any committee or board of the university; or
- (b) any defect in the convening or conduct of any meeting of the council or any committee thereof or of any committee or board of the university; or
- (c) there being any vacancy in the number of members of the council or any committee thereof or of any committee or board of the university; or

- (d) the fact that a person purporting to be a member of the council or any committee thereof or of any committee or board of the university by virtue of an office held by the person did not hold that office; or
- (e) the fact that a person purporting to be a member of the council or any committee thereof or of any committee or board of the university was not such a member.

Powers of the council

32. Subject to this Act and the statutes, the council—

- (a) shall have full power and authority to appoint and dismiss members of the academic or other staff of the university; and
- (b) subject to paragraph (c) shall have the entire management and control of the affairs, concerns and property of the university and may act in all matters concerning the university in such manner as appears to it best calculated to promote the interests and purposes of the university; and
- (c) shall have the entire management and control of the finances of the university.

Delegation by the council

33.(1) The council may, by resolution, delegate its powers to—

- (a) a member of the council; or
- (b) a committee or board appointed by the council; or
- (c) an officer of the university.

(2) Subsection (1) does not apply to the council's powers or functions under section 44 (Statutes) or section 57 (Budget).

Subdivision 2—Administrative provisions relating to convocation**Powers, authorities and duties**

34. Convocation shall have and may exercise such powers, authorities and duties as may be prescribed by the statutes.

Meetings of convocation

35. Save as prescribed by or under the statutes, meetings of convocation shall be convened and the business at such meetings shall be conducted in such manner as the council shall determine.

Warden of convocation

36.(1) At its first meeting held in every year, convocation shall elect one of its members to be warden who shall, subject to this Act, hold office until the first meeting of convocation held in the year next following.

(2) The office of warden shall become vacant if—

- (a) the warden dies; or
- (b) the warden becomes incapable of exercising the rights and privileges of a member of convocation; or
- (c) the warden resigns such office by signed notice delivered to the chancellor.

(3) If from any cause, other than expiration of the term of office, a vacancy occurs in the office of warden, convocation shall elect another of its members to be warden and, subject to this Act, the member shall hold office as such until the first meeting of the council in the year next following.

Chair of convocation

37.(1) The warden shall preside at all meetings of convocation at which the warden is present.

(2) At any meeting of convocation at which the warden is not present, a

member of convocation, elected by and from the members present, shall preside.

Officers of convocation

38. The statutes may provide for officers of convocation, and for the election by convocation of officers of convocation.

Standing committees and other committees

39. The statutes may provide for standing committees and other committees of convocation.

Quorum of convocation

40. Save as prescribed by or under the statutes, a quorum of any meeting of convocation shall be such number of members as the council shall determine.

Re-election or reappointment

41. Subject to this Act, a person may be reappointed or re-elected to any office pursuant to this subdivision if the person is otherwise capable for the time being of holding that office or position.

Validity of proceedings

42. No proceedings of convocation, or of any committee thereof, and no act done by the warden or any person acting pursuant to and in accordance with the statutes as warden shall be invalidated by reason of—

- (a) any defect in the appointment or election of, or of any disqualification of, any member of convocation or of any person aforesaid; or
- (b) any defect in the convening or conduct of any meeting of convocation or any committee thereof;
- (c) there being any vacancy in the number of members of any committee of convocation; or

- (d) the fact that a person purporting to be a member of convocation or any committee thereof by virtue of an office held by the person did not hold that office; or
- (e) the fact that a person purporting to be a member of convocation or any committee thereof was not such a member.

Subdivision 3—Regulations, statutes and rules

Regulations

43.(1) The Governor in Council may make regulations under this Act.

(2) The statutes and rules made pursuant to this Act shall be read subject to the regulations made under this Act to the extent that where there is an inconsistency between a statute and a regulation, or a rule and a regulation, the regulation shall prevail.

Statutes

44.(1) The council may from time to time make statutes not inconsistent with this Act for the carrying into effect of the several provisions, intentions and objects of the Act, and generally for the control, management, good government and discipline of the university.

(2) Without limiting the powers of the council in that behalf, the council may make statutes with respect to all or any of the following matters—

- (a) the use and custody of the common seal;
- (b) the election or appointment of—
 - (i) members of the council;
 - (ii) committees or boards established by the university (the establishing of which is hereby authorised);
- (c) the manner and time of convening, holding and adjourning the meetings of the council;
- (ca) voting at council meetings;
- (cb) the powers and duties of the person acting as chairperson thereof;

- (cc) the conduct and record of the business of the council;
- (cd) the establishment and appointment of committees of the council, and the quorum, powers and duties of such committees;
- (ce) the reimbursement of expenses of the chancellor, deputy chancellor and other council members attendant upon such offices;
- (d) the functions, powers, authorities and duties of convocation;
- (da) officers of convocation and their election;
- (db) the admission of members to convocation;
- (dc) the manner and time of convening, holding and adjourning the meetings of convocation;
- (dd) the quorum of convocation and voting at convocation meetings;
- (de) the powers and duties of the person acting as chairperson thereof;
- (df) the conduct and record of the business of convocation;
- (dg) the establishment and appointment of committees of convocation, and the quorum, powers and duties of such committees;
- (e) the resignation of members of the council, the chancellor, the deputy chancellor and the warden of convocation;
- (f) the appointment of a person to act for the deputy chancellor or the warden of convocation during the illness or absence of such officers;
- (g) the number, appointment, termination of appointment, discipline (including the dismissal, suspension and imposition of disciplinary punishments other than dismissal or suspension) and, subject to applicable awards or industrial agreements, the stipends or salaries or wages of members of the staff and other officers and employees of the university;
- (h) subject to section 66, the provision of superannuation schemes for staff of the university;
- (i) the admission and enrolment of students;
- (j) the discipline of enrolled students;
- (k) the admission of students of other universities and institutions of

higher education to any corresponding status or of graduates of such universities and institutions to any corresponding degrees or diplomas without examination;

- (l) the determination of courses of study and examinations for degrees, diplomas and other awards;
- (m) the granting of degrees, diplomas and other awards including honorary awards;
- (n) the granting of fellowships, scholarships, exhibitions, bursaries and prizes;
- (o) the fees and charges, including fines, to be paid for admission to the university, examinations, for the granting of degrees, diplomas, and other awards, for tuition or attendance at the lectures and classes of the university, offences involving vehicles, for the development and use of university services and facilities including residence and in respect of the union;
- (p) the exemption from or deferment of payment of fees and charges, including fines;
- (q) the collection in respect of any fee, charge or other imposition arising from any higher education contribution scheme as provided for under any Act passed by the Commonwealth in respect thereof;
- (r) the establishment, management, and control of libraries and other support facilities in connection with the university;
- (s) the affiliation, association or connection with the university of any educational or research establishment wheresoever situated, to which the governing body of such establishment may consent;
- (t) the control and investment of the property of the university, including property held upon trust or subject to a condition;
- (u) the protection of the property of, or under the control of, the university from trespass or damage or misuse;
- (v) the regulation and control of access to and the use of land and buildings the property of, or under the control of, the university and of the conduct of persons and the presence and use of vehicles thereon;

- (w) the powers, authorities, duties and obligations of the union;
- (x) the form and use of arms, emblems or armorial bearings of the university or of any college within or associated with the university;
- (y) the ownership and exploitation of inventions and discoveries, that are the property of the university, made by the staff or enrolled students of the university;
- (z) the management and maintenance of colleges including residential colleges and halls of residence within the university or of affiliated residential colleges;
- (za) the form and use of academic dress;
- (zb) the definition of and procedures to be applied in situations of conflict of interests with respect to members of the council and the staff of the university;
- (zc) the granting of financial and other assistance to students of the university;
- (zd) the determination of the persons or class of persons who constitute the academic staff of the university.

(3) Without limiting the generality of the powers conferred by subsection (1), a statute made pursuant to subsection (2)(v)—

- (a) may provide, in the case of an offence that consists of—
 - (i) bringing a vehicle onto or parking or standing a vehicle on a site in breach of a statute;
 - (ii) driving a vehicle on any part of a site in breach of a statute;
 - (iii) driving a vehicle on any part of a site at a speed in excess of a speed that, in relation to that part, is prescribed by statute, determined by a method prescribed by statute or fixed by a person authorised by statute so to do in respect of the site or that part;
 - (iv) driving a vehicle on any part of a site contrary to any direction, whether given by a person authorised by statute so to do or by a traffic control device on the site;
 - (v) doing on a site with or in respect of a vehicle such other act

as may be prescribed by order in council for the purposes of this section;

that the owner of the vehicle (whether or not the owner was in charge of the vehicle at the material time) shall be liable to be punished for the offence as well as the person who was in charge of the vehicle at the material time;

- (b) may define who is the owner of a vehicle for the purposes of the statutes;
- (c) may provide for the removal or disposal of any vehicle—
 - (i) parked or left standing on a site in such a position as to obstruct, interfere with or cause danger to other vehicles on the site or to users of the site; or
 - (ii) apparently abandoned on a site;
- (d) may prescribe the proof that is necessary or sufficient to establish any matter relevant to an offence created by statute.

(3A) A statute that provides as is referred to in subsection (3)(a) shall not be so construed that the owner of a vehicle and the person in charge of it at the time an offence was committed with or in respect of the vehicle shall both be punished for the one offence.

(3B) In subsection (3)—

“**site**” means any land or premises the property of or under the control of the university.

(4) The council may by statute repeal, rescind, revoke, alter, vary, amend or otherwise modify any statute or part of a statute.

(5) A statute may authorise the council to make rules (not being inconsistent with the Act or the statutes) for the carrying into effect of all or any of the provisions and objects of the statute and may prescribe procedures for the promulgation of such rules.

(6) All rules made by the council pursuant to any statute shall be promulgated as specified in the statute.

(6A) All rules shall be of full force and effect as from the day on which they are promulgated or from such later date as may be specified in the rules.

(6B) The production of a verified copy of any such rule under the

common seal of the university is sufficient evidence of the making and authenticity of the same in all courts and before all persons acting judicially.

(7) A statute may impose or authorise the council or any officer of the university to impose a penalty not exceeding 10 penalty units for breach of any provision and provide for the recovery and enforcement of any such penalty.

(8) Where no other provision is made for the recovery or enforcement of a penalty imposed by or under the authority of a statute, such penalty may be recovered or enforced by complaint in a summary way under the *Justices Act 1886*.

Statutes to be approved by Governor in Council

45.(1) Every statute made by the council shall be sealed with the common seal of the university, and shall be transmitted to the Minister to be dealt with in accordance with this section.

(2) The Minister shall submit every statute to the Governor in Council.

(3) A statute shall have no force and effect unless and until approved by the Governor in Council.

Subdivision 4—Provisions relating to companies, joint agreements and arrangements, agreements for use of facilities and staff

Formation of and participation in companies etc.

46.(1) The university, in the performance of its functions under this Act and without limiting the provisions of section 5(2)(f), may be a member of, or form or participate in the formation of, or manage a company, whether incorporated, established or entered into within or outside the State, the objects or purposes of which include 1 or more of the following objects or purposes—

- (a) providing facilities or services for study, research or education;
- (b) undertaking research, development, consultancy or other services for commercial organisations, public bodies or individuals;
- (c) aiding or engaging in the development or promotion of university

research or the application or use of the results of such research;

- (d) preparing, publishing, distributing or licensing the use of literary or artistic work, audio or audiovisual material or computer software;
- (e) exploiting commercially any facility or resource of the university including any study, research or knowledge, or the practical application thereof, developed by or belonging, whether alone or in conjunction with any other person or body, to the university;
- (f) seeking or encouraging gifts to the university or for university purposes;
- (g) any other object or purpose not inconsistent with this Act which the council considers to be appropriate in the circumstances.

(2) The university, or any company of which the university is a member, or which is formed, participated in or managed by the university, may enter into any agreement or arrangement with any company the objects of which include 1 or more of the objects and purposes specified in subsection (1)(a) to (g), in respect of any of those lastmentioned objects and purposes.

Use of facilities and staff

47. The university, in such circumstances and subject to such terms and conditions as the council thinks fit, may contract or otherwise enter into an arrangement with any person or body for the use by him, her or it of the university's facilities and staff.

Companies to furnish returns etc.

48. Any company—

- (a) formed by the university pursuant to section 46; or
- (b) managed by the university; or
- (c) of which the university becomes a member;

shall furnish the council with such reports, returns and information relative to the company's affairs as are from time to time required by the council.

Audit requirements

49. The *Financial Administration and Audit Act 1977*, section 46I applies, to the extent provided by that section, to any company of a kind referred to in section 48.

Subdivision 5—General administrative provisions**Annual report**

50. The council shall, as soon as practicable but no later than 4 months from 31 December each year, prepare and transmit to the Minister a report of the university during that year, in accordance with the provisions of the *Financial Administration and Audit Act 1977*.

Tabling of certain subordinate legislation

51.(1) The *Acts Interpretation Act 1954*, section 28A applies in respect of orders in council and statutes made for the purposes of this Act, and, for the purposes of that application, that section shall be read and construed as if references to regulations were references to orders in council and statutes made for the purposes of this Act.

(2) Every proclamation made under this Act shall be laid before the Legislative Assembly within 14 sitting days after publication in the gazette.

No test of religion, politics, race or sex

52. No test of religion, politics, race or sex shall be administered to any person in order to entitle the person to be admitted as a student of the university, or to hold office therein, or to graduate thereat, or to enjoy any benefit, advantage or privilege thereof, and no person shall be denied admission as a student of the university or be ineligible to hold office therein or to graduate thereat or to enjoy any benefit, advantage or privilege thereof by reason of that person's sex, race, political or religious views or beliefs.

*Division 3—Establishment of colleges***Establishment of university colleges**

53.(1) The Governor in Council, on the recommendation of the council, may from time to time by order in council establish colleges or other university institutions (a “**college**”) for the purpose of carrying out at those colleges or institutions any or all of the functions specified in section 6.

(2) The Governor in Council may in the order in council establishing a college or by another order in council—

- (a) assign to the college a name or title;
- (b) declare at what place the college shall be situated;
- (c) specify the provisions applicable to and in relation to the college which provisions shall be binding upon all persons in relation to that college and which may include—
 - (i) the powers, authorities, duties and functions which the council may exercise and perform in respect of the college; and
 - (ii) the general arrangements for the local management, supervision and control of the college including if necessary the constitution of an advisory council in respect thereof and the membership of such council; and
 - (iii) the financial arrangements for or in respect of the establishment or maintenance of, or both the establishment and maintenance of, the college; and
 - (iv) generally such other matters or things as may be necessary or desirable in order to carry out in respect of the college the purposes of this division.

(3) The power to make an order in council under this section shall include power to make (with respect to all or any of the matters specified in this subsection) such and so many orders in council, either at the same time or from time to time, as the Governor in Council shall deem necessary or expedient in the circumstances.

A college to be part of the university

54.(1) A college shall be, and shall function as, part of the university.

(2) Subject as otherwise may be provided by order in council made under section 53 or by statute, the council may exercise in relation to a college all the powers conferred on the council or university by this part or the statutes in relation to the university and shall have the entire management of and superintendence over the affairs and concerns of the college and of any property held by the university upon trust for the purpose of the college, and in all cases not provided for by this part the council may in relation to the college and to any such property act in such manner as appears to it best calculated to promote the interests or purposes of the college.

(3) Subsection (2) shall be construed as being in aid of and not in derogation of subsection (1).

Powers and functions of advisory council

55. An advisory council constituted for a college may, subject to this Act—

- (a) exercise and perform such powers, authorities, duties and functions as may be prescribed by statute; and
- (b) exercise and perform such of the powers, authorities, duties and functions conferred or imposed on the council by section 53 as are delegated from time to time to the advisory council by the council.

Gifts, devises etc. of property to or for a college

56.(1) The university shall have power to acquire by gift, devise or bequest, any property upon trust to apply the same or the proceeds thereof or the income therefrom for the benefit of a college.

(2) Any gift, devise or bequest of any property made or purporting to be made to a college shall be deemed to be a gift, devise or bequest, as the case may be, to the university upon trust to apply the same for the purposes of the college in accordance with the terms of the gift, devise or bequest; and where there has been a gift, devise or bequest to trustees upon trust for a

college, any act which might have been performed by the college if it had been an independent corporate body may be performed by the university, and any such act by the university shall have the same validity and effect in law as it would have had if the college had been an independent corporate body and had performed the act.

(3) If before the establishment of a college under this division, any property had been vested in or acquired by any person upon trust for the purposes for which the college is established such person may after the college is established and notwithstanding anything contained in the terms of the trust convey or transfer the property to the university upon trust to apply the same or the proceeds thereof or the income therefrom for the benefit of the college, and the acceptance of the property by the university shall be a complete discharge to such person.

Division 4—Property and finance

Budget

57.(1) The council shall, in each year, adopt for the next following year commencing on 1 January a budget for all funds of the university other than those to which subsection (2) relates and shall approve all amendments to the budget and shall control the expenditure of the university so that it conforms as nearly as practicable to the approved budget.

(2) The council shall review annually funds available to the university by way of bequest, donation or special grant and the expenditure thereof, and shall, subject to the terms of any trust and before any such expenditure is made, approve the proposed disposition of those funds.

(3) The financial year of the university shall be the period of 12 months ending on 31 December.

Application of revenue by the university

58.(1) All fees and all other moneys received by the council under this Act or otherwise shall, subject to this division and to the terms of any applicable trust, be applied by the council solely for the purposes of the

university.

(2) For the purposes of subsection (1), the application of moneys from time to time by the council for the purpose of—

- (a) enabling a member or former member of the university to pursue study or research at the university or elsewhere than at the university; or
- (b) the advancement of learning generally; or
- (c) assisting any institution declared by statute to be affiliated or associated with the university;

is an application of those moneys for the purposes of the university.

University is statutory body

59.(1) Under the *Statutory Bodies Financial Arrangements Act 1982*, the university is a statutory body.

(2) The *Statutory Bodies Financial Arrangements Act 1982*, part 2B sets out the way in which the university's powers under this Act are affected by the *Statutory Bodies Financial Arrangements Act 1982*.

University may accept gifts etc. subject to conditions, and establish trust funds

60. In exercising its power to take, acquire by grant, purchase or take on lease any property the university may agree to and carry out any conditions of any gift, grant, bequest, devise or other means whereby it takes or acquires any property or of any such purchase or lease and the council may—

- (a) create; or
- (b) administer; or
- (c) create and administer;

any trust fund or funds in connection therewith or for any other purpose whatsoever.

Powers of investment

61.(1) The council may establish 1 or more investment common funds for the collective investment of any trust and other moneys held by or in the custody of the university.

(2) The council may from time to time without liability for breach of trust bring into or withdraw from any such investment common fund the whole or any part of any moneys of the university or of any trust moneys or any other moneys held by or in the custody of the university.

(3) Subject to subsections (4) and (5) the council shall periodically distribute the income of each investment common fund among the funds participating in the common fund, having regard to the extent of the participation of each fund in the common fund during the relevant accounting period.

(4) In any case where the council has brought into any investment common fund, moneys which, having been received by it to be expended for a stated purpose, cannot or will not be expended for that purpose forthwith, there may be paid into the general funds of the university the whole or any part of that part of the income of such investment common fund which is attributable to the participation of those moneys in that fund and which is not required for that stated purpose.

(5) The council may if it considers it expedient so to do from time to time add some portion of the income to the capital of the common fund or use some portion of the income to establish or augment a fund or funds as a provision against capital depreciation or reduction of income.

(6) Any moneys of the university (whether forming part of a common fund or not), including moneys held upon trust or subject to a condition, may be invested by the council from time to time in any form of investment authorised by statute whether an authorised trustee investment or not.

(7) The powers conferred on the council by this section or by any statute relating to investment of property shall not be exercised by the council in relation to any trust fund or other moneys—

- (a) if the instrument creating the trust expressly directs to the contrary; or
- (b) if the exercise of the power would constitute a breach of any

condition under which the fund or moneys in question were acquired.

Variation of terms of trusts and gifts

62.(1) Where any property is held by or for the university either at the date of the commencement of section 5 or at any time thereafter on terms requiring such property or the income therefrom to be applied for a purpose or purposes and—

- (a) such purpose or all or any of such purposes has or have been effected; or
- (b) such purpose or all or any of such purposes has or have ceased to exist; or
- (c) such purpose or all or any of such purposes has or have been adequately provided for by other means; or
- (d) such purpose or all or any of such purposes are uncertain or cannot be identified or is or are not sufficiently defined; or
- (e) it becomes impossible or impracticable or inexpedient to carry out the purpose or all or any of such purposes; or
- (f) the property or income derived therefrom proves inadequate to carry out such purpose or all or any of such purposes;

then subject to the provisions of this section the council may cause to be prepared a scheme by which that property or any part or residue thereof shall be held on terms requiring such property, part or residue or the income therefrom to be applied for the purpose or purposes designated in the scheme.

(2) A scheme prepared pursuant to subsection (1) shall be submitted by the council to the Governor in Council.

(3) A scheme prepared pursuant to subsection (1) shall have no effect unless and until approved by the Governor in Council.

(4) A scheme approved by the Governor in Council under subsection (3) is, in this section and sections 63 and 64, in relation to the property or part or residue thereof concerned, called the “**approved scheme**” and shall be published in the gazette.

(5) Where, in relation to any property or part or residue thereof held by the university, there is in existence for the time being, an approved scheme, such property part or residue thereof shall in accordance with the approved scheme be diverted from the purpose or purposes for which it was held and shall be held for the purpose or purposes as designated in the approved scheme.

Amendment of approved scheme

63.(1) If the council desires from time to time to amend an approved scheme it shall submit its amendment or amendments to the Governor in Council.

(2) An amendment to an approved scheme proposed pursuant to subsection (1) shall have no effect unless and until approved by the Governor in Council.

(3) An amendment or amendments to an approved scheme approved by the Governor in Council under subsection (2) shall be published in the gazette and thereupon the approved scheme in relation to which such amendment has or amendments have been approved shall be amended in accordance with the approval and as so amended shall be the approved scheme for the time being in relation to the property, part or residue the subject of such scheme.

Provisions relating to approved schemes

64.(1) Where property the subject of an approved scheme consists (wholly or in part) of land, the university shall within 1 calendar month after the publication in the gazette of the approved scheme and within 1 calendar month after the publication in the gazette of every amendment thereof, notify the authority charged in law with the registration of dealings relating to the said land of the approved scheme or, as the case may be, amendment, and that authority shall cause to be made in the appropriate register all such entries as are necessary to record particulars of the approved scheme or amendment.

(2) In selecting a purpose for an approved scheme or for any amendment of an approved scheme, the council shall have a preference for a purpose, which in its opinion, is as nearly similar to the purpose or purposes for

which the property concerned is, for the time being, held by the university as is consistent with useful and convenient achievement but an approved scheme or an approved amendment to such a scheme shall not be invalidated or otherwise prejudiced by reason of the fact that another purpose may have more properly been selected by the council in accordance with this subsection.

(3) Upon its publication in the gazette judicial notice shall be taken of an approved scheme and of any amendment thereof.

(4) The powers conferred by this section and sections 62 and 63 are in addition to any other powers or rights exercisable in law in respect of property held by the university upon trust.

Accounts and Audit

65. The provisions of the *Financial Administration and Audit Act 1977* apply, to the extent provided by that Act, to the council in respect of the financial proceedings of the university.

Superannuation schemes

66.(1) The council may—

- (a) establish or amend superannuation schemes; or
- (b) join in establishing or amending superannuation schemes; or
- (c) take part in superannuation schemes.

(2) The auditor-general may audit the schemes.

(3) Subsection (2) is subject to the *Financial Administration and Audit Act 1977*, part 6.¹

¹ Part 6 (Audit of public accounts and public sector entities)

Division 4A—References to university, council or union**References to university, council or union**

66A. Except so far as the context or subject matter otherwise indicates or requires—

- (a) a reference in an Act or document to the University College of Central Queensland or the University of Central Queensland is taken to be a reference to the university; and
- (b) a reference in an Act or document to the council of the University College of Central Queensland or the council of the University of Central Queensland is taken to be a reference to the council; and
- (c) a reference in an Act or document to the University College of Central Queensland Student Association or the University of Central Queensland Student Association is taken to be a reference to the union.

PART 4—TRANSITIONAL PROVISION**University of Central Queensland Act 1989 references**

151. In an Act or document, a reference to the *University of Central Queensland Act 1989* is a reference to this Act.

ENDNOTES

1 Index to endnotes

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2 Date to which amendments incorporated

This is the reprint date mentioned in the Reprints Act 1992, section 5(c). Accordingly, this reprint includes all amendments that commenced operation on or before 15 July 1997. Future amendments of the Central Queensland University Act 1989 may be made in accordance with this reprint under the Reprints Act 1992, section 49.

3 Key

Key to abbreviations in list of legislation and annotations

AIA	=	Acts Interpretation Act 1954	(prev)	=	previously
amd	=	amended	proc	=	proclamation
ch	=	chapter	prov	=	provision
def	=	definition	pt	=	part
div	=	division	pubd	=	published
exp	=	expires/expired	R[X]	=	Reprint No.[X]
gaz	=	gazette	RA	=	Reprints Act 1992
hdg	=	heading	reloc	=	relocated
ins	=	inserted	renum	=	renumbered
lap	=	lapsed	rep	=	repealed
notfd	=	notified	s	=	section
om	=	omitted	sch	=	schedule
o in c	=	order in council	sdiv	=	subdivision
p	=	page	SIA	=	Statutory Instruments Act 1992
para	=	paragraph	SL	=	subordinate legislation
prec	=	preceding	sub	=	substituted
pres	=	present	unnum	=	unnumbered
prev	=	previous			

4 Table of earlier reprints

TABLE OF EARLIER REPRINTS

[If a reprint number includes an arabic letter, the reprint was released in unauthorised, electronic form only.]

Reprint No.	Amendments included	Reprint date
1	to Act No. 58 of 1995	19 January 1996
1A	to Act No. 65 of 1996	15 April 1997

5 Tables in earlier reprints

TABLES IN EARLIER REPRINTS

Name of table	Reprint No.
Changed citations and remade laws	1
Obsolete and redundant provisions	1
Renumbered provisions	1

6 List of legislation

Central Queensland University Act 1989 No. 97 (prev University of Central Queensland Act 1989)

date of assent 13 October 1989

ss 1–3, 88, 90, 98–135, 145–148 and 156 commenced on date of assent (see s 2(1))

ss 89, 91–97, 136–144 and 149–155 commenced 1 January 1990 (see s 2(2))

ss 4, 6, 16–66, 76–79 and 87 commenced 1 September 1991 (1991 SL No. 59)

remaining provisions commenced 1 January 1992 (1991 SL No. 69)

as amended by—

Universities of Central and Southern Queensland Amendment Act 1991 No. 60 pts 1–2

date of assent 18 September 1991

commenced on date of assent

Statute Law (Miscellaneous Provisions) Act 1991 No. 97 ss 1–3 sch 2

date of assent 17 December 1991

commenced on date of assent

Statute Law (Miscellaneous Provisions) Act 1992 No. 36 ss 1–2 sch 2

date of assent 2 July 1992

commenced on date of assent

Statute Law (Miscellaneous Provisions) Act 1994 No. 15 ss 1–3 sch 1

date of assent 10 May 1994

commenced on date of assent

**Statutory Authorities Superannuation Legislation Amendment Act 1995 No. 36
pt 1, s 9 sch 2**

date of assent 16 June 1995

commenced on date of assent

Statute Law Revision Act (No. 2) 1995 No. 58 ss 1–2, 4 sch 1

date of assent 28 November 1995

commenced on date of assent

**Statutory Bodies Financial Arrangements Amendment Act 1996 No. 54 ss 1–2, 9
sch**

date of assent 20 November 1996

ss 1–2 commenced on date of assent

remaining provisions commenced 1 June 1997 (1997 SL No. 128)

Education (School Curriculum P–10) Act 1996 No. 65 ss 1–2, 52 sch 2

date of assent 9 December 1996

commenced on date of assent

7 List of annotations

Long title amd 1994 No. 15 s 3 sch 1**Short title****s 1** amd 1994 No. 15 s 3 sch 1**Commencement****s 2** om 1994 No. 15 s 3 sch 1**Repeal of Part III****s 3** om 1994 No. 15 s 3 sch 1**Interpretation****s 4** amd 1994 No. 15 s 3 sch 1def “**appointed day**” om 1994 No. 15 s 3 sch 1def “**first Council**” om 1994 No. 15 s 3 sch 1def “**higher education course**” om 1994 No. 15 s 3 sch 1def “**Minister**” om 1991 No. 97 s 3 sch 2def “**Student Association**” om 1994 No. 15 s 3 sch 1def “**Union**” ins 1994 No. 15 s 3 sch 1def “**University**” amd 1994 No. 15 s 3 sch 1def “**University College of Central Queensland**” om 1994 No. 15 s 3
sch 1def “**University College of Central Queensland Student Association**”
om 1994 No. 15 s 3 sch 1**Establishment and incorporation of the university****s 5** amd 1994 No. 15 s 3 sch 1

Constitution of the council

prov hdg amd 1994 No. 15 s 3 sch 1
s 8 amd 1991 No. 60 s 3; 1994 No. 15 s 3 sch 1

Assumption of office by members of the council

s 9 amd 1992 No. 36 s 2 sch 2

Subdivision 4—Central Queensland University Union

sdiv hdg sub 1994 No. 15 s 3 sch 1

Central Queensland University Union

prov hdg sub 1994 No. 15 s 3 sch 1
s 12 amd 1994 No. 15 s 3 sch 1

Composition and role of the union

prov hdg amd 1994 No. 15 s 3 sch 1
s 13 amd 1994 No. 15 s 3 sch 1

Constitution of the union

prov hdg amd 1994 No. 15 s 3 sch 1
s 14 amd 1994 No. 15 s 3 sch 1

Statutes affecting the union

prov hdg amd 1994 No. 15 s 3 sch 1
s 15 amd 1994 No. 15 s 3 sch 1

Disqualification from office

s 20 amd 1996 No. 65 s 52 sch 2

Election of chancellor

s 25 amd 1994 No. 15 s 3 sch 1

Election of deputy chancellor

s 26 amd 1994 No. 15 s 3 sch 1

Appointment of vice-chancellor

s 28 amd 1994 No. 15 s 3 sch 1; 1996 No. 65 s 52 sch 2

Delegation by the council

s 33 sub 1994 No. 15 s 3 sch 1

Regulations

s 43 amd 1994 No. 15 s 3 sch 1

Statutes

s 44 amd 1994 No. 15 s 3 sch 1

University is statutory body

s 59 sub 1996 No. 54 s 9 sch

Superannuation schemes

s 66 sub 1995 No. 36 s 9 sch 2

Division 4A—References to university, council or union

div hdg ins 1994 No. 15 s 3 sch 1

References to university, council or union

s 66A ins 1994 No. 15 s 3 sch 1

Division 5—Transitional and Special Arrangements

div hdg exp at the end of 10 May 1994 (see s 88(2))
AIA s 20A applies (see s 88(1))

Subdivision 1—Cessation of the University College of Central Queensland

sdiv hdg exp at the end of 10 May 1994 (see s 88(2))
AIA s 20A applies (see s 88(1))

University College of Central Queensland to cease to exist

s 67 exp at the end of 10 May 1994 (see s 88(2))
AIA s 20A applies (see s 88(1))

Subdivision 2—Provisions Relating to the University College of Central Queensland

sdiv hdg exp at the end of 10 May 1994 (see s 88(2))
AIA s 20A applies (see s 88(1))

Council of the University College of Central Queensland to cease to exist

s 68 exp at the end of 10 May 1994 (see s 88(2))
AIA s 20A applies (see s 88(1))

Effect of cessation of the University College of Central Queensland

s 69 exp at the end of 10 May 1994 (see s 88(2))
AIA s 20A applies (see s 88(1))

Employment of staff of the Council of the University College of Central Queensland

s 70 exp at the end of 10 May 1994 (see s 88(2))
AIA s 20A applies (see s 88(1))

Superannuation entitlements

s 71 exp at the end of 10 May 1994 (see s 88(2))
AIA s 20A applies (see s 88(1))

Subdivision 3—Provisions relating to the University College of Central Queensland Student Association and the student association

sdiv hdg exp at the end of 10 May 1994 (see s 88(2))
AIA s 20A applies (see s 88(1))

University College of Central Queensland Student Association to cease to exist

s 72 exp at the end of 10 May 1994 (see s 88(2))
AIA s 20A applies (see s 88(1))

Provisions relating to the University College of Central Queensland Student Association

s 73 exp at the end of 10 May 1994 (see s 88(2))
AIA s 20A applies (see s 88(1))

Officers of the University College of Central Queensland Student Association

s 74 exp at the end of 10 May 1994 (see s 88(2))
AIA s 20A applies (see s 88(1))

Constitutional arrangements

- s 75** exp at the end of 10 May 1994 (see s 88(2))
AIA s 20A applies (see s 88(1))

Subdivision 4—Provisions for First Council

- sdiv hdg** exp at the end of 10 May 1994 (see s 88(2))
AIA s 20A applies (see s 88(1))

Constitution of the first Council of the University

- s 76** amd 1991 No. 60 s 4
exp at the end of 10 May 1994 (see s 88(2))
AIA s 20A applies (see s 88(1))

Appointment of first Vice-Chancellor

- s 77** exp at the end of 10 May 1994 (see s 88(2))
AIA s 20A applies (see s 88(1))

Election of Chancellor and Deputy Chancellor

- s 78** exp at the end of 10 May 1994 (see s 88(2))
AIA s 20A applies (see s 88(1))

Casual vacancies on the first Council

- s 79** exp at the end of 10 May 1994 (see s 88(2))
AIA s 20A applies (see s 88(1))

Subdivision 5—Provisions Relating to Students and Awards

- sdiv hdg** exp at the end of 10 May 1994 (see s 88(2))
AIA s 20A applies (see s 88(1))

Enrolment of students in courses

- s 80** exp at the end of 10 May 1994 (see s 88(2))
AIA s 20A applies (see s 88(1))

Awards

- s 81** exp at the end of 10 May 1994 (see s 88(2))
AIA s 20A applies (see s 88(1))

Subdivision 6—General Provisions

- div hdg** exp at the end of 10 May 1994 (see s 88(2))
AIA s 20A applies (see s 88(1))

Compliance with accounts and audit requirements

- s 82** exp at the end of 10 May 1994 (see s 88(2))
AIA s 20A applies (see s 88(1))

Compliance with annual reporting requirements

- s 83** exp at the end of 10 May 1994 (see s 88(2))
AIA s 20A applies (see s 88(1))

Savings

- s 84** exp at the end of 10 May 1994 (see s 88(2))
AIA s 20A applies (see s 88(1))

Statutes and rules to continue in existence

- s 85** exp at the end of 10 May 1994 (see s 88(2))
AIA s 20A applies (see s 88(1))

Construction of references

- s 86** exp at the end of 10 May 1994 (see s 88(2))
AIA s 20A applies (see s 88(1))

Governor in Council may prescribe

- s 87** exp at the end of 10 May 1994 (see s 88(2))
AIA s 20A applies (see s 88(1))

Application of s 20A of Acts Interpretation Act 1954 and expiry of Division

- s 88** prev s 88 om 1989 No. 97 s 3
pres s 88 ins 1994 No. 15 s 3 sch 1
exp at the end of 10 May 1994 (see s 88(2))
AIA s 20A applies (see s 88(1))

PART III—UNIVERSITY COLLEGE OF CENTRAL QUEENSLAND

- pt hdg** om 1989 No. 97 s 3

Division 1—Preliminary

- div hdg** om 1989 No. 97 s 3

Division 2—Constitution and Government of the University College of Central Queensland

- div hdg** om 1989 No. 97 s 3

Subdivision 1—The University College of Central Queensland

- sdiv hdg** om 1989 No. 97 s 3

Establishment and incorporation of the University College

- s 89** om 1989 No. 97 s 3

Functions and powers of the University College

- s 90** om 1989 No. 97 s 3

Subdivision 2—The Council of the University College of Central Queensland

- sdiv hdg** om 1989 No. 97 s 3

The Council of the University College

- s 91** om 1989 No. 97 s 3

Constitution of the Council of the University College other than the first Council of the University College

- s 92** amd 1991 No. 60 s 5
om 1989 No. 97 s 3

Assumption of office by members of the Council of the University College

- s 93** amd 1991 No. 60 s 6
om 1989 No. 97 s 3

Subdivision 3—The University College of Central Queensland Student Association

- sdiv hdg** om 1989 No. 97 s 3

University College of Central Queensland Student Association

s 94 om 1989 No. 97 s 3

Composition and role of the Association

s 95 om 1989 No. 97 s 3

Constitution of the Association

s 96 om 1989 No. 97 s 3

Statutes affecting the Association

s 97 om 1989 No. 97 s 3

Division 3—Administrative Provisions

div hdg om 1989 No. 97 s 3

Subdivision 1—Administrative Provisions Relating to the Council of the University College

sdiv hdg om 1989 No. 97 s 3

Council of the University College deemed to be duly constituted

s 98 om 1989 No. 97 s 3

Term of appointment

s 99 om 1989 No. 97 s 3

Failure to appoint, elect or nominate

s 100 om 1989 No. 97 s 3

Eligibility for re-appointment

s 101 om 1989 No. 97 s 3

Disqualification from office

s 102 om 1989 No. 97 s 3

Vacation of office

s 103 om 1989 No. 97 s 3

Vacancy on the Council of the University College from expiry of term of appointment

s 104 om 1989 No. 97 s 3

Casual vacancies on the Council of the University College

s 105 om 1989 No. 97 s 3

Temporary replacement of member

s 106 om 1989 No. 97 s 3

Election of Chancellor of the University College

s 107 om 1989 No. 97 s 3

Election of Deputy Chancellor of the University College

s 108 om 1989 No. 97 s 3

Chairmanship of the Council of the University College

s 109 om 1989 No. 97 s 3

Appointment of Vice-Chancellor

s 110 om 1989 No. 97 s 3

Quorum of the Council of the University College

s 111 om 1989 No. 97 s 3

Re-election or re-appointment

s 112 om 1989 No. 97 s 3

Validity of proceedings

s 113 om 1989 No. 97 s 3

Powers of the Council of the University College

s 114 om 1989 No. 97 s 3

Delegation by the Council of the University College

s 115 om 1989 No. 97 s 3

Subdivision 2—Regulations, Statutes and Rules

sdiv hdg om 1989 No. 97 s 3

Regulations

s 116 om 1989 No. 97 s 3

Statutes

s 117 om 1989 No. 97 s 3

Statutes to be approved by Governor in Council

s 118 om 1989 No. 97 s 3

Subdivision 3—Provisions Relating to Companies, Joint Agreements and Arrangements, Agreements for Use of Facilities and Staff

sdiv hdg om 1989 No. 97 s 3

Formation of and participating in companies, etc.

s 119 om 1989 No. 97 s 3

Use of facilities and staff

s 120 om 1989 No. 97 s 3

Companies to furnish returns, etc.

s 121 om 1989 No. 97 s 3

Audit requirements

s 122 om 1989 No. 97 s 3

Subdivision 4—General Administrative Provisions

sdiv hdg om 1989 No. 97 s 3

Annual Report

s 123 om 1989 No. 97 s 3

Tabling of certain subordinate legislation

s 124 om 1989 No. 97 s 3

No test of religion, politics, race or sex

s 125 om 1989 No. 97 s 3

Division 4—Property and Finance

sdiv hdg om 1989 No. 97 s 3

Budget

s 126 om 1989 No. 97 s 3

Application of revenue by the University College

s 127 om 1989 No. 97 s 3

Financial accommodation

s 128 om 1989 No. 97 s 3

University College may accept gifts, etc., subject to conditions, and establish trust funds

s 129 om 1989 No. 97 s 3

Powers of investment

s 130 om 1989 No. 97 s 3

Variation of terms of trusts and gifts

s 131 om 1989 No. 97 s 3

Amendment of approved scheme

s 132 om 1989 No. 97 s 3

Provisions relating to approved schemes

s 133 om 1989 No. 97 s 3

Accounts and Audit

s 134 om 1989 No. 97 s 3

Superannuation scheme or arrangement

s 135 om 1989 No. 97 s 3

Division 5—Transitional and Special Arrangements for the University College

div hdg om 1989 No. 97 s 3

Subdivision 1—Provisions relating to the Institute

sdiv hdg om 1989 No. 97 s 3

Institute to cease to exist

s 136 om 1989 No. 97 s 3

Subdivision 2—Provisions Relating to the Council of the Institute

sdiv hdg om 1989 No. 97 s 3

Council of the Institute to cease to exist

s 137 om 1989 No. 97 s 3

Effect of cessation of the Council of the Institute

s 138 om 1989 No. 97 s 3

Employment of staff of the Council of the Institute

s 139 om 1989 No. 97 s 3

Superannuation entitlements

s 140 om 1989 No. 97 s 3

Subdivision 3—Provisions Relating to the Union and the Association

sdiv hdg om 1989 No. 97 s 3

Union to cease to exist**s 141** om 1989 No. 97 s 3**Provisions relating to the Union****s 142** om 1989 No. 97 s 3**Officers of the Union****s 143** om 1989 No. 97 s 3**Constitutional arrangements****s 144** om 1989 No. 97 s 3**Subdivision 4—Provisions for First Council of the University College****sdiv hdg** om 1989 No. 97 s 3**Constitution of first Council of the University College****s 145** om 1989 No. 97 s 3**Appointment of first Vice-Chancellor of the University College****s 146** om 1989 No. 97 s 3**Election of first Chancellor and Deputy Chancellor of the University College****s 147** om 1989 No. 97 s 3**Casual vacancies on the first Council of the University College****s 148** om 1989 No. 97 s 3**Subdivision 5—Provisions Relating to Students and Awards****sdiv hdg** om 1989 No. 97 s 3**Enrolment of students in courses****s 149** om 1989 No. 97 s 3**Awards****s 150** amd 1991 No. 97 s 3 sch 2
om 1989 No. 97 s 3 (as from 1 January 1992 (see s 2(4) and 1991 SL
No. 69)**Subdivision 6—General Provisions****sdiv hdg** om 1989 No. 97 s 3**Compliance with accounts and audit requirements****s 151** om 1989 No. 97 s 3**Compliance with annual reporting requirements****s 152** om 1989 No. 97 s 3**Savings****s 153** om 1989 No. 97 s 3**By-laws to be Statutes****s 154** om 1989 No. 97 s 3**Construction of references****s 155** om 1989 No. 97 s 3**Governor in Council may prescribe****s 156** om 1989 No. 97 s 3

PART 4—TRANSITIONAL PROVISION**pt hdg** ins 1995 No. 58 s 4 sch 1**University of Central Queensland Act 1989 references****s 151** ins 1995 No. 58 s 4 sch 1