

Version No. 036
Victoria University of Technology Act 1990
No. 21 of 1990

Version incorporating amendments as at 22 May 2008

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Version No. 036
Victoria University of Technology Act 1990
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Version incorporating amendments as at 22 May 2008

The Parliament of Victoria enacts as follows:

PART 1—PRELIMINARY

1 Purpose

The purpose of this Act is to establish the Victoria University of Technology (now known as Victoria University) and provide for the incorporation into that University of the following—

(a) Footscray Institute of Technology;

* * * * *

(c) The Western Institute.

S. 1
amended by
No. 40/2005
s. 111.

S. 1(b)
repealed by
No. 105/1994
s. 35(a).

2 Commencement

- (1) Section 54 comes into operation on 1 January 1992 or, if the Governor in Council by proclamation published in the Government Gazette fixes an earlier day for that section to come into operation, that earlier day.
- (2) Subject to subsection (1), this Act comes into operation on a day or days to be proclaimed.

3 Definitions

In this Act—

S. 3 def. of
*Amalgamating
Institute*
substituted by
No. 105/1994
s. 35(b).

Amalgamating Institute means—

- (a) Footscray Institute of Technology;
- (b) The Western Institute;

Appointed Day means the day on which
section 54 comes into operation;

Council means the Council of the University;

diplomat means a person whose name is
inscribed under the Statutes on a roll kept by
the University of the names of the holders of
such diplomas granted by the University as
are prescribed by the Statutes;

enrolled student means—

- (a) a student enrolled for a program or
course of study in the University; or
- (b) a post-graduate student;

Establishment Day means the day on which
section 4 comes into operation;

graduate means a person whose name is inscribed
under the Statutes on a roll kept by the
University of the names of the holders of
prescribed degrees conferred by the
University;

S. 3 def. of
*post-graduate
student*
substituted by
No. 57/1996
s. 33.

post-graduate student means a student enrolled as
a candidate for a graduate diploma, degree of
Master or Doctor or any other post-graduate
course for admission to which completion of
a degree is normally required;

prescribed means prescribed by this Act or by the
Statutes or regulations of the University;

regulations means regulations under the Statutes;

staff, in relation to the University, means—

- (a) persons employed by the University;
and
- (b) persons in teaching or management positions at the University but not employed by the University;

Statutes means Statutes of the University made by the Council under this Act;

University means Victoria University of Technology established and incorporated under this Act (and now renamed and to be known as Victoria University);

S. 3 def. of
University
amended by
No. 40/2005
s. 112.

Western Metropolitan Region of Melbourne means the municipal districts of Altona, Bacchus Marsh, Broadmeadows, Bulla, Essendon, Footscray, Keilor, Melton, Sunshine, Werribee and Williamstown.

PART 2—VICTORIA UNIVERSITY OF TECHNOLOGY

4 The University

S. 4(1)
amended by
No. 40/2005
s. 113.

- (1) There is established a University to be known as "Victoria University of Technology" and now renamed and to be known as "Victoria University".
- (2) The University is a body politic and corporate consisting of—
 - (a) a Council; and
 - (b) such members of the academic, teaching and other staff as are prescribed; and
 - (c) the enrolled students of the University; and
 - (d) such other persons as are prescribed by the Statutes.
- (3) The University—
 - (a) has perpetual succession; and
 - (b) shall have a common seal; and
 - (c) is capable in law of suing and being sued; and
 - (d) may acquire, hold and dispose of real and personal property; and
 - (e) is capable of doing and suffering all acts, matters and things that a body corporate may by law do or suffer.

5 Common seal

- (1) The common seal of the University must be kept in such custody as the Council directs and must not be used except by resolution of the Council or in such other manner as is authorised by the Statutes.

- (2) All courts and persons acting judicially must take judicial notice of the common seal of the University affixed to any document and, until the contrary is proved, must presume that it was duly affixed.

6 Objects of the University

The objects of the University include—

- (a) the development of an institution with excellence in teaching, training, research and scholarship, with particular emphasis on technological development and applications of knowledge;
- (b) the provision of high quality educational, research, residential, social, recreational, sporting and other facilities; **S. 6(b) substituted by No. 105/1994 s. 28(a).**
- (c) the promotion, advancement and transmission of knowledge and its practical application by research and other means, the dissemination by various means of the outcomes of research and the commercial exploitation of the results of that research; **S. 6(c) substituted by No. 105/1994 s. 28(a).**
- (ca) to promote critical enquiry within the university and in the general community; **S. 6(ca) inserted by No. 26/2003 s. 52.**
- (d) the provision of a wide range of programs and courses of study in post-secondary education, including courses of instruction or training relevant to a trade or other skilled occupation and facilitation of articulation between programs;
- (e) the participation in commercial ventures and activities; **S. 6(e) substituted by No. 105/1994 s. 28(b).**

s. 7

S. 6(ea)
inserted by
No. 105/1994
s. 28(b).

- (ea) the conduct of teaching, research, consultancy and development activities within and outside Australia;
- (f) the fostering of the general welfare and development of all enrolled students;
- (g) the conferring of prescribed degrees and the granting of prescribed diplomas, certificates and other awards;
- (h) the offering of opportunities for development and further training to teaching and other staff of the university;
- (i) the development and provision of educational, cultural, professional, technical and vocational services to the community and in particular the fostering of participation in post-secondary education for persons living or working in the Western Metropolitan Region of Melbourne;
- (j) the provision of programs and services in ways which reflect principles of equity and social justice;
- (k) generally the development and carrying on of a university providing such appropriate and accessible academic and other programs, courses of study and research activity as the Council considers necessary for the attainment of the foregoing within Victoria and elsewhere.

S. 6(k)
amended by
No. 105/1994
s. 28(c).

S. 7
amended by
No. 105/1994
ss 29(1)–(3),
35(c),
substituted by
No. 70/1997
s. 67.

7 The Council

- (1) The Council is the governing authority of the University and has the direction and superintendence of the University.

- (1A) The primary responsibilities of the Council include—
- (a) appointing and monitoring the performance of the Vice Chancellor as chief executive officer of the University;
 - (b) approving the mission and strategic direction of the University and its annual budget and business plan;
 - (c) overseeing and reviewing the management of the University and its performance;
 - (d) establishing policy and procedural principles for the operation of the University consistent with legal requirements and community expectations;
 - (e) approving and monitoring systems of control and accountability of the University, including those required to maintain a general overview of any entity controlled by the University in accordance with section 50AA of the Corporations Act;
 - (f) overseeing and monitoring the assessment and management of risk across the University, including commercial undertakings;
 - (g) overseeing and monitoring the academic activities of the University;
 - (h) approving any significant commercial activities of the University.
- (2) The Council shall consist of—
- (a) the Chancellor;
 - (b) the Vice-Chancellor;
 - (c) two persons elected by the board or boards established under the Statutes to be responsible for academic programs and

S. 7(1A)
inserted by
No. 40/2005
s. 114(1).

S. 7(2)(c)
substituted by
No. 40/2005
s. 114(2).

courses of study in higher education and technical and further education in the University;

S. 7(2)(d)
repealed by
No. 40/2005
s. 114(2).

* * * * *

- (e) 3 persons elected, by and from the staff of the University prescribed by the Statutes;
- (f) 2 persons elected by and from the students enrolled at the University prescribed by the Statutes;
- (g) 6 persons appointed by the Governor in Council;
- (h) one person appointed by the Minister;
- (i) 6 persons appointed by the Council.

S. 7(3)
amended by
No. 40/2005
s. 114(3).

- (3) If one of the persons elected under subsection (2)(c) is not a professor or an associate professor, one of the members of staff appointed under subsection (2)(e) must be elected from the staff who are professors or associate professors.

S. 7(4)
substituted by
No. 40/2005
s. 115(1).

- (4) The Governor in Council, the Minister and the Council must have regard to appointing members to the Council who have—
 - (a) the knowledge, skills and experience required for the effective working of the Council;
 - (b) an appreciation of the values of a University relating to teaching, research, independence and academic freedom;
 - (c) the capacity to recognise the needs of the external community served by the University.

- (4A) Of the persons appointed under subsections (2)(g) and (2)(i)—
- (a) two must be persons with financial expertise with relevant qualifications and experience in financial management at a senior level;
 - (b) one must be a person with commercial expertise at a senior level;
 - (c) one must be a person who has substantial knowledge or experience of vocational education and training;
 - (d) three must be persons who live in or about the Western Metropolitan Region of Melbourne.
- (5) Not more than 3 of the members appointed under subsection (2)(g) and (i) may be persons whose normal place of residence is outside Australia.
- (6) At least 12 members of the Council must be persons who are neither enrolled as a student nor employed as a member of staff of the University.
- (7) A person who is a member of the Parliament of Victoria or of the Commonwealth or of any other State or Territory of Australia must not be elected or appointed to the Council except under subsection (2)(i).

S. 7(4A)
inserted by
No. 40/2005
s. 115(1).

S. 7(6)
substituted by
No. 40/2005
s. 115(2).

S. 7(7)
inserted by
No. 40/2005
s. 115(2).

8 Terms and conditions of office of Council members

S. 8 (Heading)
inserted by
No. 26/2003
s. 53(1).
S. 8
amended by
No. 105/1994
s. 29(4),
substituted by
No. 70/1997
s. 68,
amended by
No. 26/2003
s. 53(2) (ILA
s. 39B(1)).

- (1) Subject to this Act, a member of the Council—
- (a) appointed by the Governor in Council, the Minister or the Council holds office until 31 December in the second year next following the year his or her appointment takes effect;
 - (b) elected by members of staff holds office until 31 December in the year next following the year his or her election takes effect;
 - (c) elected by enrolled students holds office until 31 December in the year that his or her election takes effect.

S. 8(1A)
inserted by
No. 40/2005
s. 116.

- (1A) Despite subsection (1)(a)—
- (a) the Governor in Council or the Council may appoint a member until 31 December in the year, or in the year following the year, the member's appointment takes effect to ensure that 2 offices of the members appointed by the Governor in Council or the Council (as the case requires) fall vacant each year;
 - (b) a member of the Council appointed in accordance with paragraph (a) holds office for the period specified in his or her instrument of appointment.

S. 8(1B)
inserted by
No. 40/2005
s. 116.

- (1B) A member elected or appointed to the Council is eligible to be re-elected or re-appointed to the Council at the end of the member's term of office, but not so as to extend his or her period in office to exceed 12 years of membership (whether consecutive or not).

S. 8(1C)
inserted by
No. 40/2005
s. 116.

- (1C) Subsection (1B) does not apply to a member elected or appointed to the Council whose membership of the Council exceeds 12 years if the

Council passes a resolution that the person may continue to be a member beyond that period.

- (2) An elected or appointed member of the Council, other than a member who holds a full-time office on the staff of the University, a full-time office under the Crown in any of its capacities or a full-time office in a statutory authority, at the discretion of the Council, may be paid the remuneration and fees that are fixed from time to time by the Minister for that member. **S. 8(2) inserted by No. 26/2003 s. 53(2).**
- (3) The following persons are not entitled to be paid or to receive any remuneration, fees, allowances or expenses in respect of their membership of the Council— **S. 8(3) inserted by No. 26/2003 s. 53(2).**
- (a) a member of the Federal Parliament or the Legislative Council or the Legislative Assembly;
 - (b) the Chief Justice and other Justices of the High Court of Australia.
- (4) A member of the Council is not to be taken to hold an office of profit under the Crown that would— **S. 8(4) inserted by No. 26/2003 s. 53(2).**
- (a) prevent the member sitting or voting as a member of the Legislative Council or the Legislative Assembly; or
 - (b) make void the member's election to the Legislative Council or the Legislative Assembly; or
 - (c) prevent the member continuing to be a member of the Legislative Council or the Legislative Assembly; or
 - (d) subject the member to any liability or penalty under the **Constitution Act 1975**.

9 Removal of appointed members

- (1) A member of the Council appointed by the Governor in Council may, at any time, be removed by the Governor in Council.
- (2) A member of the Council appointed by the Minister may, at any time, be removed by the Minister.

10 Vacancies arising from other appointments etc.

- (1) If a member of the Council becomes entitled to be a member ex officio—
 - (a) that member is deemed to hold office ex officio; and
 - (b) the vacated office of that member shall be filled in the manner prescribed for the filling of casual vacancies.
- (2) If a member of the Council—
 - (a) elected by staff ceases to be a member of staff; or
 - (b) elected by enrolled students, ceases to be an enrolled student—

that member's office becomes vacant and shall be filled in the manner prescribed for the filling of casual vacancies.

- (3) Any change in the membership, or the academic rank of the member of, the Council under section 7(2)(c) does not affect the membership of the Council by a person elected under section 7(2)(e) during the term of appointment under section 7(2)(e).

S. 10(3)
substituted by
No. 70/1997
s. 69.

11 Conduct of elections

Elections of members of the Council are to be conducted in accordance with the requirements of this Act, the Statutes and the regulations.

S. 11
substituted by
No. 40/2005
s. 117.

11A Filling of vacancies on retirement

The appointment or election of a person as a member of the Council to fill a vacancy caused by the retirement of a member at the end of a term of office—

S. 11A
inserted by
No. 40/2005
s. 117.

- (a) except in the case of members appointed by the Council, may be made within 6 months before the date of the end of the term of office of the retiring member and takes effect at the end of that term of office; and
- (b) in the case of members appointed by the Council, must be made on or before the last scheduled meeting of the Council before the end of the term of office of the retiring member.

12 Provision in case of failure of election

If—

- (a) at an election of members of the Council—
 - (i) no vacancies are filled; or
 - (ii) a number of vacancies less than the whole number which should have been filled is filled; or

(b) an election of members of the Council which should have been held is not held—

the vacancies which should have been filled and are not filled shall severally be deemed to be casual vacancies and the members elected in due course to fill the vacancies are entitled to continue in office as if elected at the election.

13 Resignation and removal from office

- (1) A member of the Council, other than the Chancellor, may resign by writing delivered to the Chancellor.
- (2) The Chancellor may resign by writing delivered to the Council.
- (3) The office of a member of the Council becomes vacant if the member—
 - (a) is or becomes disqualified from managing corporations under Part 2D.6 of the Corporations Act; or
 - (b) has failed to attend, without the Council's prior approval, 3 consecutive ordinary meetings of the Council.
- (4) Without limiting section 9 and the powers of the Governor in Council and the Minister under section 9, the Council may remove a member from office in accordance with this section.
- (5) The Council may only remove a member from office if it is of the opinion that the member has

S. 13(2)
amended by
No. 105/1994
s. 30.

S. 13(3)
substituted by
Nos 44/2001
s. 3(Sch.
item 123.1),
40/2005 s. 118.

S. 13(4)
substituted by
No. 40/2005
s. 118.

S. 13(5)
inserted by
No. 40/2005
s. 118.

failed to comply with the responsibilities of a member of the Council.

- (6) The Council must not remove a member from office unless—
- (a) another member gives notice at an ordinary meeting of the Council of an intention to move a motion for the member to be removed from the Council and sets out in the notice the grounds for removal; and
 - (b) the member gives that notice no later than at the last ordinary meeting of the Council before the meeting at which the motion to remove the member will be put to the Council; and
 - (c) if the member to be removed is not present at the meeting at which that notice is given, the Council gives the member written notice of the intention and sets out in the notice the grounds for removal; and
 - (d) the Council gives the member to be removed an opportunity, at or before the meeting where the motion for removal is to be considered, to make submissions in writing or personally before the Council of the reasons why the member should not be removed from the Council; and
 - (e) by a majority of two-thirds of the members present at the meeting, the Council passes a resolution removing the member from office on the grounds stated in the notice given under this section.

S. 13(6)
inserted by
No. 40/2005
s. 118.

14 Casual vacancies

- (1) If the office of a member of the Council becomes vacant otherwise than by reason of the expiry of the member's term of office, a person must be appointed or elected as prescribed to fill the

vacancy and to hold office, subject to this Act, for the remainder of the term.

- (2) If the vacancy occurs within three months before the expiry of a member's term of office, the office may be left vacant for the remainder of the term.
- (3) Despite section 7(2)(g), the Minister, after consultation with the Chancellor, may appoint a person to a casual vacancy in the office of a member who is required by that provision to be appointed by the Governor in Council.

S. 14(3)
inserted by
No. 70/1997
s. 70.

15 Chairperson of Council

At a meeting of the Council, the Chancellor, or in the absence of the Chancellor, the Deputy Chancellor, shall preside and in the absence of the Chancellor and Deputy Chancellor, a member of the Council elected by the members present shall preside.

16 Declaration of interests

- (1) A member of the Council who has an interest in a matter being considered or about to be considered by the Council must, as soon as practicable after the relevant facts have come to his or her knowledge, declare the nature of the interest at a meeting of the Council or in writing addressed to the Chancellor.
- (2) If the Chancellor receives a written declaration under subsection (1), the Chancellor must report it, or cause it to be reported, at the next meeting of the Council.
- (3) The person presiding at a meeting at which a declaration is made under subsection (1) or reported under subsection (2) must cause a record

S. 16
(Heading)
inserted by
No. 40/2005
s. 119(1).

S. 16(1)
amended by
No. 40/2005
s. 119(2).

of the declaration to be made in the minutes of the meeting.

- (4) After a declaration is made under subsection (1) by a member of the Council—
- (a) unless the Council otherwise directs, the member must not be present during any deliberation with respect to that matter; and
 - (b) the member is not entitled to vote on the matter; and
 - (c) if the member does vote on the matter, the vote must be disallowed.

16A Council member's responsibilities

S. 16A
inserted by
No. 26/2003
s. 54.

- (1) A member of the Council must act in the interests of the University as a whole and is responsible to the Council for furthering the purposes of the Council and the objects of the University rather than any constituent person or body who elected or appointed the member.
- (2) A member of the Council must not make improper use of his or her position on the Council including the improper use of any information acquired in the course of his or her duties to obtain directly or indirectly any pecuniary or other advantage for himself or herself or any other person.
- (3) A member of the Council, in carrying out his or her functions and duties, must—
- (a) act in good faith, honestly and for proper purposes consistent with the objects and interests of the University;
 - (b) exercise appropriate care and diligence;

S. 16A(1)
amended by
No. 40/2005
s. 119(3)(a).

S. 16A(2)
amended by
No. 40/2005
s. 119(3)(b).

S. 16A(3)
inserted by
No. 40/2005
s. 119(4).

- (c) take reasonable steps to avoid all conflicts of interest unless they are disclosed in accordance with section 16.

17 Procedure of Council

- (1) A question arising at a meeting of the Council shall be determined by a majority of votes of members present and voting on that question, unless this Act otherwise provides.
- (2) If voting on a question at a meeting of the Council is equal, the person presiding has a casting vote as well as a deliberative vote.
- (3) A question (other than a question referred to in subsection (3A), shall not be decided at a meeting of the Council unless there are present at the meeting at least 11 members.
- (3A) A question of appointing one or more persons as members of the Council under section 7(2)(i) shall not be decided unless there are present at least 7 persons or one half of the members of the Council then in office, whichever is the greater, of whom not more than half hold office under section 7(2)(e) or (f).
- (4) The Council must meet at least six times in each year.
- (5) Subject to this Act and the Statutes and regulations, the Council may regulate its own proceedings.

S. 17(3)
substituted by
No. 105/1994
s. 31.

S. 17(3A)
inserted by
No. 105/1994
s. 31.

17A Resolutions without meetings of the Council

- (1) If a majority of the members for the time being of the Council sign a document circulated by, or on behalf of, the Chancellor containing a statement that those members are in favour of a resolution in terms set out in the document, a resolution in those terms shall be taken to have been passed at a meeting of the Council held on the day on which

S. 17A
inserted by
No. 70/1995
s. 51.

the document is signed or, if the members do not sign it on the same day, on the day on which the last member to sign signs the document.

- (2) If a resolution is, under subsection (1), taken to have been passed at a meeting of the Council, each member must be advised as soon as practicable and given a copy of the terms of the resolution.
- (3) For the purposes of subsection (1), two or more separate documents containing a statement in identical terms, each of which is signed by one or more members, shall be taken to constitute one document.
- (4) In this section, *member*, in relation to a resolution does not include a member who, by reason of section 16, is not permitted to vote on the resolution.

17B Approved methods of communication for Council meetings

S. 17B
inserted by
No. 70/1995
s. 51.

- (1) If not less than two thirds of the members of the Council for the time being holding office so agree, a meeting of the Council may be held by means of a method of communication, or by means of a combination of methods of communication, approved by the Chancellor for the purposes of that meeting.
- (2) For the purposes of this Part, a member of the Council who participates in a meeting held as permitted by subsection (1) is present at the meeting even if he or she is not physically present at the same place as another member participating in the meeting.

- (3) In this section, *meeting* includes a part of a meeting.

18 Committees

- (1) The Council, by resolution, may constitute and appoint such committees as it thinks fit.
- (2) A committee appointed by the Council must report to the Council on its activities at such times and in such manner as the Council directs.

19 Delegation

The Council may delegate all or any of its powers, authorities, duties and functions, other than—

- (a) the power to make Statutes; and
(b) this power of delegation—

to a committee appointed by it, a member of the Council or a prescribed officer of the University.

20 Validity of decisions

An act or decision of the Council is not invalid—

- (a) by reason only of a defect or irregularity in, or in connection with, the appointment or election of a member; or
(b) by reason only of a vacancy in its membership, including a vacancy arising out of the failure to appoint or elect an original member; or
(c) by reason only of a defect or irregularity in, or in connection with, the election of a person to preside at a meeting.

21 Indemnities

The University must indemnify and keep indemnified each member of the Council and any

member of a Committee constituted by resolution of the Council or by or under a Statute or regulation against all actions or claims (whether arising during or after the term of office of that member) in respect of any act or thing done or omitted to be done in good faith in the exercise or purported exercise of any powers or duty conferred or imposed upon the Council or Committee or upon any member or members of the Council by or under this Act.

22 Chancellor and Deputy Chancellor

- (1) The Council must elect or appoint as prescribed a person (whether or not a member of the Council) to be the Chancellor of the University. **S. 22(1) amended by No. 40/2005 s. 120(a).**
- (2) A member of staff or an enrolled student is not eligible to be, or to continue to be, Chancellor.
- (3) The Chancellor holds office for a term of two years on such conditions as the Council determines and may be re-elected or re-appointed. **S. 22(3) amended by No. 40/2005 s. 120(b).**
- (4) The Council must elect or appoint, as prescribed, a person to be Deputy Chancellor of the University from among the members of the Council appointed by the Governor in Council, the Minister or the Council. **S. 22(4) amended by No. 40/2005 s. 120(a).**
- (5) The Deputy Chancellor holds office for such term and subject to such conditions as are prescribed and, if an eligible member of the Council, may be re-elected or re-appointed. **S. 22(5) amended by No. 40/2005 s. 120(b).**
- (6) In the absence of the Chancellor, or during any vacancy in the office of Chancellor or during the inability of the Chancellor to act, the Deputy Chancellor shall act as Chancellor and has all the powers and duties of the Chancellor.

S. 22(7)
repealed by
No. 105/1994
s. 35(c).

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23 Vice-Chancellor

S. 23(1)
amended by
No. 40/2005
s. 121.

(1) The Council must appoint a person to be the Vice-Chancellor and President of the University.

S. 23(2)
amended by
No. 40/2005
s. 121.

(2) The Vice-Chancellor and President holds office, unless he or she sooner resigns, retires or otherwise ceases to hold office, for such term and on such conditions as the Council determines and may be re-appointed.

S. 23(3)
amended by
No. 40/2005
s. 121.

(3) Subject to this Act, the Vice-Chancellor and President is the Chief Executive Officer of the University and has such powers and duties as prescribed.

S. 23(4)
amended by
No. 40/2005
s. 121.

(4) Unless the Statutes otherwise prescribe, the Vice-Chancellor and President may delegate any of the powers and duties of the Vice-Chancellor and President, other than this power of delegation, to any person or body of persons.

24 Acting Vice-Chancellors

(1) The Council may appoint a person (whether or not a member of the Council) to act as Vice-Chancellor.

(2) The Acting Vice-Chancellor shall act as Vice-Chancellor during any vacancy in the office of Vice-Chancellor or during the absence or inability of the Vice-Chancellor to act and while so acting, has all the powers and duties of the Vice-Chancellor and, if not otherwise a member of the Council, is such a member.

(3) If the Acting Vice-Chancellor is a member of the Council, otherwise than by reason of this section, and a vacancy in the office of Vice-Chancellor, or

the absence or inability to act of the Vice-Chancellor, is likely to continue for at least three months—

- (a) the Council may determine that the office of the member has become vacant; and
- (b) if the Council so determines, a person must be appointed or elected as prescribed to fill the vacancy and to hold office, subject to this Act, for the period during which the member is acting as Vice-Chancellor.

25 Staff

- (1) Subject to this Act and the Statutes and regulations, the Council may, on such terms and conditions as it determines, employ persons in teaching or other positions in the University.
- (2) The Council may terminate the employment of any member of staff employed by it.
- (3) The Council may enter into arrangements with any person, agency or body for the engagement of persons as teaching or other staff in the University.
- (4) Sections 3.1.23 to 3.1.25 and Schedule 6 to the **Education and Training Reform Act 2006** apply to the director of a division of the University responsible for Technical and Further Education (however described) and to any other staff employed by the Council in that division as if any reference in those provisions—
 - (a) to a council were a reference to the Council in its capacity as the governing authority of a division of the University responsible for

S. 25(2)
substituted by
No. 40/2005
s. 122(1).

S. 25(4)
inserted by
No. 14/1993
s. 17,
amended by
Nos 40/2005
s. 122(2)(a)(b),
24/2006
s. 6.1.2 (Sch. 7
item 43.1(a)).

S. 25(4)(a)
amended by
No. 40/2005
s. 122(2)(a).

Technical and Further Education;

S. 25(4)(b)
amended by
No. 40/2005
s. 122(2)(a).

- (b) to a college director were a reference to the director of a division of the University responsible for Technical and Further Education (however described);

S. 25(4)(c)
amended by
No. 24/2006
s. 6.1.2 (Sch. 7
item 43.1(b)).

- (c) to persons employed under section 3.1.23 of that Act were a reference to persons employed under this section;

S. 25(4)(d)
amended by
Nos 40/2005
s. 122(2)(a),
24/2006
s. 6.1.2 (Sch. 7
item 43.1(c)),
19/2008 s. 17.

- (d) to persons employed under section 3.1.23(1)(b) of that Act were a reference to persons (other than the director) employed under this section in a division of the University responsible for Technical and Further Education.

26 Awards of the University

- (1) Subject to the Statutes and regulations, the Council may, after appropriate assessment, confer any degree or grant any diploma, certificate or other award.
- (2) The Statutes may provide—
- (a) for the admission without examination to any degree, diploma, certificate or other award of any person who has graduated at any other University, at an Amalgamating Institute or at a prescribed institution; and
- (b) for the admission honoris causa to any degree, diploma, certificate or other award of any person whether or not the person has graduated at a University.
- (3) The persons on whom degrees are conferred or diplomas, certificates or other awards granted under subsection (2) are entitled to the same rights and privileges as those to which persons who have

S. 26(2)(b)
amended by
No. 74/2000
s. 3(Sch. 1
item 138).

graduated after appropriate assessment in the University are entitled.

- (4) All degrees conferred and diplomas, certificates and other awards granted by the University must be evidenced by a certificate given under the common seal of the University.

- (5) If the Statutes so provide, the Council may, in prescribed circumstances and in the manner prescribed, revoke any degree, diploma, certificate or other award conferred or granted by the University or by an Amalgamating Institute, whether before or after the commencement of section 54(1) of the **University Acts (Further Amendment) Act 1995**.

S. 26(5)
amended by
No. 70/1995
s. 54(1).

Pt 3
(Heading and
ss 27–34C)
amended by
Nos 105/1994
s. 32, 70/1995
ss 52,53,
70/1997
ss 71, 72,
substituted as
Pt 3
(Heading and
ss 27–29) by
No. 40/2005
s. 123.
S. 27
substituted by
No. 40/2005
s. 123.

PART 3—DIVISIONS, FACULTIES AND BOARDS

27 Divisions and faculties, schools and units

- (1) There shall be a Division or Divisions of the University providing for technical and further education and higher education as prescribed by the Statutes.
- (2) There shall be such faculties, schools or other academic units within a Division as are prescribed by the Statutes.
- (3) The composition, constitution, powers and duties of a faculty, school or other academic unit in a Division are as prescribed.

28 Statutes may prescribe other faculties etc.

- (1) In addition to the requirements of section 27, there shall be such faculties, schools or other academic units within the University as are prescribed.
- (2) The composition, constitution, powers and duties of a faculty, school or other academic unit are as prescribed.
- (3) The Council shall appoint a head of each faculty, school or other academic unit.
- (4) The head of a faculty, school or other academic unit has such powers and duties as the Council determines.

S. 28
substituted by
No. 40/2005
s. 123.

29 Boards

S. 29
substituted by
No. 40/2005
s. 123.

- (1) The Statutes must provide for a board or boards to be responsible for academic programs and courses of study in higher education and technical and further education for the purposes of academic oversight of prescribed academic programs and courses of study of higher education and technical and further education, including the provision of advice to the Council on the conduct and content of prescribed academic programs and courses of study of higher education and technical and further education and the awarding of degrees and diplomas, certificates and other awards.
- (2) A board is to consist of the prescribed number of members each of whom is elected or appointed as prescribed by the Statutes.
- (3) A board—
 - (a) may discuss and submit to the Council an opinion on any matter relating to prescribed programs of the University and, in particular, may make to the Council any recommendations that it thinks proper with respect to planning and funding of education activities, instruction, studies, discipline, examinations, assessments, research, degrees, diplomas, certificates and other awards in those programs of the University; and
 - (b) must report to the Council on all matters submitted to it by the Council for report; and
 - (c) has such other powers and duties as are conferred or imposed upon it by this Act or by the Statutes or regulations; and

Victoria University of Technology Act 1990
No. 21 of 1990
Part 3—Divisions, Faculties and Boards

s. 29

- (d) subject to this Act and, except as otherwise prescribed by the Statutes and regulations, may regulate its own proceedings.
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PART 4—STATUTES AND REGULATIONS

35 Power of Council to make Statutes

- (1) Subject to this Act, the Council may make Statutes for or with respect to all matters relating to the organization, management and good government of the University and in particular, without affecting the generality of the foregoing, for or with respect to—
- (a) the organization of the University;
 - (b) the organization of the services which are needed for the proper conduct of the University;
 - (c) staff;
 - (d) enrolled students;
 - (e) the qualifications for entry to the University and the selection and enrolment of students;
 - (f) the discipline of the University;
 - (g) the imposition of fines for or determining compensation payable for damage arising from breaches of the discipline of the University;
 - (h) the examinations or assessments for fellowships, scholarships, prizes, exhibitions, degrees, certificate or other awards, diplomas, and the granting of degrees, including degrees ad eundem statum or honoris causa and the granting of diplomas, certificates or other awards;
 - (i) the recognition, in lieu of or for the purpose of any examination or course of study, of prior learning, including but not limited to any course of study completed or examination passed in any educational institution;

S. 35(1)(i)
amended by
No. 70/1995
s. 54(2).

Victoria University of Technology Act 1990
No. 21 of 1990
Part 4—Statutes and Regulations

s. 35

S. 35(1)(ka)
inserted by
No. 40/2005
s. 124.

S. 35(1)(m)
substituted by
No. 70/1995
s. 54(3).

S. 35(1)(ma)
inserted by
No. 62/1994
s. 26,
amended by
No. 24/2006
s. 6.1.2 (Sch. 7
item 43.2).

- (j) fees or other charges for enrolment and for any examination, assessment, degree or diploma or any certificate;
- (k) fees or other charges to be charged for classes and for the use of any facilities of the University;
- (ka) elections conducted by or on behalf of the Council including voting by post, electronic voting and preferential voting;
- (l) the manner and time of convening of meetings of the Council;
- (m) the affiliation with the University of any educational, commercial, cultural, sporting or other institution, organisation or body if—
 - (i) the affiliation would assist in attaining any of the objects of the University; and
 - (ii) the governing body of the institution, organisation or body has consented to the affiliation;
- (ma) the merger with the University of any TAFE institute and the making of any savings and transitional provisions consequent on the merger;
- (n) scholarships, bursaries or prizes provided by the University or otherwise;
- (o) the provision by the Council of accommodation for students and the management and control of any such accommodation;
- (p) the arrangement of accommodation for staff and students including the erection or

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- financing of buildings owned by the University or any other person or body;
- (q) the exercising by agreement with the owner or governing body of any hostel, hall or other accommodation not established by the Council of powers of control and management of and in relation to that hostel, hall or other accommodation;
 - (r) provisions for superannuation, whether by establishing a fund or joining a fund controlled by others;
 - (s) property, buildings and traffic;
 - (t) intellectual property;
 - (u) academic dress;
 - (v) endowments;
 - (w) organizations, amenities and services;
 - (x) generally prescribing or providing for any matter or thing authorised or directed to be prescribed or provided for the purposes of this Act.
- (2) The Council may, by a later Statute, revoke or amend any Statute.
- (3) Any Statute made by the Council may provide for—
- (a) the making of regulations, either by the Council or, if the Statutes so authorise, by the Vice-Chancellor for or with respect to prescribing or providing for any matter or thing for the purpose of the Statute;
 - (b) the manner of promulgation of any such regulation;
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Victoria University of Technology Act 1990
No. 21 of 1990
Part 4—Statutes and Regulations

s. 36

S. 35(4)(c)
amended by
No. 70/1997
s. 73.

S. 35(5)
amended by
No. 70/1997
s. 73.

- (c) the revocation or amendment of any such regulation.
- (4) A Statute made by the Council under this Act—
 - (a) must be in writing; and
 - (b) must have the common seal of the University affixed; and
 - (c) must be submitted to the Minister for approval.
- (5) A Statute comes into operation on the day on which the Minister approves it or, if a later day is specified in the Statute, from that later day.
- (6) The production of a verified copy of a Statute under the common seal of the University is sufficient evidence of its making and authenticity in all courts and before all persons acting judicially.
- (7) A regulation made under a Statute comes into operation on the day on which it is promulgated in accordance with the Statute under which it is made or, if a later day is specified in the regulation, from that later day.
- (8) The production of a verified copy of a regulation under the common seal of the University is sufficient evidence of its making and authenticity in all courts and before all persons acting judicially.

36 Statutes and regulations affecting courses of study

Victoria University of Technology Act 1990
No. 21 of 1990
Part 4—Statutes and Regulations

- (1) Before a Statute or regulation concerning a degree or diploma or any matter concerning study or research, is made, amended or revoked by the Council, the Council must submit the proposal to a board established under the Statutes to be responsible for academic programs and courses of study in higher education or to be responsible for programs and courses of study in technical and further education, as appropriate, for its report. **S. 36(1) amended by No. 40/2005 s. 125(1).**
- (2) If the Council declares a proposed Statute or regulation to which subsection (1) applies to be urgent, the Council may make the Statute or regulation without complying with subsection (1).
- (3) A Statute or regulation made under subsection (2) ceases to have effect at the expiration of six months after it is made, unless it sooner expires or is revoked.
- (4) If a board does not report to the Council within two months (or such longer or shorter period as the Council determines in any particular case) after submission of a proposed Statute or regulation to the board, the Council may make, amend or revoke the Statute or regulation without the report. **S. 36(4) amended by No. 40/2005 s. 125(2)(a)(b).**
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PART 5—PROPERTY AND FINANCIAL

37 Application of funds of the University

(1) All fees and all other money received by or on behalf of the University under this Act or otherwise must be applied by the Council solely for the purposes of the University and, if received for particular purposes of the University, must be applied solely for those purposes.

(2) Subject to this Act, the Council may—

S. 37(2)
amended by
Nos 105/1994
s. 33(1)(a)(b)
(as amended
by No.
70/1995
s. 57(a)),
70/1997
s. 74.

(aaa) borrow money at interest by way of mortgage, overdraft with an authorised deposit-taking institution within the meaning of the Banking Act 1959 of the Commonwealth or otherwise; or

S. 37(2)(aaa)
amended by
No. 11/2001
s. 3(Sch.
item 86).

(aa) without limiting paragraph (aaa), obtain financial accommodation within the meaning of section 3 of the **Borrowing and Investment Powers Act 1987**—

S. 37(2)(aa)
inserted by
No. 105/1994
s. 33(1)(b) (as
amended by
No. 70/1995
s. 57(b)).

for—

S. 37(2)(a)
amended by
No. 105/1994
s. 33(1)(d).

(a) the purpose of carrying out or performing any of its powers, authorities, duties and functions; and

(b) the repayment or partial repayment of any sum previously borrowed or financial accommodation previously obtained—

S. 37(2)(b)
amended by
No. 105/1994
s. 33(1)(c)(d).

within such limits and upon such conditions as to security and otherwise as the Treasurer, from time to time, approves after consultation with the Minister.

(2A) The Council may, with the approval of the Minister and the Treasurer, enter into and perform financial arrangements within the meaning of section 3 of the **Borrowing and Investment Powers Act 1987** within the limits and upon the conditions that the Minister and the Treasurer may, from time to time, determine.

S. 37(2A)
inserted by
No. 105/1994
s. 33(2).

(3) Money of the University may be invested by the Council from time to time in any manner in which money may be invested under the **Trustee Act 1958** or in any other manner of investment authorised by the Council.

S. 37(3)
amended by
No. 104/1995
s. 6(Sch. 1
item 30(a)).

38 Housing

For the purpose of assisting members of staff to purchase or lease homes for their own use or to build houses or make improvements upon any land upon which they reside or propose to reside, the Council may enter into such contracts or arrangements and execute such guarantees as the Council thinks fit.

39 Student Loan Fund

(1) The Council may establish a fund to be called the "Student Loan Fund" and may pay into that fund from time to time out of the money of the University such amounts as it thinks fit.

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- (2) There shall be paid to the credit of the Student Loan Fund—
- (a) all money received in repayment of loans to students from the fund, together with interest on such loans;
 - (b) all other money received by the Council for the purpose of the fund;
 - (c) such other money of the University as the Council determines.
- (3) Out of the Student Loan Fund, loans may be made by the Council, on such terms and conditions as the Council determines to students of the University who are nominated in that behalf by a committee appointed for the purpose by the Council.
- (4) The Student Loan Fund must be administered in accordance with the Statutes and regulations.
- (5) Any money standing to the credit of the Student Loan Fund and not immediately required for loans to students may be invested in any manner in which money may be invested under the **Trustee Act 1958** or in any other manner of investment authorised by the Council and the income arising from the investment must be paid into and form part of the Fund.

S. 39(5)
amended by
No. 104/1995
s. 6(Sch. 1
item 30(b)).

40 Acquisition of land for or in connection with the University

- (1) The Minister, after consultation with the Council, may, by agreement or compulsorily, acquire any land for the purposes of or in connection with the University.

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- (2) The **Land Acquisition and Compensation Act 1986** applies to this Act and for that purpose—
- (a) this Act is the special Act; and
 - (b) the Minister is the Authority.
- (3) Any unalienated Crown land, despite anything to the contrary in the **Land Act 1958**—
- (a) may be granted in fee simple to the University or to any college, institution or body affiliated or connected with the University for such consideration (if any) and subject to such conditions, limitations and restrictions as the Governor in Council determines; or
 - (b) may be reserved under the **Crown Land (Reserves) Act 1978** either permanently or temporarily as a site for the purposes of the University or any such institution.
- (4) Any land acquired by agreement under this Act by the Minister must be conveyed or transferred to the Crown and, despite anything to the contrary in any Act, may be dealt with as unalienated Crown land.
- (5) Any land acquired compulsorily under this Act by the Minister—
- (a) vests in the Crown under section 24 of the **Land Acquisition and Compensation Act 1986**, despite anything to the contrary in that section; and
 - (b) despite anything to the contrary in any Act, may be dealt with as unalienated Crown land.
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s. 41

S. 40(6)
inserted by
No. 70/1997
s. 75.

(6) The Council must not, without the prior approval of the Minister, alienate (whether in fee simple or for a lesser estate or interest except a leasehold interest not exceeding 21 years and whether totally or partially or subject to conditions) any land granted in fee simple under subsection (3)(a).

S. 40(7)
inserted by
No. 70/1997
s. 75.

(7) The Council must not, without the prior approval of the Minister—

S. 40(7)(a)
amended by
No. 40/2005
s. 126.

(a) alienate any interest in fee simple of any land owned by the University, other than land referred to in subsection (3)(a), if the sum of the consideration for the transfer or conveyance of that interest exceeds \$3 000 000 or any other amount that the Minister fixes by instrument published in the Government Gazette; or

(b) grant a lease for a term exceeding 21 years of any land owned by the University other than land referred to in subsection (3)(a).

S. 40(8)
inserted by
No. 70/1997
s. 75.

(8) Subsections (6) and (7) have effect despite any Act or law to the contrary, including any rule of common law.

41 Creation and administration of trust and other funds

(1) The University—

(a) may acquire property by gift, grant, bequest or devise; and

(b) may agree to and carry out any conditions of any such gift, grant, bequest or devise.

S. 41(2)
amended by
No. 104/1995
s. 6(Sch. 1
item 30(c)).

(2) Subject to this Act, the Council may create and administer any trust fund or funds for any other purpose whatsoever and may invest money standing to the credit of any such fund in any manner in which money may be invested under

the **Trustee Act 1958** or in any other manner of investment authorised by the Council.

- (3) The Council may establish one or more investment common funds for the collective investment of any trust and other funds held by or in the custody of the University.
- (4) Subject to subsection (5), the Council, from time to time without liability for breach of trust, may bring into or withdraw from any investment common fund the whole or any part of any trust fund or other fund, despite any direction to the contrary, whether express or implied, contained in the trust instrument.
- (5) The Council must not bring into any investment common fund the whole or any part of any trust fund if—

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S. 41(5)(a)
repealed by
No. 70/1995
s. 55.

(b) any of the securities in which the capital of the investment common fund is invested are securities in which the trust fund is not authorised to be invested.

- (6) Subject to subsection (7), the Council must periodically distribute the income of each investment common fund among the funds participating in the common fund, having regard to the extent of the participation by each fund in the common fund during the relevant accounting period.
- (7) The Council, if it considers it expedient so to do, may from time to time add some portion of the income of a common fund to the capital of the common fund or use some part of the income to establish or augment a fund or funds as a

provision against capital depreciation or reduction of income.

S. 41(8)
inserted by
No. 26/2003
s. 55.

- (8) The Council may, out of the annual income of a trust fund in an investment common fund, periodically deduct an amount not exceeding 5% of the annual income of that trust fund as commission for the administration of that trust fund.

S. 41(9)
inserted by
No. 26/2003
s. 55.

- (9) The commission deducted in accordance with subsection (8) is to be received and accepted by the University as full payment to it for the costs of administration of the trust fund.

S. 41(10)
inserted by
No. 26/2003
s. 55.

- (10) The University must not make any other charges on the trust fund in addition to the commission received under subsection (9), except in accordance with the trust deed.

42 Formation and membership of companies and joint ventures

S. 42(1)
amended by
Nos 105/1994
s. 34(1)(a),
70/1995
s. 56(1),
40/2005
s. 127(a).

- (1) If, in the opinion of the Council, it is in the interests of the management or conduct of the affairs or concerns of the University to do so, the University may form or participate in the formation of a limited company the objects or activities of which are objects or activities incidental or conducive to the attainment of any of the objects of the University.

S. 42(2)
amended by
Nos 105/1994
s. 34(2),
70/1995
s. 56(2),
40/2005
s. 127(b).

- (2) Without limiting the generality of subsection (1), the University may, if, in the opinion of the Council, it is in the interests of the management or conduct of the affairs or concerns of the University to do so, form or participate in the formation of a limited company the objects or activities of which include one or more of the following objects or activities—

- (a) providing facilities for study and education;

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- (b) undertaking research, development, consultancy and other services for industrial or commercial organizations, public bodies or individuals;
 - (c) aiding and engaging in the development, promotion and use of the results of university research;
 - (d) preparing, publishing or distributing literary or artistic work, audio or audio-visual material or computer software;
 - (e) seeking or encouraging gifts to the University or its students;
 - (f) promoting or assisting drama, music or the visual arts.
- (3) In addition to the powers of the University under sections 37 and 41, the University may, if, in the opinion of the Council, it is in the interests of the management or conduct of the affairs or concerns of the University to do so, be a member of a limited company the objects or activities of which are incidental or conducive to the attainment of any of the objects of the University.
- (4) The University must not form, participate in the formation of or be a member of, a limited company (other than under the powers of the University under sections 37 and 41) unless—
- (a) the objects or activities of the limited company are incidental or conducive to the attainment of any of the objects of the University; and

S. 42(3)
amended by
Nos 105/1994
s. 34(2),
70/1995
s. 56(2),
40/2005
s. 127(c).

S. 42(4)(a)
amended by
No. 40/2005
s. 127(c).

Victoria University of Technology Act 1990
No. 21 of 1990
Part 5—Property and Financial

s. 42

S. 42(4)(b)
amended by
No. 44/2001
s. 3(Sch.
item 123.2(a)).

(b) the constitution of the limited company
provide that—

S. 42(4)(b)(i)
amended by
No. 44/2001
s. 3(Sch.
item 123.2(a)).

- (i) the company must not alter the constitution of the limited company unless the Council has by resolution authorised the alteration; and
- (ii) the company must, where its total annual income exceeds, or may reasonably be expected to exceed, \$100 000, cause a report by a registered company auditor on the accounts of the company to be made every twelve months and to be submitted to the Council within three months after the end of each twelve month period to which the report relates.

(5) Where—

S. 42(5)(a)
amended by
No. 40/2005
s. 127(c).

- (a) the University forms, participates in the formation of or is a member of, a limited company (other than under the powers of the University under sections 37 and 41) the objects or activities of which are incidental or conducive to the attainment of any of the objects of the University; and
- (b) the University has a controlling interest in that company—

the University—

S. 42(5)(ba)
inserted by
No. 105/1994
s. 34(3),
amended by
No. 70/1995
s. 56(3).

- (ba) must notify the Minister, within 30 days after the formation, participation or membership, of the name of the company and the reasons the Council decided that the formation, participation or membership was in the interests of the management or conduct of the affairs or concerns of the University; and

- (c) must include in its annual report a copy of the accounts of the limited company in respect of the financial year ending during the period to which the University's annual report relates; and
- (d) within 14 days of lodging any report, statement or return in respect of the limited company with the Australian Securities and Investments Commission under the Corporations Act, must submit a copy of the report, statement or return to the Treasurer.
- (6) For the purposes of subsection (5), the University has a controlling interest in a company if the University would have a substantial holding in the company as defined in section 9 of the Corporations Act if the reference to 5% in paragraph (a) of the definition of *substantial holding* in that section were replaced by a reference to 50%.
- * * * * *
- (8) Where the University forms, participates in the formation of or is a member of, a limited company to which subsection (5) applies, the accounts of the limited company must be audited annually by the Auditor-General.
- (9) The requirements of subsection (8) are in addition to the requirements of the Corporations Act.
- S. 42(5)(d) amended by Nos 70/1995 s. 56(4)(a)(b), 44/2001 s. 3(Sch. item 123.2(b)).
- S. 42(6) amended by No. 70/1995 s. 56(5), substituted by No. 44/2001 s. 3(Sch. item 123.3).
- S. 42(7) amended by No. 70/1995 s. 56(5)(6), repealed by No. 44/2001 s. 3(Sch. item 123.3).
- S. 42(8) amended by Nos 93/1997 s. 28(Sch. item 32.1(a)), 53/1999 s. 26(Sch. item 25(a)).
- S. 42(9) amended by Nos 70/1995 s. 56(5), 44/2001 s. 3(Sch. item 123.4).

(10) The University must pay to the Consolidated Fund an amount to be determined by the Auditor-General to defray the costs and expenses of an audit under this section.

(11) The following provisions apply to the annual audit under subsection (8)—

S. 42(11)(a)
amended by
Nos 93/1997
s. 28(Sch.
item 32.1(b)),
53/1999
s. 26(Sch.
item 25(b)).

(a) the Auditor-General and any person assisting the Auditor-General has with respect to the accounts of the limited company all the powers conferred on the Auditor-General by any law relating to the auditing of public accounts;

(b) the limited company must within three months after 31 December in each year cause its accounts to be balanced to that date and a statement of accounts to be prepared and submitted to the Auditor-General;

(c) the statement of accounts must be prepared in the manner and in the form approved by the Treasurer and must present fairly the financial transactions of the limited company during the year and the financial position of the limited company at the end of the year;

(d) the Auditor-General must forward to the Treasurer a copy of the audited annual accounts.

(12) Without limiting the generality of subsection (11)(a), the Auditor-General and any person assisting the Auditor-General—

S. 42(12)
amended by
No. 105/1994
s. 36(a),
substituted by
No. 93/1997
s. 28(Sch.
item 32.2),
amended by
No. 53/1999
s. 26(Sch.
item 25(b)).

(a) has right of access at all times to the books, securities, accounts and vouchers of the limited company; and

- (b) may require from an officer or employee of the limited company any information, assistance and explanations necessary for the performance of the duties of the Auditor-General or person in relation to the audit.
- (13) Subsections (8), (10) and (12) do not apply to a limited company of which the University has ceased to be a member before the last preceding annual audit.
- (14) If, in the opinion of the Council, it is in the interests of the management or conduct of the affairs or concerns of the University to do so, the University may—
- (a) be a member of a corporation, other than a limited company, or an association or partnership;
- (b) form, or participate in the formation of, a corporation, other than a limited company, or an association or partnership; or
- (c) enter into a joint venture with another person or persons—
- the objects, activities or purposes of which include one or more of the following objects, activities or purposes—
- (d) providing facilities or services for study, research or education;
- (e) undertaking research, development, consultancy or other services for commercial organizations, public bodies or individuals;
- (f) aiding or engaging in the development or promotion of university research or the application or use of the results of such research;

S. 42(14)
amended by
Nos 105/1994
s. 34(4)(a)(b),
70/1995
s. 56(7),
40/2005
s. 127(d).

- (g) preparing, publishing, distributing or licensing the use of literary or artistic work, audio or audio-visual material or computer software;
- (h) seeking or encouraging gifts to the University or for University purposes;
- (i) promoting or assisting drama, music, or the visual arts.

S. 42(14A) inserted by No. 105/1994 s. 34(5), amended by No. 70/1995 s. 56(8).

- (14A) If the University does any of the things referred to in subsection (14)(a), (b) or (c), the University must, within 30 days after doing so, notify the Minister of the name or description of the corporation, association, partnership or joint venture and the reasons the Council decided the membership, formation or participation or entry into the joint venture was in the interests of the management or conduct of the affairs or concerns of the University.

S. 42(15) amended by No. 70/1995 s. 56(5), substituted by No. 44/2001 s. 3(Sch. item 123.5).

- (15) In this section *limited company* means a limited company within the meaning of the Corporations Act that is taken to be registered in Victoria.

S. 43 repealed by No. 31/1994 s. 4(Sch. 2 item 98), new s. 43 inserted by No. 26/2003 s. 56.

43 Audit of corporations

- (1) If the University—
- (a) forms, participates in the formation of, or is a member of, a corporation under section 42(14) that is not incorporated or taken to be incorporated under the Corporations Act; and

- (b) has a substantial holding in the corporation as defined in section 9 of the Corporations Act with the modification that the reference to 5% in paragraph (a) of the definition of *substantial holding* in that section is to be read as 50%—

the accounts of the corporation shall be audited annually by the Auditor-General.

- (2) The following provisions apply to the annual audit under subsection (1)—
- (a) the Auditor-General and any person assisting the Auditor-General has with respect to the accounts of the corporation all the powers conferred on the Auditor-General by any law relating to the auditing of public accounts;
 - (b) the corporation must within 3 months after 31 December in every year cause its accounts to be balanced to that date and a statement of accounts to be prepared and submitted to the Auditor-General;
 - (c) the statement of accounts shall be prepared in the manner and in the form approved by the Treasurer and shall present fairly the financial transactions of the corporation during the year and the financial position of the corporation at the end of the year;
 - (d) the Auditor-General must forward to the Treasurer a copy of the audited annual accounts.
- (3) Without limiting the generality of subsection (2)(a), the Auditor-General and any person assisting the Auditor-General—

- (a) has right of access at all times to the books, securities, accounts and vouchers of the corporation; and
 - (b) may require from an officer or employee of the corporation or the University any information, assistance and explanations necessary for the performance of the duties of the Auditor-General or person in relation to the audit.
- (4) The University must pay to the Consolidated Fund an amount to be determined by the Auditor-General to defray the costs and expenses of an audit under this section.
- (5) This section does not apply to a corporation of which the University has ceased to be a member before the last preceding annual audit.
- (6) The Auditor-General is not required to audit the accounts of a corporation incorporated or formed in a place outside Australia under this section if—
- (a) under the law applying to that corporation in that place, the Auditor-General cannot be appointed as auditor of the corporation; or
 - (b) in the Auditor-General's opinion, it is impracticable or unreasonable for the Auditor-General to audit, or be required to audit, the accounts.

Ss 44, 45
repealed by
No. 31/1994
s. 4(Sch. 2
item 98).

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PART 6—GENERAL

46 Visitor

(1) The person who holds the office of Governor of the State is the Visitor of the University and as Visitor has power to do anything necessary to carry out the duties and functions of the Visitor.

S. 46
substituted by
No. 57/1996
s. 34.

(1A) The Visitor has ceremonial functions only and has no powers, duties or functions with respect to the resolution of disputes or any other matter concerning the affairs of the University (other than a matter involving the exercise of ceremonial functions only).

S. 46(1A)
inserted by
No. 26/2003
s. 57.

(2) The Visitor may authorise a person to act as Visitor in his or her place—

(a) in relation to any particular matter concerning the affairs of the University; or

(b) during any period when the Visitor is absent or unable to act.

(3) The person who is authorised to act as Visitor under subsection (2) has all the powers, duties and functions of the Visitor to the extent, or for the period of, the authorisation under that subsection.

47 Elections

(1) Subject to this Act, elections for the purposes of this Act must be conducted in the prescribed manner.

(2) The Statutes may provide for the method of any election under this Act and for the determination of questions raised in relation to the conduct or result of any such election.

48 Fines and payment of compensation

- (1) A fine imposed upon or compensation payable by a member of the staff of the University or a student under a Statute or regulation is a civil debt recoverable summarily by the University in a court of competent jurisdiction.
 - (2) A certificate in writing signed by the Vice-Chancellor or a person appointed by the Vice-Chancellor for the purpose as to the amount of a fine imposed upon or compensation payable by a member of the staff of the University or a student under a Statute or regulation and giving particulars of the date of, and reasons for the imposition or demand of, the fine or compensation, is evidence of the matters stated in the certificate.
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**PART 6A—UNIVERSITY RENAMED AND
TRANSITIONALS**

Pt 6A
(Heading and
ss 49–51)
inserted by
No. 40/2005
s. 128.

49 Change of University's name

New s. 49
inserted by
No. 40/2005
s. 128.

- (1) On and from the commencement of this section—
 - (a) the name of the University established and incorporated under this Act as Victoria University of Technology is to be "Victoria University";
 - (b) in an Act, a subordinate instrument within the meaning of the **Interpretation of Legislation Act 1984**, the Statutes or regulations of the University or any other document a reference to the University by its old name is, in relation to the period commencing on that date of commencement, to be taken to be a reference to the University by its new name, unless inconsistent with the context or subject matter.
- (2) The University continues to be the same body after as before its change of name and no act, matter or thing is affected by that change.

50 Transitional—members of Council

New s. 50
inserted by
No. 40/2005
s. 128.

Section 8(1B) does not apply to a member of the Council appointed or elected immediately before the commencement of section 116 of the **Higher Education Acts (Amendment) Act 2005** with respect to that appointment or election but does apply to that member in relation to any further appointment or election to the Council after that date.

New s. 51
inserted by
No. 40/2005
s. 128.

51 Change of name to Vice-Chancellor and President

- (1) The office of Vice-Chancellor and the title of the person holding that office, whether described as Vice-Chancellor or Vice-Chancellor and President is to be called the Vice-Chancellor and President.
 - (2) The office of Vice-Chancellor and President and the person holding that office continues to be the same after as before the change of name and no act, matter or thing is affected by that change.
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PART 7—TRANSITIONAL PROVISIONS

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Ss 49–52
repealed by
No. 105/1994
s. 35(d).

53 Students of Amalgamating Institutes

- (1) On and after the commencement of section 4, a person who is an enrolled student of an Amalgamating Institute is also an enrolled student of the University.
- (2) The Statutes or Regulations may authorise the Council of the University, at the request of a person who is or has been an enrolled student of the University by virtue of subsection (1), to confer on the student, subject to and in accordance with the Statutes and Regulations, a degree, diploma, certificate or other award under a name that includes the title of the award and the words "Footscray Institute of Technology" or "The Western Institute", as the case requires.
- (3) The powers of the Council of the University extend to the conferring of any degree, diploma, certificate or other award on a person who is an enrolled student of the University by virtue of subsection (1) that an Amalgamating Institute might have conferred on the person if this Act had not been enacted.
- (4) A person who holds a degree, diploma, certificate or other award of an Amalgamating Institute is entitled on and from the date of commencement of this section to the same benefits and privileges as are enjoyed by a person holding an award of the University, as if the award of the Institute were an award of the University.

S. 53(2)
amended by
No. 105/1994
s. 35(e).

PART 8—APPOINTED DAY

54 Transfer of assets and liabilities of Amalgamating Institutes

Subject to this Act, on and from the Appointed Day—

- (a) the Footscray Institute of Technology and its Council is dissolved and the University is the successor in law of that Institute and its Council;

S. 54(b)
repealed by
No. 105/1994
s. 35(f).

* * * * *

- (c) the Western Institute and its Council is dissolved and the University is the successor in law of that Institute and its Council;
- (d) the assets and rights of each Amalgamating Institute or its Council vest in the University; and
- (e) the liabilities and obligations of each Amalgamating Institute or its Council become liabilities or obligations of the University; and
- (f) any scholarship, prize or bursary of a continuing nature administered by an Amalgamating Institute or its Council and existing immediately before the Appointed Day shall be administered by the University as if it were a scholarship, prize or bursary of the University, but otherwise in accordance with the terms and conditions to which it was subject immediately before the Appointed Day; and
- (g) all contracts, deeds, bonds, agreements, arrangements, guarantees and other

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- instruments (except contracts, agreements or arrangements relating to the members of staff of an Amalgamating Institute) made or entered into by, on behalf of, or in relation to an Amalgamating Institute or its Council and in force immediately before the Appointed Day have effect as if made or entered into by, on behalf of, or in relation to the University; and
- (h) all actions, claims, arbitrations and other proceedings (including proceedings on appeal or review) pending or existing immediately before the Appointed Day by, against, or in relation to an Amalgamating Institute or its Council have effect as if they were proceedings by, against or in relation to the University, and may be continued and completed accordingly; and
- (i) in—
- (i) an Act other than this Act; or
 - (ii) a subordinate instrument within the meaning of the **Interpretation of Legislation Act 1984**; or
 - (iii) a judgment or order; or
 - (iv) any document whatever—
in relation to a period occurring on or after the Appointed Day and unless the contrary intention appears, a reference to—
 - (v) an Amalgamating Institute; or
 - (vi) the Council of an Amalgamating Institute; or
 - (vii) the Academic Board of an Amalgamating Institute—
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is deemed to be a reference to the University;
and

- (j) all records and documents of each Amalgamating Institute or its Council become the property of the University.

55 Gifts, trusts etc.

If—

- (a) before or after the Appointed Day—
 - (i) a gift, disposition or trust of property is made or declared or is deemed to have been made or declared; or
 - (ii) a trust fund is created—
(whether by deed, will or otherwise) to, in favour of, for the use of, or for the purposes of, an Amalgamating Institute; and
- (b) the gift, trust, disposition or trust fund takes effect, or may take effect, or the trust fund may be applied, on or after the Appointed Day—

the gift, disposition, trust or trust fund does not fail only because of the provisions of this Act, but, in relation to any matter occurring on or after the Appointed Day—

- (c) in the case of a gift, disposition or trust of property, takes effect as if made or declared to or in favour of the University for a purpose of the University that corresponds with, or is similar to, those purposes of the Amalgamating Institute for which it was made or declared; or
- (d) in the case of a trust fund, may be applied as if created in favour of the University for a purpose of the University that corresponds

with, or is similar to, those purposes of the Amalgamating Institute for which the fund was created.

56 Land used by an Amalgamating Institute

- (1) On the Appointed Day, the land described in Part 1 of the Schedule vests in fee simple in the University subject to—
- S. 56(1) amended by No. 70/1991 s. 3(a).
- (a) the terms, conditions, covenants, limitations, exceptions, reservations and restrictions to which the land was subject immediately before the Appointed Day; and
- (b) the condition that the University must not—
- (i) sell, mortgage or otherwise dispose of the land or any part of it; or
- (ii) use or permit to be used the land or any part of it otherwise than for the purposes of the University—
- without the approval in writing of the Minister.
- * * * * *
- S. 56(2) repealed by No. 70/1991 s. 3(b).
- (3) The Governor in Council, on behalf of the Crown, may grant to the University the land described in Part 2 of the Schedule for an estate in fee simple subject to—
- S. 56(3) amended by No. 70/1991 s. 3(b).
- (a) the condition that any land reserved under an Order in Council published in a Government Gazette listed in Part 2 of the Schedule must be used for the purpose for which it is reserved; and
- S. 56(3)(a) amended by No. 70/1991 s. 3(c).
- (b) any other terms, conditions, covenants, reservations, exceptions, limitations or

restrictions that the Governor in Council determines.

- (4) No compensation is payable by the Crown in respect of anything done under or arising out of this section.

57 Amendment of Register etc.

- (1) The Registrar of Titles, on being requested to do so and on delivery of any relevant certificate of title or instrument, must make any amendments in the Register under the **Transfer of Land Act 1958** that are necessary because of the operation of this Part.

S. 57(2)–(5)
repealed by
No. 85/1998
s. 24(Sch
item 63).

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58 Staff of Amalgamating Institutes

- (1) On the Appointed Day, the members of staff of an Amalgamating Institute cease to be such members and become members of the staff of the University.
- (2) A person who becomes a member of staff of the University under subsection (1)—
- (a) is entitled to a salary no less than the person was receiving or was entitled to receive immediately before the transfer, and on terms and conditions no less favourable than those of the person's appointment in the Amalgamating Institute; and
- (b) continues to have the benefit of all entitlements accrued in respect of the person's appointment in the Amalgamating Institute before the transfer.
- (3) A person transferred under subsection (1) who, immediately before the transfer was an officer

within the meaning of the **State Superannuation Act 1988**, continues subject to that Act to be an officer within the meaning of that Act, while he or she continues as a member of staff of the University.

59 Regulations of Amalgamating Institutes

- (1) The regulations of an Amalgamating Institute in force immediately before the commencement of this section, to the extent to which they could be made as Statutes under this Act and are not inconsistent with any Statutes or regulations so made continue to have effect—
 - (a) as if made as regulations under a Statute of the University; and
 - (b) as if a reference to the Institute as a campus were a reference to that campus; and
 - (c) as if any other reference to the Institute were a reference to the University.
- (2) Regulations continued in force under subsection (1) may be amended or revoked as if they were regulations under this Act and as if this section were the Statute under which they were made.

60 Powers of Amalgamating Institutes

Despite anything to the contrary in the constitution or Memorandum and Articles of Association of an Amalgamating Institute or its Council or governing body, the Institute, Council or body shall be deemed to have, and always to have had power to do all things it is authorised or empowered to do under or for the purposes of this Act or necessary to be done for the purpose of establishing the University in accordance with this Act.

61 Organizations related to Amalgamating Institute

On and after the Appointed Day, a reference to an Amalgamating Institute (by whatever name) in the constitution or rules of a student representative council or student union, whether incorporate or unincorporate, related to the Amalgamating Institute, has effect as a reference to the University and, in so far as applicable continues to apply to that part of the University carried on on the campus of the Amalgamating Institute.

62 Revocation of Orders in Council

- (1) The Order in Council made on 22 July 1986 constituting the Council of The Western Institute and published in the Government Gazette on 23 July 1986 is revoked.
- (2) The Order in Council made on 31 May 1988 constituting the Council of Footscray Institute of Technology and published in the Government Gazette on 1 June 1988 is revoked.

Ss 63–66
repealed by
No. 105/1994
s. 35(g).

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67 The Western Institute Foundation Limited and Westsearch Limited

The Governor in Council, on the recommendation of the Minister, may by Order published in the Government Gazette, amend the memorandum or articles of association of—

- (a) The Western Institute Foundation Limited, a company limited by guarantee; or
- (b) Westsearch Limited, a company limited by guarantee.

68 Commissioner for Corporate Affairs may amend register

Where, under this Act, the memorandum or articles of association of a company are amended, the Commissioner for Corporate Affairs or other person having responsibility for the registration of the company may, for the purpose of recording the effect of this Act, amend any particulars of registration or documents in his or her custody.

Pt 9 (Heading and ss 69–71) repealed by No. 105/1994 s. 36(b), new Pt 9 (Heading and s. 69) inserted by No. 70/1997 s. 76.

S. 69) inserted by No. 70/1997 s. 76.

PART 9—TRANSITIONAL

69 First Council appointments for 1998

- (1) All members of the Council of the Victoria University of Technology, except the Chancellor, the Vice-Chancellor and the Chairperson of the Academic Board are deemed to go out of office at the end of 31 December 1997 but are eligible for re-election or re-appointment as members of the Council or to be members of the Council.
- (2) In the case only of the first appointments and elections of members to take effect on 1 January 1998—
 - (a) the 3 members referred to in section 7(2)(e) shall be persons appointed by the Minister who, on 31 December 1997, were members of the staff of Victoria University of Technology;
 - (b) the 2 members referred to in section 7(2)(f) shall be persons appointed by the Minister who, on 31 December 1997 were enrolled students of Victoria University of Technology;
 - (c) the 6 members referred to in section 7(2)(i) shall be persons appointed by the members of the Council who were in office before 31 December 1997.

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- (3) Of the members appointed by the Minister under subsection (2)(a)—
- (a) one must be appointed until 31 December 1998;
 - (b) 2 must be appointed until 31 December 1999.
- (4) The members appointed by the Minister under subsection (2)(b) must be appointed until 31 December 1998.
- (5) Of the members appointed by the Council under subsection (2)(c)—
- (a) 2 must be appointed until 31 December 1998;
 - (b) 2 must be appointed until 31 December 1999;
 - (c) 2 must be appointed until 31 December 2000.
- (6) In the case only of the first appointments of members to the Council by the Governor in Council under section 7(2)(g) to take effect on 1 January 1998—
- (a) 2 must be appointed until 31 December 1998;
 - (b) 2 must be appointed until 31 December 1999;
 - (c) 2 must be appointed until 31 December 2000.
- (7) After the first appointments referred to in this section, all appointments and elections to the Council shall be made in accordance with the provisions of this Act other than this section.
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s. 70
inserted by
No. 26/2003
s. 58.

70 Existing proceedings

- (1) Section 46(1A) applies with respect to disputes and other matters arising before the commencement of section 57 of the **University Acts (Amendment) Act 2003**.
 - (2) If an inquiry by or authorised by the Visitor into a dispute or other matters has been commenced or been completed before the commencement of section 57 of the **University Acts (Amendment) Act 2003**, the dispute or other matter is to be dealt with and determined as if that Act had not been enacted.
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SCHEDULE

Sch.
substituted by
No. 70/1991
s. 4.
S. 56

PART 1—Folios of the Register

<i>Volume</i>	<i>Folio</i>
9862	314
9669	424
9632	839
5662	1132316
5916	117
3997	354

PART 2—Crown Land

<i>Situation and area of land</i>	<i>Instrument and date of reservation</i>	<i>Description of land by reference to Government Gazette</i>	<i>Purpose of reservation</i>
Allotment 5G section 15, Parish of Cut-Paw-Paw, 3.063 ha less excisions by Order in Council 27.2.90	Order in Council 10.6.1941	Government Gazette 11.6.1941, page 2128	Educational purposes
Allotment 5F section 15, Parish of Cut-Paw-Paw, 835 sq. m. less excisions by Order in Council 27.2.90	Order in Council 9.6.1964	Government Gazette 16.6.1965, page 1892	Educational purposes

Victoria University of Technology Act 1990
No. 21 of 1990

Sch.

<i>Situation and area of land</i>	<i>Instrument and date of reservation</i>	<i>Description of land by reference to Government Gazette</i>	<i>Purpose of reservation</i>
Allotment 5E, 5H and 5J section 15, Parish of Cut-Paw-Paw, 1.829 ha less excisions by Order in Council 27.2.90	Order in Council 29.11.1988	Government Gazette 7.12.1988, page 3696	Educational purposes



ENDNOTES

1. General Information

Minister's second reading speech—

Legislative Assembly: 29 March 1990

Legislative Council: 15 May 1990

The long title for the Bill for this Act was "A Bill to establish a university to be known as Victoria University of Technology, to amend the **Post-Secondary Education Act 1978**, the **Teaching Service Act 1981**, the **Vocational Education and Training Act 1990** and for other purposes."

The **Victoria University of Technology Act 1990** was assented to on 30 May 1990 and came into operation as follows:

Sections 1–53, 60, 69(1), 70, 71(1) on 1 July 1990: Government Gazette 24 June 1990 page 1862; sections 55–59, 61, 62, 67, 68, 69(2)(a)(c), 71(2)(b), Schedule on 30 January 1992: Government Gazette 29 January 1992 page 178; section 54 on 1 January 1992: section 2(1); sections 63–66, 69(2)(b)(3), 71(2)(a) never proclaimed and repealed by No. 105/1994.

2. Table of Amendments

This Version incorporates amendments made to the **Victoria University of Technology Act 1990** by Acts and subordinate instruments.

Victoria University of Technology (Amendment) Act 1991, No. 70/1991

Assent Date: 26.11.91
Commencement Date: 26.11.91: s. 2
Current State: All of Act in operation

Vocational Education and Training (College Employment) Act 1993, No. 14/1993

Assent Date: 11.5.93
Commencement Date: Ss 1, 2 on 11.5.93: s. 2(1); rest of Act on 1.7.93:
s. 2(2)
Current State: All of Act in operation

Financial Management (Consequential Amendments) Act 1994, No. 31/1994

Assent Date: 31.5.94
Commencement Date: S. 4(Sch. 2 item 98) on 1.1.95: Government Gazette
28.7.94 p. 2055
Current State: This information relates only to the provision/s
amending the **Victoria University of Technology Act
1990**

Vocational Education and Training (Amendment) Act 1994, No. 62/1994

Assent Date: 15.6.94
Commencement Date: S. 26 on 1.7.94: s. 2(2)
Current State: This information relates only to the provision/s
amending the **Victoria University of Technology Act
1990**

University Acts (Amendment) Act 1994, No. 105/1994 (as amended by No. 70/1995)

Assent Date: 13.12.94
Commencement Date: Ss 29, 31, 37, 38 on 31.12.94: s. 2(2); ss 27, 28, 30,
32–36 on 1.1.95: Government Gazette 22.12.94
p. 3384
Current State: This information relates only to the provision/s
amending the **Victoria University of Technology Act
1990**

University Acts (Further Amendment) Act 1995, No. 70/1995

Assent Date: 17.10.95
Commencement Date: S. 57 on 13.12.94: s. 2(2); ss 51–56 on 1.11.95:
Special Gazette (No. 109) 1.11.95 p. 1
Current State: This information relates only to the provision/s
amending the **Victoria University of Technology Act
1990**

Victoria University of Technology Act 1990
No. 21 of 1990

Endnotes

Trustee and Trustee Companies (Amendment) Act 1995, No. 104/1995

Assent Date: 5.12.95
Commencement Date: 1.1.96: s. 2
Current State: All of Act in operation

University Acts (Amendment) Act 1996, No. 57/1996

Assent Date: 10.12.96
Commencement Date: Ss 33, 34 on 10.12.96: s. 2(1)
Current State: This information relates only to the provision/s amending the **Victoria University of Technology Act 1990**

University Acts (Further Amendment) Act 1997, No. 70/1997

Assent Date: 18.11.97
Commencement Date: Ss 67–76 on 1.1.98: s. 2(2)
Current State: This information relates only to the provision/s amending the **Victoria University of Technology Act 1990**

Audit (Amendment) Act 1997, No. 93/1997

Assent Date: 16.12.97
Commencement Date: S. 28(Sch. item 32) on 1.7.98: s. 2(2)
Current State: This information relates only to the provision/s amending the **Victoria University of Technology Act 1990**

Transfer of Land (Single Register) Act 1998, No. 85/1998

Assent Date: 17.11.98
Commencement Date: S. 24(Sch. item 63) on 1.1.99: s. 2(3)
Current State: This information relates only to the provision/s amending the **Victoria University of Technology Act 1990**

Audit (Amendment) Act 1999, No. 53/1999

Assent Date: 14.12.99
Commencement Date: S. 26(Sch. item 25) on 1.1.2000: Government Gazette 23.12.99 p. 2764
Current State: This information relates only to the provision/s amending the **Victoria University of Technology Act 1990**

Statute Law Revision Act 2000, No. 74/2000

Assent Date: 21.11.00
Commencement Date: S. 3(Sch. 1 item 138) on 22.11.00: s. 2(1)
Current State: This information relates only to the provision/s amending the **Victoria University of Technology Act 1990**

Victoria University of Technology Act 1990
No. 21 of 1990

Endnotes

Statute Law Amendment (Authorised Deposit-taking Institutions) Act 2001, No. 11/2001

Assent Date: 8.5.01
Commencement Date: S. 3(Sch. item 86) on 1.6.01: s. 2(2)
Current State: This information relates only to the provision/s amending the **Victoria University of Technology Act 1990**

Corporations (Consequential Amendments) Act 2001, No. 44/2001

Assent Date: 27.6.01
Commencement Date: S. 3(Sch. item 123) on 15.7.01: s. 2
Current State: This information relates only to the provision/s amending the **Victoria University of Technology Act 1990**

University Acts (Amendment) Act 2003, No. 26/2003

Assent Date: 13.5.03
Commencement Date: Ss 52–58 on 1.7.03: Government Gazette 26.6.03 p. 1548
Current State: This information relates only to the provision/s amending the **Victoria University of Technology Act 1990**

Higher Education Acts (Amendment) Act 2005, No. 40/2005

Assent Date: 27.7.05
Commencement Date: Ss 111–113, 121, 128 on 9.8.05: Special Gazette (No. 148) 9.8.05 p. 1; ss 114(1), 115–120, 122(1), 124, 126, 127 on 31.8.05: s. 2(2); ss 114(2)(3), 122(2), 123, 125 on 22.12.05: Government Gazette 15.12.05 p. 2901
Current State: This information relates only to the provision/s amending the **Victoria University of Technology Act 1990**

Education and Training Reform Act 2006, No. 24/2006

Assent Date: 16.5.06
Commencement Date: S. 6.1.2(Sch. 7 item 43) on 1.7.07: Government Gazette 28.6.07 p. 1304
Current State: This information relates only to the provision/s amending the **Victoria University of Technology Act 1990**

Education and Training Reform Amendment Act 2008, No. 19/2008

Assent Date: 21.5.08
Commencement Date: S. 17 on 22.5.08: s. 2(1)
Current State: This information relates only to the provision/s amending the **Victoria University of Technology Act 1990**

3. Explanatory Details

No entries at date of publication.