



ADVANCED EDUCATION AMENDMENT ACT 1985

No. 38 of 1985

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SCHEDULE 1

AMENDMENT OF REFERENCES TO COLLEGE

AN ACT to amend the Advanced Education Act 1968.

[Royal Assent 14 May 1985]

BE it enacted by His Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:—

1—This Act may be cited as the *Advanced Education Amendment Act 1985*. Short title.

Commence-
ment.

2—This Act shall commence on the day on which it receives the royal assent.

Principal Act.

3—In this Act, the *Advanced Education Act 1968** is referred to as the Principal Act.

Amendment of
section 2 of
Principal Act
(Interpreta-
tion).

4—Section 2 of the Principal Act is amended as follows:—

(a) by omitting the definition of “ College ”;

(b) by inserting the following definition after the definition of “ Council ”:—

“ Institute ” means the Tasmanian State Institute of Technology established under section 5;

Amendment of
section 3 of
Principal Act
(The Council
of Advanced
Education).

5—(1) Section 3 of the Principal Act is amended by inserting the following subsection after subsection (1):—

(1A) The Council—

(a) may acquire, hold, and dispose of real and personal property; and

(b) may sue and be sued in its corporate name.

(2) Section 3 of the Principal Act is further amended as follows:—

(a) by omitting from subsection (3) “ 16 ” and substituting “ 17 ”;

(b) by inserting after paragraph (a) of subsection (3) the following paragraph:—

(aa) one shall be the person appointed as deputy chairman of the body within the Institute known as the Academic Board;

(c) by omitting from paragraph (b) of subsection (3) “ (other than the Principal) ”.

Amendment of
section 5 of
Principal Act
(The Tas-
manian State
Institute of
Technology).

6—Section 5 of the Principal Act is amended by omitting subsection (1) and substituting the following subsection:—

(1) The Tasmanian College of Advanced Education, as established immediately before the commencement of the *Advanced Education Amendment Act 1985*, is continued in existence as the Tasmanian State Institute of Technology.

* No. 10 of 1968. For this Act, as amended to 16th November 1977, see the continuing Reprint of Statutes. Subsequently amended by No. 27 of 1980, Nos. 10 and 99 of 1982, and Nos. 20 and 29 of 1984.

7—(1) Section 9 (2) of the Principal Act is amended by omitting “ The ” and substituting “ Except as provided by subsection (2A), the ”.

Amendment of section 9 of Principal Act (Officers of the advanced education service).

(2) Section 9 of the Principal Act is further amended by inserting after subsection (2) the following subsection:—

(2A) For the purposes of subsection (2), the regulations may—

- (a) confer on a class of officers of the advanced education service prescribed by the regulations a right to transfer to a scheme of superannuation and similar benefits provided by the Council; and
- (b) provide that on any such transfer by an officer included in that class of officers, the *Retirement Benefits Act* 1982 ceases to apply to that officer.

(3) Section 9 of the Principal Act is further amended by inserting “ or ceases to apply ” after “ apply ” in subsection (3).

8—After section 18 of the Principal Act, the following section is inserted:—

Insertion of section 18A in Principal Act.

18A—(1) The Council may invest any money that it is holding and for which it has no immediate use in any of the ways authorized by the *Trustee Act* 1898 for the investment of trust funds.

Temporary investment of Council's funds.

(2) The Council shall apply the proceeds of any investment under subsection (1) in the performance of its functions or the exercise of its powers under this Act.

9—Each provision of the Principal Act specified in column 1 of Schedule 1 is amended by omitting “ College ”, as indicated in column 2 of that Schedule, and substituting, in each case, “ Institute ”.

Miscellaneous amendments of references in Principal Act to College.

10—An investment made by the Council before the commencement of this Act shall be as valid and effectual as if made pursuant to section 18A of the Principal Act, as inserted by this Act.

Validation of investments made by Council.

SCHEDULE 1

Section 9

AMENDMENT OF REFERENCES TO COLLEGE

| COLUMN 1 Provisions of Principal Act amended | COLUMN 2 Number of times word omitted occurs in provision |
|---|--|
| Section 2, definition of " Principal " | 1 |
| Section 2, definition of " Registrar " | 1 |
| Section 4 (1A) | 1 |
| Section 5 (2) | 2 |
| (3) | 1 |
| Section 6 (1) | 2 |
| (6) | 2 |
| (7) | 1 |
| (8) | 2 |
| Section 7 (1) | 1 |
| Section 13 (d) | 1 |
| Section 19 (1) (a) | 1 |