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(Mr. O'Rorke.)

# Auckland University.

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## A BILL INTITULED

AN ACT to Establish a University in the City of Auckland for the further Encouragement of Learning in the Colony of New Zealand.

WHEREAS it is expedient to further promote sound learning in the Colony of New Zealand, and with that intent to establish and incorporate a University in the City of Auckland:

BE IT THEREFORE ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:—

1. The Short Title of this Act shall be "The Auckland University Act, 1872."

2. "The New Zealand University Act, 1870," with the exception of section fifteen, so far as it appropriates three thousand pounds annually to the purposes of establishing a University in New Zealand, is hereby repealed.

3. The Auckland University shall consist of a Council and Senate, and when duly constituted and appointed according to the provisions of this Act, shall be a body politic and corporate by the name of "The Auckland University," and by that name shall have perpetual succession, and shall adopt and have a Common Seal, and shall by the same name sue and be sued, plead and be impleaded, answer and be answered unto, in all Courts of the said Colony, and shall be capable in law to take purchase and hold all goods chattels and personal property whatsoever, and shall also be able and

capable in law to receive take purchase and hold for ever, not only such lands building hereditaments and possessions as may from time to time be exclusively used and occupied by the said University for its immediate requirements, but also any other lands buildings hereditaments and possessions whatsoever situate in the said Colony or elsewhere, and shall be able and capable in law to grant demise alienate or otherwise dispose of all or any of the property real or personal belonging to the said University, and also to do all other matters and things incidental or appertaining to a body politic: Provided always that until the Senate of the said University shall have been constituted as is herein enacted, the said body politic and corporate shall consist of the Council to be nominated and appointed by the Governor in Council as hereinafter mentioned: Provided further that it shall not be lawful for the said University to alienate mortgage charge or demise any lands tenements or hereditaments of which it shall have become seized, or to which it may become entitled by grant purchase or otherwise, unless with the approval of the Governor in Council for the time being except by way of lease for any term not exceeding twenty-one years for rural land and sixty years for building land from the time when such lease shall be made, and in and by such lease there shall be reserved the highest rent that can be reasonably obtained for the lands tenements and hereditaments expressed to be thereby demised without fine.

**4.** The sum of three thousand pounds set apart by section fifteen of the said Act, and payable every year for maintaining a University, is hereby apportioned as follows:—

One-half to be paid towards the maintenance of a University which shall have its seat in the City of Auckland.

The other half towards the maintenance of the Otago University.

Provided that in the event of other Universities being established in the Island, the three thousand pounds and all other Parliamentary grants for encouragement of University education shall be divided in equal proportions between all Universities within the Colony.

**5.** The Council of the said University shall be nominated and appointed by the Superintendent and Executive Council of the Province of Auckland within three months after the passing of this Act, and shall consist of eight Councillors, all of whom shall be laymen, and the said Council shall elect out of their own body a Chancellor for such period not exceeding three years as the said Council shall fix and determine, and whenever a vacancy shall occur in the office of Chancellor, either by death resignation or expiration of tenure or otherwise, the said Council shall elect out of their own body a Chancellor instead of the Chancellor occasioning such vacancy, and all vacancies which shall occur in the said Council by death resignation or otherwise shall be filled as they occur by the election of such persons as the Senate, to be constituted as hereinafter mentioned, shall, at meetings to be duly convened for that purpose, elect; or if the said Senate shall not have been constituted such vacancies shall be forthwith reported by the Chancellor to the Superintendent, who shall, with the advice and consent of his Executive Council, within three months after such report, nominate and appoint persons to fill such vacancies.

**6.** The Seal of the University shall be intrusted to the Chancellor, and shall not be affixed to any document except by order of the Council.

**7.** As soon as the said Council shall have reported to the Superintendent that the number of graduates admitted by the said University to any degree is not less than twenty, and such report shall have been published in the Auckland Provincial Government *Gazette*, the Senate shall be then constituted, and shall in the first instance consist of such graduates, all persons thereafter admitted to the like degrees becoming

Apportionment of  
Parliamentary grant.

Council by whom  
appointed.

Custody of Seal.

Senate how con-  
stituted.

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from the dates of their respective admissions members thereof; and the said Senate shall elect a Warden out of their own body annually, or whenever a vacancy shall occur.

8. All questions which shall come before the said Council or  
 5 Senate respectively shall be decided by the majority of the members present, or voting by proxy as hereinafter provided, and the Chairman at any such meeting shall have a vote, and in case of any equality of votes a casting vote also, and no question shall be decided at any meeting of the said Council unless three members thereof be present,  
 10 or at any meeting of the said Senate, unless eight members thereof be present.

Questions how decided.

9. At every meeting of the Council the Chancellor shall preside as Chairman, and at every meeting of the Senate the Warden shall preside as Chairman, and in the absence of the Chancellor the members of the Council present, and in the absence of the Warden the  
 15 members of the Senate present, shall elect a Chairman.

Chairmanship of Council and Senate.

10. The said Council shall have full power to appoint and dismiss all Professors Officers and Servants of the said University, and shall have the entire management and superintendence over the affairs  
 20 concerns and property thereof, subject to the statutes and regulations of the said University: Provided that the said Council shall have the power of accepting an endowment of any Professorship from any person or public body, subject to the right of such person or public body, either absolutely or for a limited number of times, to nominate  
 25 the Professorship, subject to the veto of the said Council, and such other conditions as may be agreed on between the said Council and such person or body.

Council to have entire management of University.

11. Provided that in the event of any member of the Council or Senate being unable to attend at any meeting of the said Council or  
 30 Senate, such member may exercise his right of voting either by letter addressed to the Chancellor or by a proxy duly named by him in that behalf, in such manner as shall be fixed by any regulation to be made hereunder.

To allow vote by letter or proxy.

12. The said Council shall have full power to make and alter any  
 35 statutes and regulations (so as the same be not repugnant to any existing law, or to the provisions of this Act) touching the discipline of the said University, the number stipend and manner of appointment and dismissal of the Officers thereof, the matriculation of students, the examinations for fellowships scholarships prizes exhibitions degrees or  
 40 honors and the granting of the same respectively, the fees to be charged for matriculation or for any such examination or degree, the lectures or classes of the Professors and the fees to be demanded by them, the manner and time of convening the meetings of the said Council and Senate, and in general touching all other matters whatsoever regarding the said University; and the said Council shall also  
 45 have power to make and alter any statutes and regulations for the conduct of examinations for scholarships, or exhibitions to be held in any School of Law or Medicine or Civil Engineering, or in any University outside the limits of the Colony, and for the terms on  
 50 which such scholarships shall be held: Provided that only such funds as may be specially intrusted to them for this purpose shall be so appropriated: Provided also that so soon as the Senate of the said University shall have been constituted no new statute or regulation or alteration or repeal of any existing statute shall be of any force until  
 55 approved by the said Senate.

Council to make Statutes with approval of Senate.

13. The said Council shall have power to confer, after examination, the several degrees of Bachelor of Arts, Master of Arts, Bachelor of Medicine, Doctor of Medicine, Bachelor of Laws, Doctor of Laws, Licentiate in Engineering, Master in Engineering, Bachelor of Music,  
 60 and Doctor of Music, according to the statutes and regulations of the

Council to confer degrees.

said University: Provided always that it shall be lawful for the said University to make such statutes as they may deem fit for the admission *ad eundem* without examination to any such degree of persons who may have graduated at any other University.

No religious test to be administered.

14. No religious test shall be administered to any person in order to entitle him to be admitted as a student of the said University, or to hold office therein, or to graduate thereat, or to hold any advantage or privilege thereof. 5

Stipends to be paid out of Consolidated Revenue.

15. The Colonial Treasurer shall every year, in the manner prescribed by section four of this Act, pay out of the Consolidated Revenue the sum of three thousand pounds as a fund for maintaining Universities within this Colony. The sum allotted to each University to be applied by the respective Councils of such Universities towards defraying the several stipends which may be appointed to be paid to the several Professors Officers and Servants to be appointed by such University, and towards defraying the expense of such fellowships scholarships prizes and exhibitions as shall be awarded for the encouragement of students in such Universities, and towards providing libraries for the same, and towards discharging all necessary charges connected with the management thereof. 10 15 20

Council to report annually to the Superintendent.

16. The said Council of the Auckland University shall, during the month of January in every year, or for such other period than a year and at such other times as the Superintendent shall require, report the proceedings of the University during the previous year or portion of a year to the Superintendent, and such report shall contain a full account of the income and expenditure of the said University audited by the Provincial Auditor of the Province, and a copy of every such report and of all the statutes and regulations of the University shall be laid in each year before the Auckland Provincial Council. 25

Superintendent to be Visitor.

17. The Superintendent of the Province of Auckland for the time being shall be the Visitor of the said University, and shall have authority to do all things which appertain to Visitors as often as to him shall seem meet. 30