

UNIVERSITY OF CANTERBURY AMENDMENT BILL

EXPLANATORY NOTE

THIS Bill amends the Canterbury University College Act 1933, partly with a view to recognising the present College as a University, and partly so as to vary the constitutions of the Council and Professorial Board, and change the functions of the Rector.

Clause 1 relates to the Short Title to the Bill.

Clause 2 revokes the definitions of the existing terms "College" and "Rector", and defines the new terms "Chancellor", "Pro-Chancellor", "University", and "Vice-Chancellor".

Clause 3 alters the Short Titles of the principal Act and two amending Acts. The principal Act will in future be cited as the University of Canterbury Act 1933.

Clause 4 provides that the Canterbury University College shall hereafter be called the University of Canterbury. The corporate identity of the institution is not affected, and it is to have the same powers and the same relationship to the University of New Zealand as before the passing of this Bill.

Clause 5 provides that the Council shall hereafter be called the Council of the University of Canterbury.

Clause 6 provides that the Chairman of the Council shall hereafter be called the Chancellor of the University of Canterbury.

Clause 7 provides that the Deputy-Chairman of the Council shall hereafter be called the Pro-Chancellor of the University of Canterbury.

Clause 8 provides that the Rector of the College shall hereafter be called the Vice-Chancellor and Rector of the University of Canterbury.

Clause 9 provides that the Acting Rector of the College shall hereafter be called the Acting Vice-Chancellor and Acting Rector of the University of Canterbury.

Clause 10 reconstitutes the Council of the University, and reduces the total number of members from 24 to 19. The number to be elected by Members of Parliament is reduced from 3 to 2; the number elected by school teachers is reduced from 3 to 2, of whom primary school teachers will elect one and post-primary school teachers will elect the other; the appointees of school

committees are eliminated; the number elected by Convocation is reduced from 6 to 5; the member appointed by the Council itself is eliminated; and the following new members are added, namely, a representative of the Education Board, and the Mayor of Christchurch.

Clause 11 contains transitional provisions defining when the existing members of the Council go out of office and the new members come into office. It also makes minor amendments in the principal Act consequential on the changes.

Clause 12 redefines the functions of the Vice-Chancellor and Rector of the University. He is to be the academic and administrative head of the University, and shall by virtue of his office be a member of the Council, the Chairman of the Professorial Board, a member of every faculty, and a member of every standing committee set up by the Council or the Professorial Board.

Clause 13 provides that the University Librarian shall be a member of the Professorial Board.

Hon. Mr Algie

UNIVERSITY OF CANTERBURY AMENDMENT

ANALYSIS

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A BILL INTITULED

An Act to amend the Canterbury University College Act 1933

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

1. **Short Title**—This Act may be cited as the University of Canterbury Amendment Act 1957, and shall be read together with and deemed part of the Act heretofore known as the Canterbury University College Act 1933 (hereinafter referred
10 to as the principal Act).

2. **Interpretation**—(1) Section two of the principal Act is hereby amended by repealing the definitions of the terms “College” and “Rector”.

(2) Section two of the principal Act is hereby further amended by inserting in their appropriate alphabetical order the following definitions:

“ ‘Chancellor’ means the Chancellor of the University of Canterbury elected under this Act: 5

“ ‘Pro-Chancellor’ means the Pro-Chancellor of the University of Canterbury appointed under this Act:

“ ‘University’ means the University of Canterbury constituted under this Act:

“ ‘Vice-Chancellor’ means the Vice-Chancellor and Rector of the University of Canterbury appointed under this Act:” 10

3. Alteration of Short Titles of Acts—(1) The principal Act may hereafter be cited as the University of Canterbury Act 1933; the Canterbury University College Amendment Act 1953 may hereafter be cited as the University of Canterbury Amendment Act 1953; and the Canterbury University College Amendment Act 1956 may hereafter be cited as the University of Canterbury Amendment Act 1956. 15

(2) Every reference in any enactment or document whatsoever to the Short Title of any of the said Acts is hereby consequentially amended by omitting the words “Canterbury University College”, and substituting the words “University of Canterbury”. 20

4. College to become a University—(1) The Canterbury University College established by the principal Act shall hereafter be called the University of Canterbury. 25

(2) Except as provided in subsection three of this section, every reference in the principal Act or in any other enactment or document whatsoever to the Canterbury University College (however it is described) shall, unless the context otherwise requires, hereafter be read as a reference to the University of Canterbury: 30

Provided that nothing in this subsection shall affect the name of any other association or body which has the words “Canterbury University College” as part of its name. 35

(3) Except as provided in subsections five and six of this section, wherever in the principal Act, or in any course regulations within the meaning of the New Zealand University

Act 1908, or in the statutes made by the Senate of the University of New Zealand, the one word "College" is used to describe the Canterbury University College, the reference to the College shall, unless the context otherwise requires, hereafter be read as a reference to the University.

(4) 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 and the same relationship to the University of New Zealand as before the passing of this Act.

(5) Section three of the principal Act is hereby amended by omitting from subsection one the words "a college", and substituting the words "a constituent institution".

(6) Section three of the principal Act is hereby further amended by omitting from subsection four the word "College" in the second and last places where it appears, and substituting in each case the word "institution".

5. Council of the University of Canterbury—(1) The Canterbury University College Council shall hereafter be called the Council of the University of Canterbury.

(2) Except where it is referred to as the Council, every reference in the principal Act or in any other enactment or document whatsoever to the Canterbury University College Council (however it is described) shall, unless the context otherwise requires, hereafter be read as a reference to the Council of the University of Canterbury:

Provided that nothing in this section shall affect the provisions of section ten of this Act.

6. Chancellor of the University of Canterbury—(1) The Chairman of the Council shall hereafter be called the Chancellor of the University of Canterbury.

(2) Section thirteen of the principal Act is hereby amended—

(a) By omitting from subsection one the word "Chairman" where it first appears, and substituting the words "Chancellor of the University of Canterbury":

- (b) By omitting from subsection four the words “be the Chairman for the purposes of”, and substituting the words “preside at”:
- (c) By omitting from subsection five the word “Chairman”, and substituting the words “person presiding at the meeting”.

(3) Every other reference in the principal Act or in any amendment thereof to the Chairman of the Council, whether he is described as the Chairman of the Council or as the Chairman or in any other way, shall, unless the context otherwise requires, hereafter be read as a reference to the Chancellor.

(4) Every reference in any other enactment or document whatsoever to the Chairman of the Canterbury University College Council (however he is described) shall, unless the context otherwise requires, hereafter be read as a reference to the Chancellor of the University of Canterbury.

7. Pro-Chancellor of the University of Canterbury—

(1) The Deputy Chairman of the Council shall hereafter be called the Pro-Chancellor of the University of Canterbury.

(2) Section thirteen of the principal Act is hereby amended by omitting from subsection three the words “Deputy Chairman of the Council”, and substituting the words “Pro-Chancellor of the University of Canterbury”.

(3) Every other reference in the principal Act or in any amendment thereof to the Deputy Chairman of the Council (however he is described) shall, unless the context otherwise requires, hereafter be read as a reference to the Pro-Chancellor.

(4) Every reference in any other enactment or document whatsoever to the Deputy Chairman of the Canterbury University College Council (however he is described) shall, unless the context otherwise requires, hereafter be read as a reference to the Pro-Chancellor of the University of Canterbury.

8. Vice-Chancellor and Rector of the University of Canterbury—(1) The Rector of the College shall hereafter be called the Vice-Chancellor and Rector of the University of Canterbury.

(2) Except as provided in sections two, nine, and twelve of this Act, every reference in the principal Act to the said Rector shall, unless the context otherwise requires, hereafter be read as a reference to the Vice-Chancellor.

(3) Every reference in any other enactment or document whatsoever to the said Rector (however he is described) shall, unless the context otherwise requires, hereafter be read as a reference to the Vice-Chancellor and Rector of the University of Canterbury.

9. Acting Vice-Chancellor—(1) The Acting Rector of the College shall hereafter be called the Acting Vice-Chancellor of the University of Canterbury.

(2) Section twenty-one A of the principal Act, as inserted by section two of the University of Canterbury Amendment Act 1956, is hereby amended by omitting from subsection one the words “Acting Rector of the College”, and substituting the words “Acting Vice-Chancellor and Acting Rector of the University of Canterbury”.

(3) Section twenty-three of the principal Act is hereby amended by omitting the word “Rector” in each place where it occurs, and substituting in each case the words “Vice-Chancellor or Acting Vice-Chancellor”.

(4) Every other reference in the principal Act to the said Acting Rector shall, unless the context otherwise requires, hereafter be read as a reference to the Acting Vice-Chancellor.

(5) Every reference in any other enactment or document whatsoever to the said Acting Rector (however he is described) shall, unless the context otherwise requires, hereafter be read as a reference to the Acting Vice-Chancellor and Acting Rector of the University of Canterbury.

10. Constitution of Council—(1) The principal Act is hereby amended by repealing section five, and substituting the following section:

“5. (1) There shall be a Council of the University, to be called the Council of the University of Canterbury.

“(2) The Council shall consist of—

“(a) Three members to be appointed by the Governor-General:

“(b) Two members to be elected by such of the members of the House of Representatives as for the time being represent electoral districts within the Canterbury University District as it is for the time being constituted by or under the New Zealand University Act 1908:

- “(c) One member to be elected by such of the teachers whose names are registered in the Teachers’ Register kept by the Director of Education as are for the time being employed in public schools (including intermediate schools), or in intermediate departments attached to secondary schools or technical schools or combined schools or district high schools, or in schools under the control of the Department of Education, being schools situated in education districts wholly or partly within the Canterbury University District: 5
- “(d) One member to be elected by such of the teachers whose names are registered in the Teachers’ Register kept by the Director of Education as are for the time being employed in secondary schools, technical schools, combined schools, or secondary departments of district high schools, or in registered private secondary schools, being schools situated in the education districts wholly or partly within the Canterbury University District: 15
- “(e) One member to be appointed by the Canterbury Education Board: 20
- “(f) Five members to be elected by the District Court of Convocation of the Canterbury University District:
- “(g) Two members, being members of the Professorial Board, to be appointed by the Professorial Board: 25
- “Provided that, while any member of the Council appointed under this section is the Acting Vice-Chancellor, the Professorial Board may from time to time appoint another member of the Professorial Board to be a deputy member of the Council; and any deputy so appointed shall act under this paragraph as a member of the Council in the place of the member who is the Acting Vice-Chancellor at any time while the Acting Vice-Chancellor is entitled to act under paragraph (k) of this subsection as a member of the Council in the place of the Vice-Chancellor: 30
- “(h) One member to be appointed by the full time lecturers of the University who are not members of the Professorial Board: 40
- “(i) One member, who shall be a graduate of a University, to be appointed by the Executive of the Canterbury University College Students’ Association Incorporated: 45

“(j) The Mayor of Christchurch:

“(k) The Vice-Chancellor or, while there is no Vice-Chancellor in office or during the absence or incapacity of the Vice-Chancellor,—

5 “(i) The Acting Vice-Chancellor; or

“(ii) While there is no Acting Vice-Chancellor in office or during the absence or incapacity of the Acting Vice-Chancellor, the Chairman of the Professorial Board.

10 “(3) For the purposes of paragraph (b) of subsection two of this section an electoral district which is partly within the Canterbury University District and partly within another University district shall be deemed to be within the University district in which the greater part of the total population of
15 the electoral district resides. For the purposes of this subsection the certificate of the Government Statistician as to the population of the electoral district and the proportion of that population residing within each University district shall be conclusive evidence thereof.

20 “(4) Every deputy member of the Council appointed under the proviso to paragraph (g) of subsection two of this section shall hold that office until the expiry of the term for which the Acting Vice-Chancellor has been appointed as a representative of the Professorial Board under that paragraph, or
25 until either the Acting Vice-Chancellor or the deputy member dies or ceases to be a member of the Professorial Board, or until the deputy member resigns that office, whichever first occurs.”

30 (2) Section two of the Statutes Amendment Act 1951, and subsections two and three of section two of the University of Canterbury Amendment Act 1956, are hereby consequentially repealed.

(3) Section six of the principal Act is hereby amended by inserting in subsection one, before the words “shall hold
35 office”, the words “or the Mayor of Christchurch”.

(4) Subsection one of section nine of the principal Act is hereby amended by repealing paragraph (h), and substituting the following paragraph:

40 “(h) Being the Vice-Chancellor or the Mayor of Christchurch, ceases to hold the office of Vice-Chancellor or Mayor of Christchurch, as the case may be,—”.

(5) This section shall come into force on the first day of January, nineteen hundred and fifty-eight.

11. Transitional provisions and consequential amendments—(1) Notwithstanding the reconstruction of the Council by section ten of this Act,—

- (a) All the members of the Council who are in office immediately before the commencement of that section shall continue in office as members of the Council until the expiration of the terms for which they were appointed, and the current term of office of each member shall be computed from the actual date of its commencement: 5
- (b) Upon the expiry in the year nineteen hundred and fifty-eight of the term of office of a member of the Council elected by the members of the House of Representatives who represent electoral districts in the Canterbury University District, that member of the Council shall forthwith go out of office, and shall not be replaced; and the Mayor of Christchurch shall then for the first time in that capacity become a member of the Council: 10
- (c) Upon the expiry in the year nineteen hundred and fifty-eight of the term of office of one of the teachers' representatives on the Council, that member of the Council shall forthwith go out of office, and shall not be replaced; and the representative to be elected under paragraph (d) of subsection two of section five of the principal Act (as substituted by section ten of this Act) shall then for the first time become a member of the Council: 15
- (d) Upon the expiry in the year nineteen hundred and fifty-nine of the term of office of another of the teachers' representatives on the Council, that member of the Council shall forthwith go out of office, and shall not be replaced; and the representative to be elected under paragraph (c) of subsection two of section five of the principal Act (as substituted by section ten of this Act) shall then for the first time become a member of the Council: 20
- (e) The remaining teachers' representative on the Council shall go out of office forthwith on the expiry of his term of office, and shall not be replaced: 25
- (f) Upon the expiry in the year nineteen hundred and fifty-eight of the term of office of one of the School Committees' representatives on the Council, that member of the Council shall forthwith go out of office, and shall not be replaced; and the member appointed 30
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by the Canterbury Education Board shall then for the first time become a member of the Council:

5 (g) The remaining representatives of School Committees on the Council shall go out of office forthwith on the expiration of their respective terms of office, and shall not be replaced:

10 (h) Upon the expiry in the year nineteen hundred and fifty-eight of the term of office of two of the members elected by the District Court of Convocation, those members shall both forthwith go out of office, and only one of them shall be replaced.

(2) Section six of the principal Act is hereby amended by repealing subsection two.

15 (3) Subsection three of section eleven of the principal Act is hereby amended by omitting the words "roll of electors under paragraph (c)", and substituting the words "rolls of electors under paragraphs (c) and (d)".

20 **12. Functions of the Vice-Chancellor**—(1) Section twenty-one of the principal Act is hereby amended by repealing subsection one, and substituting the following subsection:

25 "(1) The Council may from time to time appoint some fit and proper person to be the Vice-Chancellor and Rector of the University, who shall be the academic and administrative head of the University. Every person so appointed shall hold office during the pleasure of the Council, and shall by virtue of his office be a member of the Council, the Chairman of the Professorial Board, a member of every faculty, and a member of every standing committee set up by the Council or the Professorial Board."

30 (2) Section sixteen of the Statutes Amendment Act 1946 is hereby consequentially amended by repealing subsection three.

13. Librarian to be a member of Professorial Board—

35 (1) Section twenty-two of the principal Act, as amended by subsection four of section sixteen of the Statutes Amendment Act 1946, is hereby further amended by omitting the words "the Rector and of", and substituting the words "the Vice-Chancellor and the University Librarian and of".

40 (2) Subsection four of section sixteen of the Statutes Amendment Act 1946 is hereby consequentially repealed.