

Reprint
as at 1 August 2020



Massey University Act 1963

Public Act	1963 No 7
Date of assent	25 September 1963
Commencement	see section 1(2)

Act name: amended, on 2 September 1966, by section 2(1) of the Massey University Amendment Act 1966 (1966 No 10).

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An Act to constitute Massey University

Title: amended, on 2 September 1966, by section 2(3) of the Massey University Amendment Act 1966 (1966 No 10).

1 Short Title and commencement

- (1) This Act may be cited as the Massey University Act 1963.
- (2) This Act shall come into force on 1 January 1964.

Section 1(1): amended, on 2 September 1966, by section 2(2) of the Massey University Amendment Act 1966 (1966 No 10).

2 Interpretation

- (1) In this Act, unless the context otherwise requires,—

assisted student means an international student who is in New Zealand to study under an assistance programme administered by the New Zealand Government

the Council means the Council of Massey University constituted in accordance with subpart 3 of Part 4 of the Education and Training Act 2020

domestic student means a person who is not an international student

exempt student means an international student who—

- (a) is in New Zealand to study under an assistance or exchange programme approved by the New Zealand Government; or
- (b) is for the time being exempted under section 47B(2)

international student means a person who is not a New Zealand citizen and is—

- (a) a person to whom section 15 or 16 of the Immigration Act 2009 applies; or
- (b) a person obliged by or under that Act or any other enactment to leave New Zealand immediately or within a specified time; or
- (c) treated for the purposes of that Act as being unlawfully in New Zealand

lecturer means a member of the staff of Massey University who is in terms of his appointment an associate professor, a reader, a senior lecturer, or a lecturer of the University; and includes such other persons and classes of persons as the Council from time to time determines

Minister means the Minister of the Crown for the time being responsible for the administration of this Act

professor means a professor of Massey University; but does not include an associate professor

the Registrar means the Registrar of Massey University

Secretary means the chief executive of the Ministry of Education

the University means Massey University constituted under this Act.

- (2) In the absence of proof to the contrary,—
 - (a) a certificate signed by the chief executive of the Ministry of Foreign Affairs and Trade that on a specified day, or for a specified period, a specified person was or was not, or will or will not be in New Zealand to study under an assistance programme administered by the New Zealand Government; or
 - (b) a certificate signed by the Secretary that on a specified day, or for a specified period, a specified person was or was not, or will or will not be in New Zealand to study under an exchange programme approved by the New Zealand Government,—

is, for the purposes of subsection (1), conclusive evidence of the matter certified; and judicial notice shall be taken of the signature on any such certificate of the chief executive or (as the case may be) the Secretary.

Compare: 1962 No 8 s 2

Section 2(1) **academic staff**: repealed, on 1 January 1991, by section 50(4) of the Education Amendment Act 1990 (1990 No 60).

Section 2(1) **assisted student**: inserted, on 1 January 1990, by section 35(2) of the Education Amendment Act 1989 (1989 No 156).

Section 2(1) **assisted student**: amended, on 1 August 2020, by section 668 of the Education and Training Act 2020 (2020 No 38).

Section 2(1) **the Chancellor**: repealed, on 1 January 1991, by section 50(4) of the Education Amendment Act 1990 (1990 No 60).

Section 2(1) **the Council**: amended, on 1 August 2020, by section 668 of the Education and Training Act 2020 (2020 No 38).

Section 2(1) **the Council**: amended, on 1 January 1991, by section 50(4) of the Education Amendment Act 1990 (1990 No 60).

Section 2(1) **the Council**: amended, on 2 September 1966, by section 2(3) of the Massey University Amendment Act 1966 (1966 No 10).

Section 2(1) **domestic student**: inserted, on 1 January 1990, by section 35(2) of the Education Amendment Act 1989 (1989 No 156).

Section 2(1) **domestic student**: amended, on 1 August 2020, by section 668 of the Education and Training Act 2020 (2020 No 38).

Section 2(1) **exempt student**: inserted, on 1 January 1990, by section 35(2) of the Education Amendment Act 1989 (1989 No 156).

Section 2(1) **exempt student**: amended, on 1 August 2020, by section 668 of the Education and Training Act 2020 (2020 No 38).

Section 2(1) **financial year**: repealed, on 1 January 1991, by section 50(4) of the Education Amendment Act 1990 (1990 No 60).

Section 2(1) **foreign student**: repealed, on 1 August 2020, by section 668 of the Education and Training Act 2020 (2020 No 38).

Section 2(1) **general course of study**: repealed, on 1 January 1991, by section 50(4) of the Education Amendment Act 1990 (1990 No 60).

Section 2(1) **international student**: inserted, on 1 August 2020, by section 668 of the Education and Training Act 2020 (2020 No 38).

Section 2(1) **lecturer**: amended, on 2 September 1966, by section 2(3) of the Massey University Amendment Act 1966 (1966 No 10).

Section 2(1) **Minister**: inserted, on 1 January 1990, by section 35(2) of the Education Amendment Act 1989 (1989 No 156).

Section 2(1) **personal course of study**: repealed, on 1 January 1991, by section 50(4) of the Education Amendment Act 1990 (1990 No 60).

Section 2(1) **the Pro-Chancellor**: repealed, on 1 January 1991, by section 50(4) of the Education Amendment Act 1990 (1990 No 60).

Section 2(1) **professor**: amended, on 2 September 1966, by section 2(3) of the Massey University Amendment Act 1966 (1966 No 10).

Section 2(1) **the Professorial Board**: repealed, on 1 January 1991, by section 50(4) of the Education Amendment Act 1990 (1990 No 60).

Section 2(1) **the Registrar**: amended, on 2 September 1966, by section 2(3) of the Massey University Amendment Act 1966 (1966 No 10).

Section 2(1) **Secretary**: inserted, on 1 January 1990, by section 35(2) of the Education Amendment Act 1989 (1989 No 156).

Section 2(1) **the University**: amended, on 2 September 1966, by section 2(3) of the Massey University Amendment Act 1966 (1966 No 10).

Section 2(1) **the Vice-Chancellor**: repealed, on 1 January 1991, by section 50(4) of the Education Amendment Act 1990 (1990 No 60).

Section 2(2): inserted, on 1 January 1990, by section 35(3) of the Education Amendment Act 1989 (1989 No 156).

Section 2(2)(a): amended, on 1 July 1993, pursuant to section 9(2) of the Foreign Affairs Amendment Act 1993 (1993 No 48).

3 Constitution of the University

- (1) For the advancement of knowledge and the dissemination and maintenance thereof by teaching and research there shall be a University to be called Massey University.
- (2) The University shall consist of the Council, the professors emeriti, the professors, lecturers, junior lecturers, Registrar, and librarian of the University for the time being in office, the graduates and undergraduates of the University, the graduates of the University of New Zealand whose names are for the time being on the books of the University, the persons whose names are for the time being on the register of the Court of Convocation of the University, and such other persons and classes of persons as the Council may from time to time determine.
- (3) The University shall be a body corporate with perpetual succession and a common seal, and may hold real and personal property, and sue and be sued, and do and suffer all that bodies corporate may do and suffer.
- (4) The University established under this Act is hereby declared to be the same institution as the institution, known as the Massey University College of Manawatu, existing immediately before the commencement of this Act under the Massey University College of Manawatu Act 1962.
- (5) Unless the context otherwise requires, every reference in any enactment or document to Massey College or the Massey University College of Manawatu or the branch of the Victoria University of Wellington at Palmerston North (however they may be described) shall hereafter be read as a reference to Massey University.

Compare: 1962 No 8 s 3

Section 3(1): amended, on 1 January 1991, by section 50(4) of the Education Amendment Act 1990 (1990 No 60).

Section 3(1): amended, on 2 September 1966, by section 2(3) of the Massey University Amendment Act 1966 (1966 No 10).

Section 3(5): amended, on 2 September 1966, by section 2(3) of the Massey University Amendment Act 1966 (1966 No 10).

4 Court of Convocation

- (1) There shall be a Court of Convocation of the University.

- (2) The said Court of Convocation shall consist of the persons whose names are enrolled on a register to be kept by the Registrar.
- (3) Every person shall be entitled to have his name enrolled on the register of the Court of Convocation who—
 - (a) is a graduate on the books of the University; or
 - (b) was immediately before the commencement of this Act a graduate on the books of the Massey University College of Manawatu; or
 - (c) is a graduate of a University other than a University in New Zealand, and is resident in New Zealand, and applies to be enrolled on the said register; or
 - (d) is otherwise entitled in accordance with any statute made by the Council to have his name enrolled on the said register.
- (4) The power of the Council under section 284 of the Education and Training Act 2020 to make statutes extends to making statutes for the keeping of the register of the Court of Convocation, which statutes may include provisions prescribing the persons and classes of persons who are eligible for membership of the said Court of Convocation and the circumstances in which, and the conditions (whether as to payment of fee or otherwise) on which, persons are entitled to have their names enrolled on the register of the said court; and, subject to this Act and to the said statutes, if any, the said court shall have power to make such rules for the conduct of its business as it thinks fit, and until rules governing its meetings are so made shall meet at such times and places as the Council may determine.
- (5) The said court may make representations to the Council on any matter concerning the interests of the University.

Compare: 1962 No 8 s 4

Section 4(3)(d): amended, on 1 January 1991, by section 50(4) of the Education Amendment Act 1990 (1990 No 60).

Section 4(4): amended, on 1 August 2020, by section 668 of the Education and Training Act 2020 (2020 No 38).

Section 4(4): amended, on 1 January 1991, by section 50(4) of the Education Amendment Act 1990 (1990 No 60).

5 Visitor of the University

[Repealed]

Section 5: repealed, on 1 January 1991, by section 50(4) of the Education Amendment Act 1990 (1990 No 60).

*The Council**[Repealed]*

Heading: repealed, on 1 January 1991, pursuant to section 50(4) of the Education Amendment Act 1990 (1990 No 60).

6 Constitution of Council*[Repealed]*

Section 6: repealed, on 1 January 1991, by section 50(4) of the Education Amendment Act 1990 (1990 No 60).

7 Transitional provisions*[Repealed]*

Section 7: repealed, on 1 January 1991, by section 50(4) of the Education Amendment Act 1990 (1990 No 60).

8 Term of office*[Repealed]*

Section 8: repealed, on 1 January 1991, by section 50(4) of the Education Amendment Act 1990 (1990 No 60).

9 Employees as Council members*[Repealed]*

Section 9: repealed, on 1 January 1991, by section 50(4) of the Education Amendment Act 1990 (1990 No 60).

10 Disqualification of members of Council*[Repealed]*

Section 10: repealed, on 1 January 1991, by section 50(4) of the Education Amendment Act 1990 (1990 No 60).

11 Casual vacancies in Council*[Repealed]*

Section 11: repealed, on 1 January 1991, by section 50(4) of the Education Amendment Act 1990 (1990 No 60).

12 Proceeding of Council not affected by vacancies, etc*[Repealed]*

Section 12: repealed, on 1 January 1991, by section 50(4) of the Education Amendment Act 1990 (1990 No 60).

13 Election of Council members*[Repealed]*

Section 13: repealed, on 1 January 1991, by section 50(4) of the Education Amendment Act 1990 (1990 No 60).

14 Meetings of Council

[Repealed]

Section 14: repealed, on 1 January 1991, by section 50(4) of the Education Amendment Act 1990 (1990 No 60).

15 Special meetings of Council

[Repealed]

Section 15: repealed, on 1 January 1991, by section 50(4) of the Education Amendment Act 1990 (1990 No 60).

16 Council may appoint committees

[Repealed]

Section 16: repealed, on 1 January 1991, by section 50(4) of the Education Amendment Act 1990 (1990 No 60).

Powers of the Council

17 Council to be governing body of University

[Repealed]

Section 17: repealed, on 1 January 1991, by section 50(4) of the Education Amendment Act 1990 (1990 No 60).

18 Appointment of professors, lecturers, etc

[Repealed]

Section 18: repealed, on 1 January 1991, by section 50(4) of the Education Amendment Act 1990 (1990 No 60).

18A Council to consult staff organisation about conditions of employment of academic staff

[Repealed]

Section 18A: repealed, on 19 December 1989, by section 30(1) of the State Sector Amendment Act (No 2) 1989 (1989 No 136).

19 Conferment of degrees

[Repealed]

Section 19: repealed, on 1 January 1991, by section 50(4) of the Education Amendment Act 1990 (1990 No 60).

20 Award of certificates, etc

The Council shall have power, under such conditions as it thinks fit, to award certificates, fellowships, scholarships, bursaries, and prizes, and to make other awards.

Compare: 1962 No 8 s 20

21 Lectures to members of the public

The Council shall have power to provide such lectures and instruction for any persons, whether or not they are members of the University, as it thinks fit, and on such conditions as it thinks fit, and may award certificates to any of them.

Compare: 1962 No 8 s 21

22 Power to make statutes and regulations

[Repealed]

Section 22: repealed, on 1 January 1991, by section 50(4) of the Education Amendment Act 1990 (1990 No 60).

23 Seal of the University

[Repealed]

Section 23: repealed, on 1 January 1991, by section 50(4) of the Education Amendment Act 1990 (1990 No 60).

24 Admission of students

[Repealed]

Section 24: repealed, on 1 January 1991, by section 50(4) of the Education Amendment Act 1990 (1990 No 60).

The Chancellor and Pro-Chancellor

[Repealed]

Heading: repealed, on 1 January 1991, pursuant to section 50(4) of the Education Amendment Act 1990 (1990 No 60).

25 Election of Chancellor

[Repealed]

Section 25: repealed, on 1 January 1991, by section 50(4) of the Education Amendment Act 1990 (1990 No 60).

26 Election of Pro-Chancellor

[Repealed]

Section 26: repealed, on 1 January 1991, by section 50(4) of the Education Amendment Act 1990 (1990 No 60).

27 Right to preside at meetings of Council

[Repealed]

Section 27: repealed, on 1 January 1991, by section 50(4) of the Education Amendment Act 1990 (1990 No 60).

The Vice-Chancellor and Acting Vice-Chancellor

[Repealed]

Heading: repealed, on 1 January 1991, pursuant to section 50(4) of the Education Amendment Act 1990 (1990 No 60).

28 Vice-Chancellor and Principal

[Repealed]

Section 28: repealed, on 1 January 1991, by section 50(4) of the Education Amendment Act 1990 (1990 No 60).

29 Acting Vice-Chancellor

[Repealed]

Section 29: repealed, on 19 December 1989, by section 30(1) of the State Sector Amendment (No 2) Act 1989 (1989 No 136).

The Professorial Board

[Repealed]

Heading: repealed, on 1 January 1991, pursuant to section 50(4) of the Education Amendment Act 1990 (1990 No 60).

30 Constitution of Professorial Board

[Repealed]

Section 30: repealed, on 1 January 1991, by section 50(4) of the Education Amendment Act 1990 (1990 No 60).

31 Chairman of Professorial Board

[Repealed]

Section 31: repealed, on 1 January 1991, by section 50(4) of the Education Amendment Act 1990 (1990 No 60).

32 Meetings of Professorial Board

[Repealed]

Section 32: repealed, on 1 January 1991, by section 50(4) of the Education Amendment Act 1990 (1990 No 60).

33 Proceedings of Professorial Board not affected by vacancies, etc

[Repealed]

Section 33: repealed, on 1 January 1991, by section 50(4) of the Education Amendment Act 1990 (1990 No 60).

34 Functions of Professorial Board

[Repealed]

Section 34: repealed, on 1 January 1991, by section 50(4) of the Education Amendment Act 1990 (1990 No 60).

35 Professorial Board may appoint committees

[Repealed]

Section 35: repealed, on 1 January 1991, by section 50(4) of the Education Amendment Act 1990 (1990 No 60).

36 Council to consult Professorial Board on academic matters

[Repealed]

Section 36: repealed, on 1 January 1991, by section 50(4) of the Education Amendment Act 1990 (1990 No 60).

Financial provisions

37 Benefactions to be strictly applied

[Repealed]

Section 37: repealed, on 1 January 1991, by section 50(4) of the Education Amendment Act 1990 (1990 No 60).

38 Bulk funding

[Repealed]

Section 38: repealed, on 1 January 1991, by section 50(4) of the Education Amendment Act 1990 (1990 No 60).

39 Money to be paid into bank

[Repealed]

Section 39: repealed, on 1 January 1991, by section 50(4) of the Education Amendment Act 1990 (1990 No 60).

40 Withdrawals from bank

[Repealed]

Section 40: repealed, on 1 January 1991, by section 50(4) of the Education Amendment Act 1990 (1990 No 60).

41 Loan money to be paid into a separate account

[Repealed]

Section 41: repealed, on 1 January 1991, by section 50(4) of the Education Amendment Act 1990 (1990 No 60).

42 Investment of money

[Repealed]

Section 42: repealed, on 1 January 1991, by section 50(4) of the Education Amendment Act 1990 (1990 No 60).

43 Provision for Common Fund investment

[Repealed]

Section 43: repealed, on 1 January 1991, by section 50(4) of the Education Amendment Act 1990 (1990 No 60).

44 Travelling allowances and expenses of members of Council

[Repealed]

Section 44: repealed, on 1 January 1991, by section 50(4) of the Education Amendment Act 1990 (1990 No 60).

45 Council may insure members against personal accident while engaged in duties

[Repealed]

Section 45: repealed, on 1 January 1991, by section 50(4) of the Education Amendment Act 1990 (1990 No 60).

46 Unauthorised expenditure of Council

[Repealed]

Section 46: repealed, on 1 January 1991, by section 50(4) of the Education Amendment Act 1990 (1990 No 60).

47 Council to prescribe fees

[Repealed]

Section 47: repealed, on 1 January 1990, by section 35(1) of the Education Amendment Act 1989 (1989 No 156).

47A Fees for domestic students

[Repealed]

Section 47A: repealed, on 1 January 1991, by section 50(4) of the Education Amendment Act 1990 (1990 No 60).

47B Fees for foreign students

[Repealed]

Section 47B: repealed, on 1 January 1991, by section 50(4) of the Education Amendment Act 1990 (1990 No 60).

48 Fees payable to associations of students

[Repealed]

Section 48: repealed, on 1 January 1991, by section 50(4) of the Education Amendment Act 1990 (1990 No 60).

49 Grants by Council to associations of staff or students

[Repealed]

Section 49: repealed, on 1 January 1991, by section 50(4) of the Education Amendment Act 1990 (1990 No 60).

50 Powers of Council in respect of property

[Repealed]

Section 50: repealed, on 1 January 1991, by section 50(4) of the Education Amendment Act 1990 (1990 No 60).

51 Special powers

[Repealed]

Section 51: repealed, on 1 January 1991, by section 50(4) of the Education Amendment Act 1990 (1990 No 60).

52 Power to borrow by way of overdraft or temporary loan

[Repealed]

Section 52: repealed, on 1 January 1991, by section 50(4) of the Education Amendment Act 1990 (1990 No 60).

53 Power to grant loans to students

[Repealed]

Section 53: repealed, on 1 January 1991, by section 50(4) of the Education Amendment Act 1990 (1990 No 60).

54 Annual report and statement of accounts

[Repealed]

Section 54: repealed, on 1 January 1991, by section 50(4) of the Education Amendment Act 1990 (1990 No 60).

55 Accommodation for adult education purposes

Until the Council of the Victoria University of Wellington and the Council of Massey University otherwise agree, the Council of Massey University shall provide for the adult education purposes of the Victoria University of Wellington the accommodation which, immediately before 1 January 1962, was provided at Palmerston North for those purposes by the Council of the Victoria University of Wellington, or accommodation reasonably equivalent thereto.

Compare: 1962 No 8 s 55(6)

Section 55: amended, on 2 September 1966, by section 2(3) of the Massey University Amendment Act 1966 (1966 No 10).

56 Saving of certain statutes, regulations, etc

[Repealed]

Section 56: repealed, on 1 January 1991, by section 50(4) of the Education Amendment Act 1990 (1990 No 60).

57 Consequential amendments

[Repealed]

Section 57: repealed, on 1 January 1991, by section 50(4) of the Education Amendment Act 1990 (1990 No 60).

58 Repeal

[Repealed]

Section 58: repealed, on 1 January 1991, by section 50(4) of the Education Amendment Act 1990 (1990 No 60).

Schedule 1
Degrees and other academic qualifications
[Repealed]

s 19

Schedule 1: repealed, on 1 January 1991, by section 50(4) of the Education Amendment Act 1990 (1990 No 60).

Schedule 2
Enactments amended
[Repealed]

s 57(3)

Schedule 2: repealed, on 1 January 1991, by section 50(4) of the Education Amendment Act 1990 (1990 No 60).

Massey University Amendment Act 1966

Public Act	1966 No 10
Date of assent	2 September 1966
Commencement	2 September 1966

An Act to amend the Massey University of Manawatu Act 1963

1 Short Title

This Act may be cited as the Massey University Amendment Act 1966, and shall be read together with and deemed part of the Act heretofore known as the Massey University of Manawatu Act 1963 (hereinafter referred to as “the principal Act”).

2 Change of name of University

- (1) The principal Act may hereafter be cited as the Massey University Act 1963.
- (2), (3) *Amendment(s) incorporated in the Act(s).*
- (4) *[Repealed]*
- (5) *[Repealed]*
- (6), (7) *Amendment(s) incorporated in the Act(s).*
- (8) Every other reference in any enactment or document whatsoever to the Massey University of Manawatu Act 1963 shall hereafter be read as a reference to the Massey University Act 1963.
- (9) Every other reference in any enactment (except the principal Act) or in any document whatsoever, to the Massey University of Manawatu (however it is described) shall, unless the context otherwise requires, hereafter be read as a reference to Massey University.
- (10) The corporate identity of the said University shall not be affected by the passing of this Act; and the said University shall, notwithstanding the change of its name effected by this section, continue to be for all purposes the same institution with the same powers as before the passing of this Act.

Section 2(4): repealed, on 18 December 1968, by section 9(1) of the Local Authorities (Members' Interests) Act 1968 (1968 No 147).

Section 2(5): repealed, on 1 March 1988, by section 58(1) of the Local Government Official Information and Meetings Act 1987 (1987 No 174).

Reprints notes

1 *General*

This is a reprint of the Massey University Act 1963 that incorporates all the amendments to that Act as at the date of the last amendment to it.

2 *Legal status*

Reprints are presumed to correctly state, as at the date of the reprint, the law enacted by the principal enactment and by any amendments to that enactment. Section 18 of the Legislation Act 2012 provides that this reprint, published in electronic form, has the status of an official version under section 17 of that Act. A printed version of the reprint produced directly from this official electronic version also has official status.

3 *Editorial and format changes*

Editorial and format changes to reprints are made using the powers under sections 24 to 26 of the Legislation Act 2012. See also <http://www.pco.parliament.govt.nz/editorial-conventions/>.

4 *Amendments incorporated in this reprint*

Education and Training Act 2020 (2020 No 38): section 668

Foreign Affairs Amendment Act 1993 (1993 No 48): section 9(2)

Education Amendment Act 1990 (1990 No 60): section 50(4)

Education Amendment Act 1989 (1989 No 156): section 35

State Sector Amendment Act (No 2) 1989 (1989 No 136): section 30(1)

Massey University Amendment Act 1966 (1966 No 10)