

## New Zealand.



### ANALYSIS.

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### 1882, No. 3.—*Local.*

AN ACT to promote the Advancement of Learning, and to extend the Benefits connected with University Education to the Provincial District of Auckland. Title.  
[13th September, 1882.]

WHEREAS it is expedient to make provision for the advancement of learning, by the extension of the benefits connected with University Education to the Provincial District of Auckland: Preamble.

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

1. The Short Title of this Act is “The Auckland University College Act, 1882.” Short Title.

2. There shall be established within the City of Auckland, or within five miles thereof, a College, to be connected with the University of New Zealand. Establishment of College.

3. A governing body composed as hereinafter mentioned shall be and is hereby constituted a body politic and corporate by the name of “The Auckland University College Council,” by which name such body corporate shall have perpetual succession and a common seal. Constitution of Council.

Of what College consists.

4. The Corporation shall consist of the members of the Council of the College, the members of its Professorial Board, the graduates of the New Zealand University on the books of the College, and the matriculated students.

Graduates may keep their names on College books.

5. It shall be lawful for graduates of the New Zealand University, whether admitted by examination or *ad eundem* degree, who may not have been educated at the said College but who reside within the Auckland Provincial District, to put and keep their names on the books of the College, upon payment of such fees as may be fixed by the Council.

Appointment of Council.

6. The Council shall consist of eleven members, one of whom shall be the Mayor for the time being of the City of Auckland, another shall be the Chairman for the time being of the Education Board of the District of Auckland, and of the remaining nine members (divided into three equal groups) three shall be elected by members of the General Assembly resident in the Provincial District of Auckland, three others shall be appointed by the Governor in Council, and the remaining three shall be elected by the graduates of the University on the books of the College.

Election of members.

The first election of members of the Council by members of the General Assembly shall be held in such manner as the Governor in Council shall direct; and subsequent elections by members of the General Assembly shall be conducted by the Council, in such manner as the Council thinks fit.

Until there are thirty graduates the Governor in Council shall appoint the graduates' members.

Provided always that no professors of the College shall be eligible to hold office as members of the Council.

Visitor.

7. The Minister of Education for the time being shall be the Visitor of the said College, and shall have full power and authority to do all those things which pertain to Visitors as often as to him shall seem meet.

Term of office, and retirement by lot.

8. The ordinary term of office of members of the Council shall be three years.

On every anniversary day of the opening of the College one member of each group shall retire from office.

Retirement by seniority.

The members to retire in the first and second years shall be decided by lot, but at the end of the second year only the two members of each group longest in office shall cast lots. In every subsequent year the member of each group longest in office shall retire.

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

Casual vacancies, how filled.

9. A casual vacancy occurring in any group of members shall be filled up by appointment or election, as the case may be; and the member so appointed or elected shall remain in office as long as the vacating member would have retained the same if no vacancy had occurred.

Governor to make regulations for conduct of elections.

10. As soon as there are thirty graduates the Governor in Council shall make regulations for the conduct of the election of graduates' members, and may from time to time thereafter make, alter, or abolish regulations as he may think fit for the election of such members.

**11.** The Council shall conduct the election by graduates of persons to be members of the Council, and shall fix the time of election within thirty days of the occasion of an election arising, and shall receive votes from absent graduates by means of voting-papers. Conduct of elections.

The Governor in Council shall, in all cases where it devolves upon him to fill up vacancies in the Council, make the appointments within thirty days of the vacancies being reported to him by the Chairman of the Board, whose duty it shall be to report every vacancy forthwith.

**12.** The Council shall elect out of its own body a Chairman, who shall hold office for such period, not exceeding the term of his membership of the Council, as the Council shall have previously determined. Election of Chairman of College Council.

**13.** The Council may adjourn from time to time, and may from time to time make, alter, and revoke rules for the conduct of their business. Council may adjourn, &c.

**14.** The quorum of the Council shall be five. Quorum fixed.

**15.** The Council shall meet at least once in every calendar month, at such time and place as shall be determined by the Council. First meeting of Council.

The Governor in Council to determine the time and place for the first meeting.

Special meetings may be called at any time by the Chairman, or by any two members of the Council, twenty-four hours' notice to hold such special meeting being given to every member of the Council. Special meetings.

**16.** Any member who shall fail to attend for a period of three consecutive months, without leave of absence from the Council, shall cease to be a member of such Council, and his seat shall be filled up in the manner provided for filling up vacancies. Forfeiture of seat.

**17.** All questions which shall come before the Council shall be decided by the majority of members present. Proceedings of Council.

At any such meeting the Chairman of the Council shall preside, and shall have a vote, and in case of an equality of votes a second or casting vote.

In the absence of the Chairman an acting Chairman shall be chosen by the members present, who shall also have a second or casting vote.

The Council may continue to act notwithstanding there is a vacancy in their body.

**18.** The said Council shall cause exact minutes of all their proceedings to be kept, and also full and accurate accounts of all their receipts, disbursements, liabilities, and engagements, and shall in the month of January in every year cause the same to be audited by such person as the Governor in Council may appoint. Minutes of proceedings and accounts to be kept.

Copies of such accounts shall be forwarded to the Minister of Education, to be laid before the General Assembly at its next session, together with the annual report.

**19.** The Council shall have full power to appoint and remove all professors, lecturers, examiners, officers, and servants of the College, and generally manage the business thereof. Council to appoint and remove professors, &c.

**20.** The common seal of the College shall be intrusted to the Chairman for the time being, and shall not be affixed to any document except by order of the Council. Custody of seal.

Professorial Board.

**21.** There shall be a Professorial Board of the College, consisting of all the professors of the College and of such lecturers (if any), not exceeding two, as the Council of the College shall appoint to be members of such Board.

The Council shall convene, as soon as it thinks fit, the first meeting of the Professorial Board. The Board to have power to make regulations as to the time and place of all its meetings after the first, and may from time to time make, alter, and revoke regulations for the conduct of the business.

The Professorial Board shall elect one of themselves to be Chairman of the Board, to hold office for one year.

The Chairman to have an original as well as a casting vote, and to take minutes of the proceedings of the Board.

In his absence at any meeting the professors present may choose one of their number to be Chairman of that meeting.

Powers of Professorial Board.

**22.** In addition to the powers hereinbefore conferred by this Act on the Professorial Board, the following powers may be exercised by the Board subject to the approval of the Council:—

(1.) To fix the course of study and the days and hours of lectures and examinations, and make all necessary regulations with regard to the attendance of the students;

(2.) To prescribe the subjects of examination for scholarships, exhibitions, prizes, and other college distinctions or awards:

And the following powers subject to a right of appeal to the Council:—

(1.) To deal with all questions relating to the discipline of the students;

(2.) To make regulations for the management of the College library;

(3.) To give such instructions as may be necessary to the College servants.

Board to furnish information to Council.

**23.** The Board shall furnish to the Council such information as the Council may from time to time require or the Board may deem necessary; and also offer such suggestions for the consideration of the Council as the Board may think advisable.

Fees may be taken.

**24.** It shall be lawful for the professors and lecturers in the College, in addition to their stipends, to receive from the students in the said College such reasonable fees for attendance on their lectures as shall from time to time be prescribed by the Council of the College; and it shall be the duty of the Registrar or Secretary of the College to collect the fees, and pay them over to the professors and lecturers entitled to receive the same.

College Council to report annually.

**25.** The Council of the College shall every year, before the thirty-first day of March, report their proceedings of the previous year ending the thirty-first day of December to the Minister of Education.

A copy of such report shall be laid before both Houses of Parliament within one month after the same shall be received if Parliament be then sitting, or, if not then sitting, within one month after the next meeting of Parliament.

#### APPROPRIATION.

Colonial Treasurer to pay £4,000 per annum for main-

**26.** The Colonial Treasurer shall every year pay out of the consolidated revenue the sum of four thousand pounds, as a fund for

maintaining the said College, and towards paying the several stipends which may be appointed to be paid to the several professors, lecturers, examiners, officers, and servants to be appointed by the Council of the College; and towards paying the expenses of such scholarships, exhibitions, and prizes as shall be awarded for the encouragement of students at such College; and towards discharging all necessary charges connected with the management of the College.

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