

New Zealand.



ANALYSIS.

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| <p>Title.</p> <ol style="list-style-type: none"> 1. Short Title. 2. Professorial Board. 3. Retirement of present members of Council. Reconstitution of Council. 4. Mode of appointment or election. 5. Procedure preliminary to elections. Voting at elections. | <ol style="list-style-type: none"> 6. No professor eligible for membership except as representative of Professorial Board. 7. Term of office. 8. Retirement of members of groups. 9. Casual vacancies. 10. Notice of vacancies to be given. 11. Mode of filling up vacancies. 12. Repeal. |
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1911, No. 12.

AN ACT to alter the Constitution of the Council of the University of Otago. Title.
[21st October, 1911.]

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

1. This Act may be cited as the University of Otago Council Act, 1911. Short Title.
2. There is hereby constituted a Professorial Board of the University of Otago (hereinafter referred to as the Professorial Board), which shall consist of all the professors of the said University for the time being, and of such lecturers of the University for the time being as the Council declares to be members of the said Board. Professorial Board.
3. (1.) The members of the Council of the University of Otago in office on the commencement of this Act shall continue to hold office until the thirtieth day of June, nineteen hundred and twelve, and shall then go out of office. Retirement of present members of Council.
- (2.) On and after the first day of July, nineteen hundred and twelve, the Council shall be constituted as follows:— Reconstitution of Council.
 - (a.) A group of two members appointed by the Governor;
 - (b.) A group of two members appointed by the Professorial Board;
 - (c.) A group of four members elected by the District Court of Convocation of the Otago University District as defined by the New Zealand University Act, 1908;
 - (d.) One member appointed by the Education Board of the District of Otago, and one member appointed by the Education Board of the District of Southland;

- (e.) One member elected by the members of School Committees, as constituted under the Education Act, 1908, within the Otago University District ;
- (f.) One member appointed by the Dunedin City Council ;
- (g.) One member appointed by the Otago Hospital and Charitable Aid Board ;
- (h.) One member elected by the governing bodies of the secondary schools, as defined by section eighty-nine of the Education Act, 1908, in the Otago University District ;
- (i.) One member elected by the teachers in public schools in the Otago University District holding certificates of competency under section fifty-four of the Education Act, 1908 ;
- (j.) One member elected by those teachers in secondary schools, as defined by section eighty-nine of the Education Act, 1908, in the Otago University District who are graduates of any British chartered university, or are holders of certificates of competency under section fifty-four of the Education Act, 1908 ; and
- (k.) The members of the Council in office on the commencement of this Act who were appointed to that office before the commencement of the University of Otago Council Election Act, 1891.

(3.) The members of the Council mentioned in paragraph (k) of the last preceding subsection shall continue to hold office until they cease to hold office pursuant to section nine hereof.

Mode of
appointment or
election.

4. (1.) Members appointed pursuant to paragraphs (b), (d), (f), and (g) of section three hereof shall be appointed by resolution passed at a meeting of the Board or Council making the appointment.

(2.) Members elected pursuant to paragraphs (c), (e), (h), (i), and (j) of the same section shall be elected in the manner hereinafter appearing.

(3.) The first appointments and elections of members pursuant to the said section three shall be made within the first seven days of the month of June, nineteen hundred and twelve, or as soon thereafter as may be convenient, and the members so appointed and elected shall come into office on the first day of July, nineteen hundred and twelve.

Procedure
preliminary to
elections.

5. (1.) For the purposes of elections of members pursuant to paragraphs (c), (e), (i), and (j) of section three hereof the following provisions shall apply :—

- (a.) The Registrar of the University of Otago, or such other person as the Council appoints, shall be the Returning Officer who shall conduct all elections of those members.
- (b.) The Returning Officer shall prepare separate rolls of the persons who are entitled to vote for a member or members pursuant to the said paragraphs (c), (e), (i), and (j), and shall enter in the respective rolls the name, occupation, and address of every person who possesses the necessary qualification entitling him to vote ; provided that no person shall be entered on more rolls than one.

- (c.) Any person who possesses more qualifications than one shall be entitled to have his name transferred from one roll to another at any time before the closing of the rolls as hereinafter mentioned.
- (d.) All rolls shall be closed at five o'clock in the afternoon of the fourteenth day immediately preceding the day on which an election is to be held, and shall continue to be closed until the election is completed; and no name shall be entered on any roll while that roll is closed.
- (e.) Claims for enrolment or transfer shall be made and disposed of in accordance with regulations made by the Council.
- (f.) At every election the votes shall be given by sealed voting-papers, in the form prescribed by regulations made by the Council, delivered to the Returning Officer personally on or before the day fixed for the election, or forwarded to him by post or otherwise so as to reach him not later than that day. Voting at election
- (2.) For the purpose of the election of a member pursuant to paragraph (h) of section three hereof the following provisions shall apply:—
- (a.) The governing body of each secondary school shall be entitled to one vote for every hundred or part of a hundred pupils (exclusive of the pupils in any lower department) in average attendance for the year ending on the thirty-first day of December immediately preceding the election.
- (b.) The votes of each such governing body shall be by resolution passed at a meeting of that governing body.
- (3.) In any election to which this section refers the majority of votes shall decide the election, but in the case where two candidates have an equal number of votes the Registrar shall determine the election by lot in the presence of the Chairman or other member of the Council.
6. No member of the Professorial Board shall be a member of the Council unless he is appointed a member by that Board pursuant to paragraph (b) of section three hereof. No professor eligible for membership except as representative of Professorial Board.
7. Subject to the provisions of the next succeeding section, the term of office of all members appointed or elected as provided by paragraphs (a), (b), and (c) of section three hereof shall be four years, and of all other members, except members in office under paragraph (k) of that section, shall be two years; but all members shall continue to hold office until the appointment or election of their successors. Term of office.
8. (1.) The members of the Council who are in office on the first day of July, nineteen hundred and twelve, shall continue to hold office subject as hereinafter in this section mentioned. Retirement of members of groups.
- (2.) On the first day of July, nineteen hundred and fourteen, and on the same day in each second year thereafter, one-half of the members comprising each of the groups mentioned in the said paragraphs (a), (b), and (c) shall retire from office.
- (3.) The members to retire from each of such groups on the first day of July, nineteen hundred and fourteen, shall, on or before the

first day of May in that year, be decided by lot amongst the members of that group; and the members to retire as aforesaid on the first day of July in every second subsequent year shall be those who have been longest in office without reappointment or re-election.

Casual vacancies.

9. (1.) If any member of the Council—

- (a.) Dies, or by writing addressed to the Council resigns his seat; or
- (b.) Becomes bankrupt; or
- (c.) For a period of three consecutive months fails to attend any meeting of the Council without obtaining leave of absence; or
- (d.) Is absent from New Zealand for a period of six consecutive months without obtaining leave of absence,—

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

(2.) The member filling a casual vacancy shall hold office only for the residue of the term of the vacating member.

Notice of vacancies to be given.

10. (1.) Whenever a vacancy, whether casual or otherwise, occurs which is to be filled up by appointment by the Governor, it shall be the duty of the Council to forthwith report the fact to the Minister of Education.

(2.) Whenever a vacancy, whether casual or otherwise, occurs which is to be filled up by appointment by the Professorial Board, or by any Education Board, or by the Dunedin City Council, it shall be the duty of the Council to forthwith report the fact to the Board or Council which appointed the vacating member.

(3.) Whenever a vacancy, whether casual or otherwise, occurs that is to be filled up by election, it shall be the duty of the Council to do all things necessary for the proper conduct of that election.

(4.) Each vacancy, whether casual or otherwise, shall be filled up by the same authority as that which appointed or elected the vacating member.

Mode of filling up vacancies.

11. (1.) The appointment or election of a member to fill up a vacancy caused by the expiry of the term of office of a vacating member shall be made within the first seven days of the month of June next preceding such expiry, or as soon thereafter as may be convenient, but shall not take effect until such expiry.

(2.) The appointment or election of a member to fill up a casual vacancy shall be made not later than thirty days after the vacancy occurs.

(3.) Every retiring member shall be eligible for reappointment or re-election.

(4.) If any vacancy is not filled up within sixty days after the same occurs, the Governor shall forthwith fill up the vacancy by appointing some fit person as a member in place of the vacating member.

Repeal.

12. The University of Otago Council Election Act, 1891, is hereby repealed.