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1977, No. 42

An Act to amend the University of Otago Amendment Act 1961 [12 October 1977]

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 University of Otago Amendment Act 1977, and shall be read together with and deemed part of the University of Otago Amendment Act 1961 (hereinafter referred to as the principal Act).

2. University of Otago Ordinance 1869 amended—Section 7 of the Otago Provincial Ordinance usually known as the University of Otago Ordinance 1869 is hereby amended by omitting the words “to appoint and dismiss all professors, officers, and servants of the said University”, and substituting the words “to appoint, upon such conditions, for such term, and upon such notice, as it thinks fit, all professors, lecturers, teachers, officers and servants of the said University and of all other institutions controlled by the said Council”.

3. Interpretation—Section 2 of the principal Act is hereby amended by inserting, after the definition of the term “The Pro-Chancellor”, the following definition:

“‘The Pro-Vice-Chancellor’ means the Pro-Vice-Chancellor of the University of Otago appointed under section 17A (1) of this Act.”.

4. Constitution of Council—(1) Section 5 (2) of the principal Act is hereby amended by repealing paragraph (b), and substituting the following paragraph:

“(b) The Vice-Chancellor or, while there is no Vice-Chancellor in office or during the absence or incapacity of the Vice-Chancellor, the Vice-Chairman of the Senate appointed under section 20 (1) of this Act.”.

(2) The said section 5 (2) is hereby further amended by inserting, after paragraph (b), the following paragraph:

“(bb) The Pro-Vice-Chancellor.”.

(3) The said section 5 (2) is hereby further amended by repealing the proviso to paragraph (d), and substituting the following proviso:

“Provided that while any member of the Council appointed under this paragraph, being the Vice-Chairman of the Senate, is taking the place of the Vice-Chancellor pursuant to paragraph (b) of this subsection, the Senate may from time to time appoint another of its members to be a deputy member of the Council.”.

(4) The said section 5 (2) is hereby further amended by adding the following paragraphs:

“(k) One member, being a member of the Council of the Otago Polytechnic, to be appointed by the Council:

“(l) One member, being a member of the Council of the Dunedin Teachers College, to be appointed by the Council.”.

(5) Section 5 (4) of the principal Act is hereby consequentially amended by omitting the expression “Acting Vice-Chancellor”, wherever it occurs, and substituting, in each case, the expression “Vice-Chairman of the Senate”.

(6) Section 8 (1) of the principal Act is hereby consequentially amended by inserting, after the expression “paragraph (b)”, the expression “or paragraph (bb)”.

5. Term of office—Section 7 of the principal Act is hereby amended by repealing subsections (2) to (5) (inclusive), and substituting the following subsection:

“(1A) The first members of the Council appointed under paragraph (k) and paragraph (1) of section 5 (2) of this Act shall hold office for terms expiring on the 30th day of June 1979.”

6. Admission of students—(1) Section 14 (2) of the principal Act is hereby amended by repealing paragraph (f), and substituting the following paragraph:

“(f) Insufficiency of accommodation or of teachers in the University or in a faculty, department, class, or course of the University:

“Provided that the Council shall exercise its power under this paragraph in accordance with criteria and procedures prescribed from time to time by it after consultation with the University Grants Committee.”

(2) Section 14 (4) of the principal Act is hereby consequentially amended by omitting the words “or department of the University shall be deemed to exist, and the maximum number of students who may be admitted to any course or class”, and substituting the words “, department, class, or course of the University shall be deemed to exist, and the maximum number of students who may be admitted to any faculty, department, course, or class”.

7. Pro-Vice-Chancellor—The principal Act is hereby further amended by inserting, after section 17, the following section:

“17A. (1) The Council may from time to time, on the recommendation of the Vice-Chancellor, appoint some fit and proper person to be the Pro-Vice-Chancellor of the University of Otago.

“(2) In addition to those conferred on him by this Act, the Pro-Vice-Chancellor shall, for such time and in such circumstances as the Vice-Chancellor decides, have such of the functions, powers, and duties vested in or exercisable by the Vice-Chancellor as the Vice-Chancellor delegates to him.”

8. Acting Vice-Chancellor—Section 18 of the principal Act is hereby amended by repealing subsection (1), and substituting the following subsection:

“(1) While there is from any cause a vacancy in the office of Vice-Chancellor, or the Vice-Chancellor is absent from New Zealand or incapacitated by sickness or otherwise, the Pro-Vice-Chancellor shall be the Acting Vice-Chancellor of the University of Otago.”

9. Vice-Chairman of Senate—Section 20 of the principal Act is hereby amended by adding the following subsection:

“(3) In addition to those conferred on him by this Act, the Vice-Chairman shall, for such time and in such circumstances as the Chairman of the Senate decides, have such of the functions, powers, and duties vested in or exercisable by the Chairman of the Senate as the Chairman of the Senate delegates to him.”

10. Repeal—Section 6 of the principal Act is hereby repealed.

This Act is administered in the University Grants Committee.
