

NEW ZEALAND UNIVERSITY AMENDMENT BILL.

EXPLANATORY MEMORANDUM.

THIS Bill should be read with the Law Practitioners Amendment Bill, which confers on the University the sole control of the law examinations and the educational qualifications of candidates for admission as barristers or solicitors of the Supreme Court. Hitherto, while the University has in fact conducted most, if not all, of the examinations, the statutory power to prescribe such examinations has been with the Judges of the Supreme Court.

Hon. Sir Thomas Sidey.

NEW ZEALAND UNIVERSITY AMENDMENT.

ANALYSIS.

<p>Title.</p> <p>1. Short Title and commencement.</p> <p>2. Constitution of Council of Legal Education.</p> <p>3. Powers of Council of Legal Education.</p>	<p>4. Senate may make statutes touching legal education.</p> <p>5. Senate may prescribe fees for law examinations and certificates.</p>
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A BILL INTITULED

AN ACT to amend the New Zealand University Act, 1908.

Title.

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

1. (1) This Act may be cited as the New Zealand University Amendment Act, 1930, and shall be read together with and deemed part of the New Zealand University Act, 1908 (hereinafter referred to as the principal Act).

Short Title and commencement.

(2) This Act shall come into force on the first day of January, nineteen hundred and thirty-one.

2. (1) For the purpose of enabling the University to discharge its functions under the Law Practitioners Amendment Act, 1930, there is hereby established a Council of Legal Education, to consist of—

Constitution of Council of Legal Education.

(a) Two Judges of the Supreme Court (one of whom may be the Chief Justice), to be appointed upon the recommendation of the Chief Justice ;

(b) Two persons to be appointed upon the recommendation of the Council of the New Zealand Law Society ; and

(c) Two persons, each being a professor of law or a lecturer in law of a constituent college, to be appointed upon the recommendation of the Senate.

(2) The members of the Council of Legal Education shall be appointed by the Governor-General, and, subject to the provisions of this section, shall hold office for a term of three years, but shall be entitled to continue in office until the appointment of their successors.

(3) The term of office of the first members of the Council of Legal Education shall expire on the thirty-first day of March, nineteen hundred and thirty-three.

(4) The provisions of section sixteen of the New Zealand University Amendment Act, 1926, relating to the Academic Board, shall, with the necessary modifications, apply with respect to casual vacancies in the membership of the Council of Legal Education and to the filling of such vacancies. 5

(5) The Senate may by statute prescribe the procedure to be adopted by the Council of Legal Education.

Powers of Council of
Legal Education.

3. (1) The Council of Legal Education shall have power of its own motion or at the request of the Academic Board to make recommendations to the Academic Board with respect to any matter relating to legal education; and in particular may make recommendations with respect to the courses of study, the examination, and the educational and practical qualifications of candidates for admission as barristers or solicitors of the Supreme Court. 10

(2) The Academic Board shall not make any recommendation to the Senate with respect to any matter relating to legal education until it has first received and considered any recommendations that the Council of Legal Education may make in that behalf, unless that Council, having had reasonable opportunity to make such recommendations, has failed so to do. Every recommendation made to the Academic Board by the Council of Legal Education shall be forwarded by the Board to the Senate, whether or not the Board makes any separate recommendation with respect to the same matter. 15 20

Senate may make
statutes touching
legal education.

4. In addition to the powers conferred on it by section nine of the New Zealand University Amendment Act, 1926, the Senate, acting under that section, may from time to time make statutes, not inconsistent with the Law Practitioners Act, 1908, with respect to the courses of study, the examination, and the educational and practical qualifications of candidates for admission as barristers or solicitors; the granting of certificates; and generally with respect to any matter relating to legal education: 25 30

Provided that the Senate shall not make or alter any such statute until it has first received and considered any recommendations that may be made in that behalf by the Academic Board or the Council of Legal Education, unless the Board or the Council, as the case may be, having had reasonable opportunity to make such recommendations, has failed so to do. 35

Senate may
prescribe fees for
law examinations
and certificates.

5. Such reasonable fees shall be charged for examinations under this Act and for certificates granted by it in relation to such examinations as the Senate from time to time by statute prescribes. 40