

New Zealand.

ANALYSIS.

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1891, No. 23.

- Title.** AN ACT to reconstitute the Council of the Otago University.
[17th September, 1891.]
- Preamble.** WHEREAS by "The University of Otago Ordinance, 1869," the University of Otago was constituted; and by the said ordinance it was provided that the Council of the said University should be appointed by the Superintendent of the Province of Otago until there were in existence thirty graduates of the said University, and that the graduates of the said University should then appoint all the members of the said Council: And whereas the said University of Otago subsequently became affiliated to the University of New Zealand, and never obtained a charter from the Crown, so that there were no graduates of the University of Otago created, and no further provision was made for the appointment of members of the said Council: And whereas it is now desirable that such further provision should be made:
- BE IT THEREFORE ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:—
- Short Title.** 1. The Short Title of this Act is "The University of Otago Council Election Act, 1891."
- Interpretation.** 2. For the purposes of this Act the word "graduates" shall mean and include all graduates of the University of New Zealand who have kept their terms at, or whose names are upon the books of, the University of Otago; and the word "Council" shall mean the Council of the University of Otago; and the word "Professors" means Professors appointed by the Council.
- Meetings to be called.** 3. The Council shall convene a meeting of graduates whenever a vacancy shall occur in the Council requiring to be filled by a member elected by the graduates as hereinafter provided, or at any other time

when the Council shall think fit, or whenever ten graduates shall in writing request the Council to call a meeting.

4. The graduates in such meeting assembled shall have the powers following, that is to say :—

Powers of graduates.

- (a.) Of electing members of the Council as hereinafter provided when a vacancy shall occur ;
- (b.) Of discussing any matter whatsoever relating to the University of Otago, and declaring the opinion of such meeting, and making recommendations to the Council on any such matter ;
- (c.) Of deciding on the mode of conducting and regulating the proceedings of such meeting ;
- (d.) Of adjourning any such meeting for such time, either on the same day or to a future day, as may seem fit.

5. The Council shall provide a proper place for such meeting of graduates, and the proceedings of such meeting shall be transmitted to the Council.

Place of meeting.

6. Ten graduates shall form a quorum for any such meeting, and no business shall be done unless a quorum be present.

Quorum.

7. Any person entitled to attend any such meeting as aforesaid, but who is unable to be present, may give a proxy to any other graduate who shall attend such meeting to vote in the name and on behalf of such person in any election of a member of the Council by any such meeting ; but no proxy shall be allowed for any other purpose. Proxies shall not count for the purpose of constituting a quorum.

Proxies.

8. The Council shall convene a meeting of Professors whenever a vacancy shall occur in the Council requiring to be filled by a member elected by the Professors as hereinafter provided, and at such meeting the Professors shall have power to elect one of their own number or some other person to be a member of the Council.

Council to convene meeting of Professors.

9. Each member of the Council in office at the time of passing of this Act shall continue to hold office until he shall resign or die : Provided always that if any member of Council shall be absent without the express permission of the Council from more than four consecutive meetings such member shall be deemed to have resigned, and his seat shall be, as soon as conveniently may be, filled up by the election or nomination, as the case may be, of a new member :

Present members of Council shall hold office till resignation or death.

Provided, however, that such last proviso shall not apply to a member of the Council who is a member of Parliament during the sitting thereof.

10. Vacancies occurring through the death or resignation of members of the Council in office at the time of passing of this Act shall be filled by persons elected or appointed, as the case may be, in the following order—that is to say, the first, third, fifth, and seventh vacancies shall be filled by persons elected by the graduates, the second and fourth vacancies by persons elected by the Professors, and the remaining vacancies by persons appointed by the Governor in Council :

How vacancy filled up.

Provided that every person elected by the graduates shall be a resident in the Provincial District of Otago, and if such person shall cease to reside in such district he shall thereupon be deemed to have resigned his seat.

Order of filling
vacancies.

11. Every vacancy occurring through the death or retirement of any member of Council appointed or elected under this Act shall be filled by a person appointed or elected by the authority by which the deceased or retiring member was appointed or elected.

Future term of
office to be five years.

12. All members of the Council appointed after the passing of this Act shall hold office for five years, and no longer.

Members of Council
eligible for re-election.

13. All members of the Council shall be eligible for election or re-election or nomination by the Governor in Council, as the case may be.

Appointment of
Professors to
Council.

14. Except as provided in section eight of this Act no Professor may be appointed or elected to be a member of the Council.

Repeal of certain
clauses of Otago
Provincial Ordinance,
1869.

15. The following clauses and sections of the said University of Otago Ordinance are hereby repealed : (*a.*) Section two, from the words "and all vacancies" to the end. (*b.*) Section four.