

Hon. Mr. T. Mackenzie.

AUCKLAND UNIVERSITY COLLEGE AMENDMENT.

ANALYSIS.

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A BILL INTITULED

AN ACT to alter the Constitution of the Council of the Auckland University College. Title.

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

1. This Act may be cited as the Auckland University College Amendment Act, 1911. Short Title.

2. On and after the first day of July, nineteen hundred and twelve, the Council shall be constituted as follows:— Reconstitution of Council.

- (a.) A group of four members appointed by the Governor;
- (b.) A group of two members appointed by the Professorial Board;
- (c.) A group of four members elected by the District Court of Convocation of the Auckland University District as defined by the New Zealand University Act, 1908;
- (d.) One member appointed by the Auckland Education Board;
- (e.) One member appointed by the Auckland City Council;
- (f.) One member elected by the governing bodies of the secondary schools as defined by section eighty-nine of the Education Act, 1908, in the Auckland University District;
- (g.) One member elected by the teachers in public schools in the Auckland University District holding certificates of competency under section fifty-four of the Education Act, 1908;

(h.) One member elected by those teachers in secondary schools, as defined by section eighty-nine of the Education Act, 1908, in the Auckland University District who are graduates of any British chartered university, or are holders of certificates of competency under section fifty-four of the Education Act, 1908; and 5

(i.) The members of the Council in office on the commencement of this Act who were elected to that office under the provisions of the Auckland University College Act, 1882, by members of the General Assembly resident in the Provincial District of Auckland. 10

Mode of
appointment or
election.

3. (1.) Members appointed pursuant to paragraphs (b), (d), and (e) of section two hereof shall be appointed by resolution passed at a meeting of the Board or Council making the appointment.

(2.) Members elected pursuant to paragraphs (c), (f), (g), and (h) of the same section shall be elected in the manner hereinafter appearing. 15

(3.) The first appointments and elections of members pursuant to the said section two shall be made within the first seven days of the month of June, nineteen hundred and twelve, or as soon thereafter as may be convenient, and the members so appointed and elected shall come into office on the first day of July, nineteen hundred and twelve. 20

Procedure
preliminary to
elections.

4. (1.) For the purposes of elections of members pursuant to paragraphs (c), (g), and (h) of section two hereof the following provisions shall apply:— 25

(a.) The Registrar of the Auckland University College, or such other person as the Council appoints, shall be the Returning Officer who shall conduct all elections of those members. 30

(b.) The Returning Officer shall prepare separate rolls of the persons who are entitled to vote for a member or members pursuant to the said paragraphs (c), (g), and (h), and shall enter in the respective rolls the name, occupation, and address of every person who possesses the necessary qualification entitling him to vote; provided that no person shall be entered on more rolls than one. 35

(c.) Any person who possesses more qualifications than one shall be entitled to have his name transferred from one roll to another at any time before the closing of the rolls as hereinafter mentioned. 40

(d.) All rolls shall be closed at five o'clock in the afternoon of the fourteenth day immediately preceding the day on which an election is to be held, and shall continue to be closed until the election is completed; and no name shall be entered on any roll while that roll is closed. 45

(e.) Claims for enrolment or transfer shall be made and disposed of in accordance with regulations made by the Council.

Voting at elections.

(f.) At every election the votes shall be given by sealed voting-papers, in the form prescribed by regulations made by the Council, delivered to the Returning Officer personally on or before the day fixed for the election, or forwarded to him by post or otherwise so as to reach him not later than that day. 50

(2.) For the purpose of the election of a member pursuant to paragraph (f) of section two hereof the following provisions shall apply :—

6 (a.) The governing body of each secondary school shall be entitled to one vote for every hundred or part of a hundred pupils (exclusive of the pupils in any lower department) in average attendance for the year ending on the thirty-first day of December immediately preceding the election :

10 (b.) The votes of each such governing body shall be by resolution passed at a meeting of that governing body.

(3.) In any election to which this section refers the majority of votes shall decide the election, but in case of an equality of votes the Registrar shall determine the election by lot in the presence of the
15 Chairman or other member of the Council.

(4.) In the event of any dispute arising as to the validity of any election, the Council shall have full power to determine the matter as it thinks fit, or it may cause another election to be held.

20 5. No member of the Professorial Board shall be a member of the Council unless he is appointed a member by that Board pursuant to paragraph (b) of section two hereof.

Professors eligible for membership only as representative of Board.

25 6. Subject to the provisions of the next succeeding section, the term of office of all members appointed or elected as provided by paragraphs (a), (b), and (c) of section two hereof shall be four years, and of all other members, except members in office under paragraph (i) of that section, shall be two years ; but all members (except as aforesaid) shall continue to hold office until the appointment or election of their successors.

Term of office.

30 7. (1.) On the first day of July, nineteen hundred and twelve, of the members appointed under the provisions of the Auckland University College Act, 1882, by the Governor in Council, the one who has been longest in office shall retire, and the other two members so appointed shall be deemed to have been appointed by the Governor under this Act and shall retire on the first day of July, nineteen
35 hundred and fourteen ; in like manner, of the members elected under the first-named Act by the graduates of the University on the books of the College, the one who has been longest in office shall retire, and the other two shall be deemed to have been elected under this Act by the District Court of Convocation of the Auckland University
40 District, and shall retire from office on the first day of July, nineteen hundred and fourteen.

Retirement of members of groups.

(2.) The members of the Council who come into office on the first day of July, nineteen hundred and twelve, shall continue to hold office subject as hereinafter in this section mentioned.

45 (3.) On the first day of July, nineteen hundred and fourteen, and on the same day in each second year thereafter, one-half of the members comprising each of the groups mentioned in paragraphs (a), (b), and (c) of section two hereof shall retire from office, and the members so to retire shall be those who have been longest in office
50 without reappointment or re-election.

(4.) The members of the Council mentioned in paragraph (i) of section two hereof shall continue to hold office until the expiry of the term of office for which they were respectively elected, and after the commencement of this Act no election of members shall be made by
55 members of the General Assembly.

Casual vacancies.

8. (1.) If any member of the Council—

- (a.) Dies, or by writing addressed to the Council resigns his seat ; or
- (b.) Becomes bankrupt ; or
- (c.) For a period of three consecutive months fails to attend any meeting of the Council without obtaining leave of absence ; or
- (d.) Is absent from New Zealand for a period of six consecutive months,—

he shall cease to be a member, and the vacancy thereby created shall be deemed a casual vacancy. 5

(2.) The member filling a casual vacancy shall hold office only for the residue of the term of the vacating member.

Notice of vacancies to be given.

9. (1.) Whenever a vacancy, whether casual or otherwise, occurs that is to be filled up by appointment by the Governor, it shall be the duty of the Council to forthwith report the fact to the Minister of Education. 15

(2.) Whenever a vacancy, whether casual or otherwise, occurs that is to be filled up by appointment by the Professorial Board, or by the Auckland Education Board, or by the Auckland City Council, it shall be the duty of the Council to forthwith report the fact to the Board or Council which appointed the vacating member. 20

(3.) Whenever a vacancy, whether casual or otherwise, occurs that is to be filled up by election, it shall be the duty of the Council to do all things necessary for the proper conduct of that election. 25

(4.) Each vacancy, whether casual or otherwise, shall be filled up by the same authority as that which appointed or elected the vacating member.

Mode of filling up vacancies.

10. (1.) The appointment or election of a member to fill up a vacancy caused by the expiry of the term of office of a vacating member shall be made within the first seven days of the month of June immediately preceding such expiry, or as soon thereafter as may be convenient, but shall not take effect until such expiry. 30

(2.) The appointment or election of a member to fill up a casual vacancy shall be made not later than thirty days after the vacancy occurs. 35

(3.) Every retiring member shall be eligible for reappointment or re-election.

(4.) If any vacancy is not filled up within sixty days after the same occurs, the Governor shall forthwith fill up the vacancy by appointing some fit person as a member in place of the vacating member. 40

Fees.

11. (1.) The Council may from time to time prescribe reasonable fees for the attendance of students at lectures and classes. Such fees shall be paid to the Registrar of the College. 45

(2.) The Council may at its discretion pay to the professors or lecturers, or any of them, the aforesaid fees or any part or proportion thereof.

Repeal.

12. Sections six, eight to eleven, and twenty-four of the Auckland University College Act, 1882, are hereby repealed. 50