



ANALYSIS

Title
1. Short Title

2. Appointment of subcommittee to select overseas students for admission to Universities
3. Casual vacancies

1970, No. 148

An Act to amend the Universities Act 1961

[3 December 1970]

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

1. Short Title—This Act may be cited as the Universities Amendment Act 1970, and shall be read together with and deemed part of the Universities Act 1961 (hereinafter referred to as the principal Act).

2. Appointment of subcommittee to select overseas students for admission to Universities—The principal Act is hereby amended by inserting, after section 10, the following section:

“10A. (1) The University Grants Committee may under section 10 of this Act appoint a subcommittee for the purpose of selecting, on behalf of the Universities, overseas students for admission as students to the Universities. The members of the subcommittee shall include, besides the Chairman of the University Grants Committee, the Vice-Chancellor of each of the Universities and the Principal of Lincoln College.

“(2) In selecting any overseas student for admission to a University, any subcommittee appointed pursuant to subsection (1) of this section may specify the University, faculty,

school, department, course, or class in a particular subject, to which the student is selected for admission.

“(3) If any subcommittee has been appointed pursuant to subsection (1) of this section, the Council of each University shall, having regard to such matters as it considers relevant, determine each year the maximum number of overseas students who may be admitted in the following year as students to the University, and may in any year if it thinks fit determine the maximum number of overseas students who may be admitted in the following year to the University in any faculty, school, department, course, or class in a particular subject. The Council of each University shall inform the subcommittee of every maximum number so determined and shall supply such other information as the subcommittee may require by such dates as the subcommittee may from time to time decide.

“(4) Subject to subsection (5) of this section, but notwithstanding anything else in this or any other Act, after such date as may be determined by any subcommittee appointed under subsection (1) of this section,—

“(a) No overseas student shall be admitted as a student to any University unless he has been selected for admission by the subcommittee; and

“(b) If pursuant to subsection (2) of this section the subcommittee specifies any University, faculty, school, department, course, or class in a particular subject, to which an overseas student has been selected for admission, the student shall not be entitled to be admitted to any University, faculty, school, department, course, or class in a particular subject, other than that specified by the subcommittee; and

“(c) If any faculty, school, department, course, or class in a particular subject has not been specified by the subcommittee pursuant to subsection (2) of this section in respect of any overseas student, the Council of any University to which the student has been selected for admission may specify the faculty, school, department, course, or class in a particular subject to which the student may be admitted at the University and the student shall not be entitled to be admitted to the University in any faculty, school, department, course, or class in a particular subject, other than that specified by the Council of the University.

“(5) Nothing in this section shall prevent the Council of any University from exercising its powers under any Act to admit to the University, or to any faculty, school, department, course, or class in a particular subject, any overseas student who has been a student of any University or other place of learning, whether in New Zealand or overseas.

“(6) For the purposes of this section, an overseas student means any person other than—

“(a) A New Zealand citizen; or

“(b) A person who, in the opinion of the subcommittee, is ordinarily resident in New Zealand.”

3. Casual vacancies—(1) Section 49 of the principal Act is hereby amended by omitting paragraph (f) of subsection (1), and substituting the following paragraphs:

“(f) Is convicted of any offence punishable by imprisonment for a term of 2 years or more; or

“(ff) Is convicted of any offence punishable by imprisonment for a term of less than 2 years and is sentenced to imprisonment for that offence,—”

(2) The said section 49 is hereby further amended by inserting, after subsection (1), the following subsections:

“(1A) In any case to which paragraph (f) of subsection (1) of this section applies—

“(a) The disqualification shall not take effect until the expiration of the time for appealing against the conviction and, in the event of an appeal against conviction, until the appeal is determined; and

“(b) The member concerned shall be deemed to have been granted leave of absence until the expiration of that time, and shall not be capable of acting as a member during the period of that leave of absence.

“(1B) In any case to which paragraph (ff) of subsection (1) of this section applies—

“(a) The disqualification shall not take effect until the expiration of the time for appealing against the conviction or the sentence and, in the event of an appeal against conviction or against the sentence or both, until the appeal is determined; and

“(b) The member concerned shall be deemed to have been granted leave of absence until the expiration of that time, and shall not be capable of acting as a member during the period of that leave of absence.”

(3) The said section 49 is hereby further amended by inserting in subsection (2), after the words “new member”, the words “in place of the vacating member”.

(4) The said section 49 is hereby consequentially amended by inserting in subsection (1), before the word “If”, the words “Subject to subsections (1A) and (1B) of this section,”.

This Act is administered in the Department of Education.
