

Hon. Mr. Allen.

AUCKLAND UNIVERSITY COLLEGE AMENDMENT.

ANALYSIS.

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A BILL INTITULED

AN ACT to alter the Constitution of the Council of the Auckland University College. Title.

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 Auckland University College Amendment Act, 1912, and shall form part of and be read together with the Auckland University College Act, 1882 (hereinafter referred to as the principal Act). Short Title.

2. On and after the first day of July, nineteen hundred and thirteen, the Council shall be constituted as follows:— Reconstitution of Council.

- (a.) A group of three 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 Auckland University District as defined by the New Zealand University Act, 1908;
 - (d.) A group of three members elected by members of the General Assembly resident in the Provincial District of Auckland;
 - (e.) One member appointed by the Auckland Education Board;
- and
- (f.) One member appointed by the Auckland City Council.

3. (1.) Members appointed pursuant to paragraphs (b), (e), and (f) of section two hereof shall be appointed by resolution passed at a meeting of the Board or Council making the appointment. Mode of appointment or election.

(2.) Members elected pursuant to paragraphs (c) and (d) 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 *two* shall be made within the first seven days of the month of June, nineteen hundred and *thirteen*, or as soon thereafter as may be convenient, and the members so appointed or elected shall come into office on the first day of July, nineteen hundred and *thirteen*. 5

Procedure preliminary to elections.

4. (1.) For the purposes of the election of members pursuant to paragraph (c) of section *two* hereof the following provisions shall apply:—

(a.) The Registrar of the Auckland University College, or such other person as the Council appoints, shall be the Returning Officer who shall conduct all elections of those members. 10

(b.) The Returning Officer shall prepare a roll of the persons who are entitled to vote for a member or members pursuant to the said paragraph (c), and shall enter in the said roll the name, occupation, and address of every person so entitled to vote. 15

(c.) The roll 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 the roll while it is closed. 20

(d.) Claims for enrolment shall be made and disposed of in accordance with regulations made by the Council. 25

(e.) 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. 30

Voting at elections.

(2.) The election of a member pursuant to paragraph (d) of section *two* hereof shall be conducted by the Registrar in such manner as the Council thinks fit.

(3.) In any election to which this section refers the majority of votes shall decide the election, but in case of an equality of votes the Registrar shall determine the election by lot in the presence of the Chairman or other member of the Council. 35

(4.) In the event of any dispute arising as to the validity of any election, the Council shall have full power to determine the matter as it thinks fit, or it may cause another election to be held. 40

Professors eligible for membership only as representative of Professorial Board.

5. 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 *two* hereof.

Term of office.

6. Subject to the provisions of the *next succeeding* section, the term of office of all members appointed or elected as provided by paragraphs (a) and (d) of section *two* hereof shall be three years, of all members appointed or elected pursuant to paragraphs (b) and (c) of the said section *two* shall be four years, and of the members appointed in accordance with paragraphs (e) and (f) of the same subsection shall be *two* years; but all members shall continue to hold office until the appointment or election of their successors. 45 50

Retirement of members of groups.

7. (1.) On the first day of July, nineteen hundred and *thirteen*, of the members appointed under the provisions of the principal Act by the Governor in Council, the one who has been longest in office shall retire, and the other two members so appointed shall be deemed
5 to have been appointed by the Governor under this Act; in like manner of the members elected under the principal Act by the members of the General Assembly resident in the Provincial District of Auckland, the one who has been longest in office shall retire on the
10 first day of July, nineteen hundred and *thirteen*, and the other two members shall be deemed to have been elected in accordance with paragraph (d) of section two of this Act; and in like manner of the members elected under the principal Act by the graduates of the University on the books of the College, the one who has been longest
15 in office shall retire, and the other two shall be deemed to have been elected under this Act by the District Court of Convocation of the Auckland University District.

(2.) The members of the Council who come into office on the first day of July, nineteen hundred and *thirteen*, shall continue to hold office subject as hereinafter in this section mentioned.

20 (3.) On the first day of July, nineteen hundred and *fourteen*, and on the same day in each year thereafter one of the members comprising each of the groups mentioned in paragraphs (a) and (d) of section *two* hereof shall retire from office, and the members so to retire shall be those who have been longest in office without
25 reappointment or re-election.

(4.) On the first day of July, nineteen hundred and *fifteen*, and on the same day in each second year thereafter one-half of the members comprising each of the groups mentioned in paragraphs (b) and (c) of section *two* hereof shall retire from office, and the
30 members so to retire shall be those who have been longest in office without reappointment or re-election :

Provided that on or before the first day of May, nineteen hundred and *fifteen*, the Registrar shall decide by lot in the presence of the Chairman or other member of the Council which of the
35 members appointed by the Professorial Board shall retire on the first day of July, nineteen hundred and *fifteen*.

8. (1.) If any member of the Council—

Casual vacancies.

(a.) Dies, or by writing addressed to the Council resigns his seat; or

40 (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

45 (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.

50 9. (1.) Whenever a vacancy, whether casual or otherwise, occurs that is to be filled up by appointment by the Governor, it shall be the duty of the Council forthwith to report the fact to the Minister of Education.

Notice of vacancies to be given.

(2.) Whenever a vacancy, whether casual or otherwise, occurs that is to be filled up by appointment by the Professorial Board, or by the Auckland Education Board, or by the Auckland 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. 5

(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. 10

Mode of filling up vacancies.

10. (1.) The appointment or election of a member to fill 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 immediately preceding such expiry, or as soon thereafter as may be convenient, but shall not take effect until such expiry. 15

(2.) The appointment or election of a member to fill 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. 20

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

Fees.

11. (1.) The Council may from time to time prescribe reasonable fees for the attendance of students at lectures and classes. Such fees shall be paid to the Registrar of the College. 25

(2.) The Council may at its discretion pay to the professors or lecturers, or any of them, the aforesaid fees or any part or proportion thereof.

Repeal.

12. Sections six, eight to eleven, and twenty-four of the principal Act are hereby repealed. 30