

NEW ZEALAND UNIVERSITY AMENDMENT BILL

EXPLANATORY NOTE

This Bill amends the New Zealand University Act 1908.

Clause 2 redefines the General Court of Convocation of the University of New Zealand. The existing provisions are extended so as to provide that all professors and all graduate full time members on the staff of a constituent college or of the Massey Agricultural College or of the Canterbury Agricultural College shall be members of the General Court of Convocation. In accordance with the practice which has been followed by the University since 1943, persons who are graduates by reason only of having been admitted *ad eundem gradum* qualify for membership in cases where they were so admitted before 1 January 1943, but not in other cases.

Clause 3 makes separate provision for the constitution of the District Courts of Convocation. This separate provision is required because *clause 2* defines the General Court of Convocation without reference to the District Courts of Convocation. The existing provisions are extended so as to conform with the changes made in *clause 2* in connection with the membership of professors, graduate full time members of the staffs of the colleges, and *ad eundem gradum* graduates. Provisions have also been added to make clear on which District Court of Convocation certain persons shall be enrolled for the first time.

Clause 4 provides that the number of University National Scholarships shall be twenty-five, instead of twenty as at present; and that the holders of such scholarships shall receive, in addition to tuition fees and payments in respect of lodging allowances and travelling expenses, payments of £80 a year, instead of £70 a year as at present.

Clause 5 provides that the additional amount to be paid in respect of lodging allowances and travelling expenses to the holder of a University National Scholarship who is obliged to live away from home shall be £50 a year, instead of £40 a year as at present.

Clause 6 provides for changes in the membership of the Council of Legal Education so that—

- (a) Four practitioners (instead of two persons) may be appointed to the Council on the recommendation of the Council of the New Zealand Law Society;
- (b) The Deans of the faculties of law in the constituent colleges or their nominees shall be members of the Council, instead of (as at present) two persons, each being a professor of law or a lecturer in law of a constituent college to be appointed on the recommendation of the Senate;
- (c) The Vice-Chancellor of the University shall be a member of the Council by virtue of his office.

The effect will be that there will be eleven members of the Council, instead of six as at present.

Clause 7 provides that the Council of Legal Education may make recommendations directly to the Senate, instead of to the Academic Board; and enables the Senate, as well as the Academic Board and the Council, to initiate any matter for recommendation. A copy of any such recommendation to the Senate must be sent to the Academic Board in order that it may forward to the Senate its comments on the recommendation.

The Schedule re-enacts the Second Schedule to the principal Act, and sets out the boundaries to the University districts, but makes no changes in these boundaries as at present defined by the Second Schedule and two Adjustment Orders. The boundaries are being set out afresh in this way so as to conform with the wording of the new section 23A (1) set out in *clause 3* of the Bill.

Hon. Mr Algie

NEW ZEALAND UNIVERSITY AMENDMENT

ANALYSIS

Title	
1. Short Title	5. Lodging allowances for holders of University National Scholarships.
2. General Court of Convocation	6. Constitution of Council of Legal Education
3. District Courts of Convocation	7. Powers of Council of Legal Education
4. University National Scholarships	Schedule

A BILL INTITULED

An Act to amend the New Zealand University Act 1908

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

1. Short Title—This Act may be cited as the New Zealand University Amendment Act 1956, and shall be read together with and deemed part of the New Zealand University Act 1908 (hereinafter referred to as the principal Act).

10 **2. General Court of Convocation**—(1) The principal Act is hereby amended by repealing section six, and substituting the following section:

“6. (1) The General Court of Convocation of the University shall consist of—

“(a) Every person who is a graduate of the University, including every person who is a graduate of the University by reason only of having been admitted *ad eundem gradum* if he was so admitted before the first day of January, nineteen hundred and forty-three, but not otherwise: 5

“(b) Every other person who is for the time being a professor, or a graduate full time member, on the staff of a constituent college or of the Massey Agricultural College or of the Canterbury Agricultural College. 10

“(2) The Senate of the University may from time to time by statute prescribe the method of holding elections of members of the Senate by the General Court of Convocation.” 15

(2) The New Zealand University Amendment Act 1914 is hereby amended by repealing section four.

3. District Courts of Convocation—(1) The principal Act is hereby amended by inserting after section twenty-three, the following section: 20

“23A. (1) For the purposes of this Act New Zealand shall be divided into four University districts, as described in the Second Schedule hereto; but the Governor-General may by Order in Council at any time adjust the boundaries of those districts. 25

“(2) There shall be a District Court of Convocation for each of the said University districts.

“(3) Each District Court of Convocation shall consist of the persons whose names are enrolled on a register to be kept by the Registrar of the constituent college in the district, or by the Registrar of the University in such manner as the Senate may prescribe. 30

“(4) Every person shall be entitled to have his name enrolled (without fee) on the register of the District Court of Convocation for any district who— 35

“(a) Is a graduate of the University, either by examination at any time or by reason only of having been admitted *ad eundem gradum* before the first day of January, nineteen hundred and forty-three; or not being such a graduate of the University is a 40

professor or graduate full time member of the staff of a constituent College or of the Massey Agricultural College or of the Canterbury Agricultural College; and

- 5 “(b) Is on the books of the constituent college in the University district, or has resided in the district for not less than three months immediately preceding his enrolment:

“Provided that any person who has been so enrolled may
10 have his name transferred from the register of the District Court of Convocation of one University district to the register of the District Court of Convocation of another University district, if (during the three months immediately preceding the transfer) he has been resident in the last mentioned
15 University district; but no transfer shall be made except on the ground of such a change of residence:

“Provided also that no person shall be entitled to have his name enrolled on more than one register at the same time:

“Provided also that any person who has been admitted as
20 a graduate *ad eundem gradum* before the first day of January, nineteen hundred and forty-three shall in the first instance be enrolled on the register of the District Court of Convocation kept in respect of the University district in which he was resident at the date of his admission:

25 “Provided further that any person who has graduated while on the books of the Massey Agricultural College shall in the first instance be enrolled on the register of the District Court of Convocation kept in respect of the Victoria University district, and that any person who has graduated while on the
30 books of the Canterbury Agricultural College shall in the first instance be enrolled on the register of the District Court of Convocation kept in respect of the Canterbury University district.

35 “(5) The Senate of the University may from time to time make regulations for the keeping of the registers of the District Courts of Convocation; and, subject to this Act and to the said regulations, each District Court of Convocation shall have power to make such rules for the conduct of its business as it thinks fit.

40 “(6) Any District Court of Convocation may make representations to the Senate on any matter concerning the interests of the University.”

(2) The principal Act is hereby amended by repealing the
45 Second Schedule, and substituting the Second Schedule set out in the Schedule to this Act.

(3) The University Districts Adjustment Order 1949, and the University Districts Adjustment Order 1949, Amendment No. 1, are hereby revoked.

4. University National Scholarships—(1) Section thirteen of the New Zealand University Amendment Act 1914 is hereby amended— 5

(a) By omitting from paragraph (a) the word “twenty”, and substituting the word “twenty-five”:

(b) By omitting from paragraph (c), as set out in section three of the New Zealand University Amendment Act 1923 and amended by paragraph (b) of subsection one of section three of the New Zealand University Amendment Act 1950, the words “seventy pounds”, and substituting the words “eighty pounds”. 10 15

(c) By omitting from paragraph (1), as set out in paragraph (c) of subsection one of section three of the New Zealand University Amendment Act 1950, the words “one hundred and sixty-five pounds”, and substituting the words “one hundred and seventy-five pounds”. 20

(2) Paragraph (b) of subsection one of section three of the New Zealand University Amendment Act 1950 is hereby repealed.

5. Lodging allowances for holders of University National Scholarships—(1) Section fifteen of the New Zealand University Amendment Act 1914 is hereby amended by omitting from subsection one, as amended by paragraph (a) of subsection one of section four of the New Zealand University Amendment Act 1950, the words “forty pounds”, and substituting the words “fifty pounds”. 25 30

(2) Paragraph (a) of subsection one of section four of the New Zealand University Amendment Act 1950 is hereby repealed.

6. Constitution of Council of Legal Education—(1) Section two of the New Zealand University Amendment Act 1930 is hereby amended by repealing paragraphs (b) and (c) of subsection one, and substituting the following paragraphs: 35

“(b) Four practitioners to be appointed upon the recommendation of the Council of the New Zealand Law Society: 40

“(c) The Deans of the faculties of Law in the constituent colleges of the University or their nominees:

“(d) The Vice-Chancellor of the University.”

(2) This section shall come into force on the first day of 5 April, nineteen hundred and fifty-seven.

7. Powers of Council of Legal Education—Subsection one of section three of the New Zealand University Amendment Act 1930 is hereby amended—

10 (a) By omitting the words “Academic Board to make recommendations to the Academic Board”, and substituting the words “Senate or the Academic Board to make recommendations to the Senate”:

15 (b) By adding the words “A copy of all recommendations sent by the Council of Legal Education to the Senate shall be sent to the Academic Board in order that it may forward to the Senate its comments on those recommendations.”

SCHEDULE

Section 3 (2)

SCHEDULE TO BE SUBSTITUTED FOR THE SECOND SCHEDULE TO THE PRINCIPAL ACT

“SECOND SCHEDULE

“UNIVERSITY DISTRICTS

THE Auckland University District, comprising the Provincial District of Auckland and the portion of the Provincial District of Taranaki which is within the South Auckland Education District.

THE Victoria University District, comprising the Provincial Districts of Wellington and Hawke's Bay, the portion of the Provincial District of Taranaki which is not within the South Auckland Education District, and the portion of the South Island comprising the counties of Collingwood, Takaka, Waimea, Murchison, Sounds, Marlborough, and Awatere, and the cities, boroughs, and town districts in those counties.

THE Canterbury University District, comprising the whole of the South Island except the portions included in the Victoria University District and the Otago University District.

THE Otago University District, comprising the Provincial District of Otago.”