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*This PUBLIC BILL originated in the HOUSE OF REPRESENTATIVES, and, having this day passed as now printed, is transmitted to the LEGISLATIVE COUNCIL for its concurrence.*

*House of Representatives,  
9th December, 1897.*

[AS AMENDED BY THE LEGISLATIVE COUNCIL.]

*Rt. Hon. R. J. Seddon.*

VICTORIA COLLEGE.

ANALYSIS.

<p>Title.</p> <p>1. Short Title.</p> <p style="text-align: center;">THE COLLEGE.</p> <p>2. Victoria College.</p> <p style="text-align: center;">THE CORPORATION.</p> <p>3. Constitution of corporation.</p> <p style="text-align: center;">THE COUNCIL.</p> <p>4. Council.</p> <p>5. Members of Council.</p> <p>6. Election of members.</p> <p>7. Term of office. Retirement.</p> <p>8. When member to be selected and take office.</p> <p>9. Casual vacancies.</p> <p>10. When casual vacancies to be filled.</p> <p>11. Vacancy to be reported to Minister.</p> <p>12. Vacancy of elected or appointed member.</p> <p>13. Mode of voting.</p> <p>14. First meeting.</p> <p>15. Election of Chairman.</p> <p>16. Chairman's term of office.</p> <p>17. Meetings of Council.</p> <p>18. Special meetings.</p> <p>19. Proceedings at meetings.</p> <p>20. Council may make by-laws.</p> <p>21. Vacancy not to affect meetings.</p> <p>22. Minutes and accounts.</p> <p>23. Seal.</p> <p>24. Power to appoint professors, officers, &amp;c.</p> <p style="text-align: center;">THE PROFESSORIAL BOARD.</p> <p>25. Professorial Board.</p> <p>26. Meetings of Board.</p>	<p>27. Election of Chairman.</p> <p>28. Term of office of Chairman.</p> <p>29. Proceedings at meetings.</p> <p>30. Board to fix course of study.</p> <p>31. Board to deal with discipline and control servants.</p> <p>32. Board to furnish reports.</p> <p>33. Board may make suggestions.</p> <p style="text-align: center;">LECTURE-FEES.</p> <p>34. Fees payable by students.</p> <p style="text-align: center;">QUEEN'S SCHOLARSHIPS.</p> <p>35. Governor to approve of same.</p> <p>36. Queen's scholarships established. Conditions thereof.</p> <p style="text-align: center;">APPROPRIATION AND ENDOWMENT.</p> <p>37. Amount to be paid out of Consolidated Fund for maintenance.</p> <p>38. Endowment for College.</p> <p>39. Appropriation of rents and proceeds thereof.</p> <p>40. Repeal.</p> <p>41. Council may lease other lands.</p> <p style="text-align: center;">ACCOUNTS AND AUDIT.</p> <p>42. Audit Office to be auditor.</p> <p>43. Annual statement of accounts.</p> <p>44. Statement and report to be laid before General Assembly.</p> <p style="text-align: center;">GENERAL.</p> <p>45. Minister of Education to be Visitor.</p> <p>46. Regulations for purposes of Act.</p> <p>47. Repeal.</p> <p>Schedule.</p>
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A BILL INTITULED

AN ACT to promote Higher Education by the Establishment of Title.  
a College at Wellington in Commemoration of the Sixtieth  
Year of the Reign of Her Majesty Queen Victoria.

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

1. The Short Title of this Act is "The Victoria College Act, Short Title.  
1897."

10 THE COLLEGE.

2. There shall be established in or near to the City of Wel- Victoria College.  
lington a College, to be called "The Victoria College," and to be  
connected with the New Zealand University.

## THE CORPORATION.

Constitution of  
corporation.

3. The Council of the College, its professors and lecturers, and the graduates and undergraduates of the New Zealand University whose names are on its books, are hereby constituted a body politic and corporate under the style of "The Victoria College," by which style that corporation shall have perpetual succession and a common seal. 5

## THE COUNCIL.

Council.

4. The corporation shall act by a governing body, to be called "the Victoria College Council" (elsewhere throughout this Act referred to as "the Council"). 10

Members of Council

5. The Council shall consist of sixteen members, who shall be selected in manner following, that is to say,—

(1.) A group of three shall be appointed by the Governor *in Council*: 15

(2.) A group of three shall be elected by such of the members of the Legislative Council as for the time being are resident within any of the Wellington, Nelson, Westland, Marlborough, Hawke's Bay, and Taranaki Provincial Districts, and by such of the members of the House of Representatives as for the time being represent electoral districts in those provincial districts: 20

Provided that, in every case where an electoral district is partly in one provincial district and partly in another, such electoral district shall for the purposes of this Act be deemed to be wholly in the provincial district wherein according to the certificate of the Registrar-General (which it shall be his duty to supply), the majority of the population of such electoral district resides: 25

Provided further that, in the event of a University College being at any time hereafter established within any of the aforesaid provincial districts by any Act of the General Assembly, the right of representation by this Act conferred upon such provincial district shall thereupon cease and determine: 30

(3.) A group of three shall be elected by such of the graduates of the New Zealand University, whether admitted by examination or *ad eundem gradum*, as are for the time being on the books of the College: 35

Provided that until the number of such graduates admitted by examination is at least thirty, such group shall be elected by all persons who, being holders of any degree of any university of the United Kingdom or of any British colony, are for the time being resident within any of the aforesaid provincial districts: and 40

(4.) A group of three shall be elected by such persons holding certificates under section forty-five of "The Education Act, 1877," as are over the age of twenty-one years, and for the time being are resident within any of the aforesaid provincial districts: 45

(5.) A group of three shall be elected by the members of the Education Boards of the education districts wholly or partly within any of the aforesaid provincial districts: 50

(6.) One shall be elected by the hereinafter mentioned Professorial Board :

Provided that until such Board is duly constituted such member shall be appointed by the Governor in Council.

5 6. Subject to the provisions of this Act, the first election of members of the Council shall be held in such manner, and at such time and place, as the Governor in Council directs, and all subsequent elections shall be held in such manner, at such time, and at such  
10 place as the Council directs.

7. The ordinary term of office of all members of the Council shall be three years, subject, however, to the following special provisions :—

15 (1.) On the second Monday in May, in the year one thousand eight hundred and ninety-nine, and on the same Monday in every subsequent year, one member out of each of the five aforesaid groups shall retire from office :

20 (2.) The members to retire out of each group for the first and second years shall, on or before the second Monday in March in each such year, be decided by lot amongst the members constituting that group; but, for the second year, only the members who have been longest in office shall cast lots; and for every subsequent year the member who has been longest in office shall retire :

25 (3.) Every retiring member shall be eligible for re-selection.

8. With respect to the selection of members for the ordinary term of office, the following provisions shall apply :—

30 (1.) Every ordinary election shall be held on the second Monday in April, and the first ordinary election shall be held on the second Monday in April, in the year one thousand eight hundred and ninety-eight :

(2.) Members to be appointed by the Governor in Council shall be appointed not later than the first Monday in May in each year :

35 (3.) Every member shall take office on the second Monday in May following the date of his selection :

(4.) No professor or lecturer of the College shall be eligible for selection.

9. If any member of the Council—

40 (1.) Dies, or, by letter to the Council, resigns his seat; or

(2.) Becomes bankrupt, or of unsound mind; or

(3.) For a period of three consecutive months fails to attend any meeting of the Council, without obtaining leave of absence; or

45 (4.) Is absent from the colony for a period of six consecutive months,—

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

10. Every casual vacancy shall be filled within *twenty-one* days after the occurring thereof, and the member filling the same shall hold office only for the unexpired residue of the term of the vacating member.

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Election of members.

Term of office.

Retirement.

When member to be selected and take office.

Casual vacancies.

When casual vacancies to be filled.

Vacancy to be reported to Minister.	11. Whenever a casual vacancy occurs, it shall be the duty of the Council to forthwith report the fact to the Minister of Education, where such vacancy is to be filled up by appointment, or to duly conduct the election where it is to be filled up by election.	
Vacancy of elected or appointed member.	12. Every vacancy, whether casual or otherwise, shall be filled up by the same electing or appointing authority as in the case of the vacating member.	5
Mode of voting.	13. For the purposes of the election of members of the Council the following provisions shall apply :— (1.) Every election shall be conducted by a Returning Officer, who shall be appointed by the Governor in Council for the purposes of the first election, and by the Council for the purpose of all subsequent elections. (2.) The Returning Officer shall prepare five rolls, one for each of the five classes of electors, and shall enter in the respective rolls the name, occupation, and address of every person possessing the necessary electoral qualification. (3.) No person shall be entered on more rolls than one, but any person who possesses more qualifications than one may transfer his name from one roll to another in respect whereof he possesses the necessary electoral qualification. (4.) The roll relating to any election shall be closed at five o'clock in the afternoon of the fourteenth day before the day on which such election is to be held, and shall continue closed until the election is completed. (5.) No alteration shall be made in any roll whilst it is closed. (6.) Claims for enrolment or transfer shall be made and disposed of in manner to be prescribed by regulations under this Act. (7.) At every election the votes shall be given by sealed voting-papers, which may be delivered personally or forwarded by post or otherwise.	10 15 20 25 30
First meeting.	14. The first meeting of the Council shall be held at such time and place as the Governor in Council directs.	35
Election of Chairman.	15. (1.) At its first meeting, and annually thereafter, the Council shall elect one of its members to be Chairman. (2.) For the purposes of each such election the Governor in Council shall appoint some person (not being a member) to preside, and the person so appointed shall have a casting-vote in the case of equality of voting, but shall not have a deliberative vote.	40
Chairman's term of office.	16. The Chairman's term of office shall be one year, and he shall be eligible for re-election: Provided that no person shall hold office as Chairman for more than two terms in succession.	
Meetings of Council.	17. The Council shall meet at least once a month, at such time and place as the Council determines.	45
Special meetings.	18. Special meetings may be called at any time by the Chairman or any two members, <del>three</del> five days' previous notice of the place and time for such meeting being posted or telegraphed to all the members.	50
Proceedings at meetings.	19. At all meetings of the Council—	

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- (1.) The quorum shall be six :
- (2.) All questions shall be decided by a majority of the votes of the members present and voting :
- 5 (3.) The Chairman shall preside and have a deliberative vote, and, in the event of equality of voting, a casting-vote :
- (4.) In the absence of the Chairman from any meeting the members present shall elect one of their number to act as Chairman at that meeting, and whilst so acting he shall have all the powers of the Chairman.
- 10 20. Subject to the provisions of this Act, the Council may from time to time make by-laws for the purpose of regulating its own procedure, the conduct of all elections under this Act, and the general administration of the affairs of the College: Provided that such by-laws shall not come into operation until and unless they have been
- 15 approved by the Governor in Council. Council may make by-laws.
21. The Council may continue to act notwithstanding any vacancy in its body. Vacancy not to affect meetings.
22. The Council shall cause exact minutes of all its proceedings to be kept, and also full and accurate accounts of all its
- 20 receipts, disbursements, liabilities, and engagements. Minutes and accounts.
23. The seal of the Council shall be in the custody of the President, and shall not be affixed to any document except pursuant to a resolution of the Council. Seal.
24. The Council shall have full power to appoint and remove
- 25 all professors, lecturers, examiners, officers, and servants of the College, and to generally manage the affairs thereof: Power to appoint professors, officers, &c.
- Provided that no professor or lecturer shall be appointed for any term exceeding *five* years; but on the expiration of such term he may be reappointed.
- 30 THE PROFESSORIAL BOARD.
25. There shall be a Professorial Board of the College, consisting of all the professors and lecturers of the College. Professorial Board.
26. The Council shall convene the first meeting of the Board, and thereafter the Board shall have power to make regulations as to
- 35 the time and place of its meetings and the procedure thereat: Meetings of Board.
- Provided that all such regulations shall, before coming into operation, be submitted to and approved by the Council.
27. At its first meeting, and annually thereafter, the Board shall
- 40 elect one of its members, being a professor, to be Chairman, and if it fails or neglects so to do the Council may appoint a professor to be Chairman for the year. Election of Chairman.
28. Such Chairman shall hold office for one year, and be eligible for re-election, but no professor shall hold office as Chairman for more than two years in succession. Term of office of Chairman.
- 45 29. At all meetings of the Board—
- (1.) The quorum shall be three:
- (2.) The Chairman shall preside, and shall keep the minutes of the proceedings of the Board:
- 50 (3.) He shall have a deliberative vote, and, in the case of equality of voting, a casting-vote: Proceedings at meetings.

- (4.) In his absence from any meeting, the members present shall elect another professor to act as Chairman of that meeting, and whilst so acting he shall have all the powers of the Chairman.
- Board to fix course of study. 30. Subject in each instance to the approval of the Council, and to such modifications as the Council thinks fit to make therein, the Board may— 5
- (1.) Fix the course of study, and the days and hours of lectures ;
  - (2.) Make regulations as to the attendance of the students ;
  - (3.) Prescribe the subjects for examinations for scholarships, exhibitions, prizes, and other college distinctions and awards. 10
- Board to deal with discipline and control servants. 31. Subject to the right of appeal to the Council (whose decision shall be final) by any person who feels aggrieved, the Board may— 15
- (1.) Deal with all questions relating to the discipline of the students ;
  - (2.) Manage the College library ;
  - (3.) Give instructions to the College servants as to the performance of their duties.
- Board to furnish reports. 32. The Board shall be subject to the control of the Council, and shall furnish to it such reports and information as from time to time the Council requests or the Board deems necessary. 20
- Board may make suggestions. 33. The Board may from time to time offer such suggestions for the consideration of the Council as the Board thinks advisable in the interests of the College. 25

## LECTURE-FEES.

- Fees payable by students. 34. There shall be payable by the students such reasonable fees for attendance on lectures as from time to time the Council prescribes and the Governor in Council approves.
- Governor to approve of same. 35. For the purpose of procuring such approval, the Council shall forward each table of fees to the Minister of Education for submission to the Governor in Council ; and the fees shall not be chargeable until such approval is signified. 30

## QUEEN'S SCHOLARSHIPS.

- Queen's scholarships established. 36. For the purpose of bringing higher education within the reach of deserving scholars ~~from the primary public schools (whether Government schools or not) within the said provincial districts, colony,~~ there are hereby established in connection with the College, and out of its funds, scholarships to be called "Queen's scholarships," and with respect thereto the following provisions shall apply :— 35
- (1.) Six scholarships shall in the prescribed manner be offered for competition each year. 40
  - (2.) ~~The candidates shall be scholars from the aforesaid schools, not exceeding two from any one school, and they shall be nominated in the prescribed manner.~~ 45
  - (3.) The scholarships shall be awarded on the results of an examination to be conducted in the prescribed manner by the ~~Inspector-General of schools Council.~~ *The examination shall be open to all persons of either sex who are not over fourteen years of age, but not more than two scholarships shall be awarded in any year to scholars from any one school.* 50

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- (4.) The annual value of each scholarship shall be twenty pounds whilst the holder prosecutes his studies in the town or place where his home is situate, and forty pounds whilst he prosecutes them elsewhere.
- 5 (5.) The scholarship shall be paid by quarterly instalments, and upon satisfactory evidence being in the prescribed manner furnished to the Council that the holder has fulfilled the prescribed conditions up to the due date of the instalment.
- 10 (6.) The term of the scholarship shall be five years, if the holder so long faithfully fulfils the prescribed conditions.
- (7.) The prescribed conditions are—
- (a.) That the assistance afforded by the scholarship is needed by the holder in order to enable him to pursue his studies.
- 15 (b.) That the holder diligently prosecutes his studies to the satisfaction of the Inspector-General of schools, at a secondary school or its equivalent, until he matriculates, being not later than two years and three months after the scholarship is awarded ;
- 20 (c.) That forthwith thereafter he enters himself on the books of the College, attends the College lectures, and diligently prosecutes his studies to the satisfaction of the Professorial Board.
- 25 (8.) If the holder fails to qualify for any quarterly instalment of his scholarship the scholarship shall be forfeited, unless the Council, having regard to the special circumstances of the case, waives such forfeiture ; provided that such failure shall not be waived more than once.
- 30 (9.) The holder of the scholarship shall, whilst attending the College, be exempt from the payment of lecture fees.

Conditions thereof.

## APPROPRIATION AND ENDOWMENT.

37. For the purpose of providing a fund for the maintenance of the College, and the payment of all expenses incurred by the Council in administering the affairs thereof (including all expenses of and incidental to the Queen's scholarships), the Colonial Treasurer, without further appropriation than this Act, shall, out of the Consolidated Fund, pay to the Council each year ending the thirty-first day of March, the sum of four thousand pounds, in such instalments during the year as he thinks fit :

40 Provided that for the period between the coming into operation of this Act and the thirty-first day of March thereafter, a duly proportionate part of the aforesaid sum shall be paid by the Colonial Treasurer :

45 Provided further, that, unless by the thirty-first day of March, one thousand eight hundred and ninety-nine, the Visitor reports to the Colonial Treasurer that the College is affording to students reasonably adequate means of instruction by competent professors or lecturers, no sum shall be payable under this section by the Colonial Treasurer for the period elapsing between that day and the day on

50 which the Visitor does so report.

Amount to be paid  
out of Consolidated  
Fund for main-  
tenance. £4,000

Endowment for  
College.

38. The parcel of land described in the Schedule hereto is hereby set apart as an endowment for the College, but shall remain vested in Her Majesty.

Appropriation of  
rents and proceeds  
thereof.

39. (1.) The said parcel of land shall be held and administered as Crown lands under such of the leasing provisions of "The Land Act, 1892," as the Minister of Lands from time to time thinks fit; and the net rents and other proceeds derived therefrom and remaining after payment thereof of all necessary expenses attendant on the management and administration of the said land (including the expenses of survey and roading), shall, without further authority or appropriation than this Act, be paid over from time to time to the Council for the purposes of the College. 5 10

(2.) All proceeds heretofore derived by way of rent, investment, or otherwise from the said parcel of land, and now applicable under section thirty of "The New Zealand University Act, 1874," or any other Act, for the purpose of promoting higher education in the Provincial District of Wellington, shall, without further authority or appropriation than this Act, be paid over to the Council for the purposes of the College. 15

Repeal.

40. All enactments relative to the said parcel of land, or to the proceeds thereof, which are in any way inconsistent with this Act are hereby modified or repealed in so far as such inconsistency exists. 20

Council may lease  
other lands.

41. The Council may grant leases of any land (other than the aforesaid endowment) to which the corporation of the College at any time becomes entitled by way of purchase, grant, or otherwise, but may not without the previous consent of the Governor in Council sell or mortgage the same. 25

#### ACCOUNTS AND AUDIT.

Audit Office to be  
auditor.

42. The Audit Office shall be the auditor of the Council, and shall have the same duties and powers in respect of the moneys and accounts of the Council, and of every person dealing therewith, as if the Council were a local authority within the meaning of section six of "The Public Revenues Act, 1892" 30

Annual statement  
of accounts.

43. Within ten days after the close of each financial year ending the thirty-first day of March, the Council shall cause to be prepared and submitted to the Audit Office a statement of accounts showing,— 35

- (1.) The total receipts and disbursements for the year; and
- (2.) Such other particulars as the Governor in Council from time to time prescribes by regulations under this Act. 40

Statement and  
report to be laid  
before General  
Assembly.

44. Such statement shall be audited by the Audit Office within ten days after receipt thereof, and shall, together with the certificate of the Audit Office and a general report as to the progress of the College, be forwarded by the Council to the Minister of Education within thirty days after the close of such year, to be by him laid before both houses of the General Assembly, if sitting, or, if not, then within *ten* days after the commencement of the next session thereof. 45



GENERAL.

45. The Minister of Education shall be the Visitor of the College, and shall have all the powers and functions usually possessed by Visitors. Minister of Education to be Visitor.

5 46. The Governor in Council may, by regulations or otherwise, do all things necessary in order to cause the first members of the Council to be duly elected and appointed, and the first election by the graduates to be duly held; and may also from time to time make such other regulations as he deems necessary in order to give full  
10 effect to the provisions of this Act relating to Queen's scholarships and any other matter for which regulations are contemplated or required. Regulations for purposes of Act.

15 47. "The Middle District of New Zealand University College Act, 1894," is hereby repealed, and all elections and appointments thereunder are hereby cancelled. Repeal.

SCHEDULE.

Schedule.

ALL that piece or parcel of land situated in Blocks I. and V., Nukumarū Survey District, in the Wellington Provincial District, containing by admeasurement 4,000 acres, more or less. Bounded towards the north by Block XIII., Momohaki Survey District, 14500 links; towards the east by other part of Block I., Nukumarū Survey District, and by the Waitotara River, 38600 links; towards the south-east by a Native Reserve, 11910 links; towards the south-west by a line, 3500 links; and towards the west by Sections Nos. 13 and 11, in Block IX., and by Block IV., Wairoa Survey District, 33073 links: be all the aforesaid linkages more or less, excepting therefrom the several roads which are included within the said area; as the same is delineated upon the plan deposited in the District Survey Office, Wellington.

By Authority: JOHN MACKAY, Government Printer, Wellington.—1897.