

# Universities Act 1961

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**An Act to make better provision for the advancement of University education in New Zealand**

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

**1 Short Title and commencement**

- (1) This Act may be cited as the Universities Act 1961.
- (2) This Act shall come into force on the first day of January, nineteen hundred and sixty-two.

**2 Interpretation**

In this Act, unless the context otherwise requires,—

“Academic development” means any proposal to institute a new course of study or establish a new department:

“Chairman”, in relation to the University Grants Committee, means the Chairman of that Committee:

“Course of study” means the structure of any course for a degree or other academic qualification, and the subjects of study in the course; and includes any prerequisites (other than those imposed by the Universities Entrance Board) to the course or to the subjects of study in the course, and any general restriction on the selection by students of subjects of study for a degree or other academic qualification:

“Course regulations” means any regulations or statutes of any University concerning any course of study for a degree or other academic qualification:

“Curriculum Committee” means the Curriculum Committee constituted under section 27 of this Act:

“Deputy Chairman”, in relation to the University Grants Committee, means the Deputy Chairman of that Committee:

“Examination Board” means an Examination Board appointed under section 26 of this Act:

“Minister” means the Minister of Education:

“Professor” means a professor of a University, but does not include an associate professor:

“Research Committee” means the Research Committee constituted under section 33 of this Act:

“Scholarship” means any scholarship, bursary, prize, studentship, fellowship, or other similar award:

“Teacher”, in relation to a University, means a professor of that University or a member of the staff thereof who, in accordance with the Act constituting that University, is a lecturer:

“Universities Entrance Board” means the Universities Entrance Board constituted under section 38 of this Act:

“University” means, as the case may require, all or any of the following, namely, the University of Otago, the University of Canterbury, the University of Auckland, and the Victoria University of Wellington; and includes either or both of the following, namely, Massey College and Lincoln College:

“University College of Agriculture” means, as the case may require, either or both of the following, namely, Massey College and Lincoln College:

“University Grants Committee” means the University Grants Committee constituted under this Act:

“University of New Zealand” means the University of that name formerly constituted under the New Zealand University Act 1908 and dissolved by section 51 of this Act:

“Vice-Chancellors’ Committee” means the Vice-Chancellors’ Committee constituted under section 46 of this Act.

Compare: 1960, No. 26, s. 2

## Part I

### University Grants Committee

#### 3 Constitution of University Grants Committee

- (1) There shall be a body, which shall be called the University Grants Committee, and which shall consist of the members who are appointed thereto in accordance with this Act and are for the time being in office.
- (2) The University Grants Committee shall be a body corporate with perpetual succession and a common seal, with power to purchase, take on lease, or otherwise acquire, hold, transfer, and lease or otherwise dispose of real and personal property, to sue and be sued, and to do and suffer all such acts and things as bodies corporate may do and suffer.
- (3) The University Grants Committee shall be a leasing authority within the meaning of the Public Bodies' Leases Act 1908.
- (4) The University Grants Committee established under this Act is hereby declared to be the same body as the University Grants Committee existing immediately before the commencement of this Act under the University Grants Committee Act 1960.

Compare: 1960, No. 26, s. 3

#### 4 Membership of University Grants Committee

The University Grants Committee shall consist of:

- (a) The Chairman, who shall be the chief executive officer of that Committee and administrative head of its organisation:
- (b) Four members who are not members of the Council of any University, and are not professors or teachers or other employees of any University:
- (c) Three members each of whom shall be a professor or teacher in a University.

Compare: 1960, No. 26, s. 4

#### 5 Appointment of Chairman

- (1) The Chairman of the University Grants Committee shall be appointed by the Governor-General after consultation between the Minister and the Chancellors and Vice-Chancellors of the Universities (other than the University Colleges of Agriculture) and the Principals of the University Colleges of Agriculture.
- (2) Unless he sooner dies or resigns or is removed from office or vacates his office, the Chairman of the University Grants Committee shall continue in office until—
  - (a) He attains the age of sixty-five years; and
  - (b) Thereafter until his successor is appointed.

Compare: 1960, No. 26, s. 5

## **6 Appointment of other members**

- (1) The members of the University Grants Committee other than the Chairman shall be appointed by the Governor-General from a panel containing no fewer names than the Minister may from time to time determine, which panel shall be submitted to the Minister by a conference which shall be presided over by the Chairman of the University Grants Committee and to which shall be invited:
  - (a) The Chancellor and Vice-Chancellor of each of the Universities other than the University Colleges of Agriculture; and
  - (b) The Principal of each of the University Colleges of Agriculture.
- (2) It shall be permissible for the Minister, when determining the number of names to be included in any such panel, to provide that the number shall be equal to or greater than the number of appointments to be made by the Governor-General from the panel.

Compare: 1960, No. 26, s. 6

## **7 Term of office of members other than Chairman**

- (1) Except as otherwise provided in this Act, the members of the University Grants Committee other than the Chairman shall hold office for a term of five years, but may from time to time be reappointed:

Provided that, upon any member of that Committee completing two consecutive terms each of five years as a member of that Committee, he shall cease to be eligible for reappointment until after the lapse of a period of one year during which he has not been a member of that Committee:

Provided also that every member of that Committee who is in office at the commencement of this Act shall hold office for the term for which he was appointed.

- (2) Notwithstanding anything to the contrary in this Act, every member of the University Grants Committee, unless he sooner vacates his office under section 49 of this Act, shall continue to hold office until his successor comes into office.

Compare: 1960, No. 26, s. 7

## **8 Deputy Chairman**

- (1) The University Grants Committee may from time to time appoint one of its members to be the Deputy Chairman of that Committee.
- (2) A Deputy Chairman so appointed shall hold that office for one year or until he sooner ceases to be such a member, and may from time to time while he continues to be a member of the University Grants Committee be reappointed as Deputy Chairman thereof.
- (3) On the occurrence from any cause of a vacancy in the office of Chairman, or during the absence from New Zealand or incapacity of the Chairman, or at any meeting of the University Grants Committee while for any such reason

or any other reason there is no Chairman or the Chairman is not present, the Deputy Chairman shall have and may exercise all the powers and duties of the Chairman.

Compare: 1960, No. 26, s. 8

## **9 Meetings of University Grants Committee**

- (1) The Chairman shall preside at every meeting of the University Grants Committee at which he is present. If at any meeting of that Committee the Chairman is not present or there is no Chairman, the Deputy Chairman shall preside at the meeting; and if the Deputy Chairman also is not present at the meeting or there is no Deputy Chairman, that Committee may appoint some member present to act as Chairman in respect of that meeting. The person so appointed shall have and may exercise in any such case all the powers and functions of the Chairman for the purposes of the meeting.
- (2) At any meeting of the University Grants Committee the Chairman shall have a deliberative vote, and in the case of an equality of votes shall also have a casting vote.
- (3) No member of the University Grants Committee shall be entitled to vote on any question before that Committee or any subcommittee thereof in which he has a direct pecuniary interest.
- (4) Every question before the University Grants Committee shall be decided by a majority of the valid votes recorded thereon.
- (5) At any meeting of the University Grants Committee a quorum shall consist of any four members of that Committee, and no business shall be transacted unless a quorum is present.
- (6) Meetings of the University Grants Committee shall be held at such times and places as the Chairman or that Committee determines.
- (7) Except as expressly provided in this Act, the University Grants Committee may regulate the procedure of its meetings.

Compare: 1960, No. 26, s. 10

## **10 Appointment of subcommittees**

- (1) The University Grants Committee may from time to time appoint standing or special subcommittees consisting of two or more persons, and may refer to any such subcommittee or to any person any matters for consideration or inquiry or management or regulation, and may delegate to any subcommittee of the University Grants Committee appointed under this section or otherwise under this Act, or to any person, any of the functions, powers, and duties conferred on the University Grants Committee by this Act or any other Act:

Provided that every such delegation shall be revocable at will, and no such delegation shall prevent the exercise of any function or power or the performance of any duty by the University Grants Committee.

- (2) Unless and until any such delegation is revoked, it shall continue in force according to its tenor.
- (3) The Chairman of the University Grants Committee shall, by virtue of his office, be a member of every subcommittee appointed under this section and, if present at any meeting of any such subcommittee, shall be Chairman at that meeting.
- (4) It shall not be necessary that any person appointed to be a member of any such subcommittee, or any person to whom any such delegation is made, shall be a member of the University Grants Committee.

Compare: 1960, No. 26, s. 11

## **11 Functions and powers of University Grants Committee**

- (1) The functions and powers of the University Grants Committee shall be:
  - (a) To collect, examine, and publish information relating to University education and research:
  - (b) To examine the needs of New Zealand for University education and research:
  - (c) To investigate and study the financial needs of University education and research, including the recurring and non-recurring needs of the Universities:
  - (d) To initiate and consider, in consultation with the Universities and other bodies, plans for such balanced University development as may be required to make the Universities fully adequate to the needs of New Zealand:
  - (e) To determine the allocation of grants of money to be recommended by it for appropriation by Parliament to meet the needs of University education and research; and to review the expenditure by the Universities of money appropriated by Parliament:
  - (f) To advise and make recommendations to the Government of New Zealand through the Minister on any matters relating to University education and research requiring the consideration of the Government:
  - (g) To provide secretarial and administrative services for the Universities Entrance Board, the Curriculum Committee, the Research Committee, the Vice-Chancellors' Committee, and the Council of Legal Education:
  - (h) To provide secretarial and administrative services for such other committees, bodies, and conferences as the University Grants Committee may decide:
  - (i) To perform and exercise all other functions and powers conferred on it by this Act or any other enactment or instrument.

- (2) Subject to the provisions of this Act and any other Act, the University Grants Committee shall have power to do whatever it considers necessary and expedient in order that it may best accomplish the purposes for which it exists.
- (3) The University Grants Committee may, if it thinks fit, charge any organisation (other than a University) or any person such fees as it may from time to time determine in respect of—
  - (a) Any matter submitted by that organisation or person for the consideration of the University Grants Committee or of any Board, Council, committee, body, or conference for which it provides services under paragraph (g) or paragraph (h) of subsection (1) of this section:
  - (b) Any work done or services performed for that organisation or person by the University Grants Committee, or any such Board, Council, committee, body, or conference.
- (4) Every right, function, and power conferred on the University of New Zealand or its Senate or on the Chancellor or Vice-Chancellor or any officer of that University by any enactment or instrument that is for the time being in force or operative may, so far as the same right, function, or power has not been specifically conferred by this Act or any other Act upon the Council of any University or upon any other body or person and subject to the provisions of the enactment or instrument, be performed or exercised by the University Grants Committee as if it were the said Senate, Chancellor, Vice-Chancellor, or officer, as the case may be.

Compare: 1960, No. 26, s. 12

## **12 Award of scholarships**

- (1) The University Grants Committee shall have power:
  - (a) To award such postgraduate and travelling scholarships as that Committee determines for the purpose of encouraging postgraduate study and research in New Zealand and elsewhere; and to make and publish regulations governing the award and tenure of those scholarships:
  - (b) Where so authorised by any enactment or instrument or otherwise—
    - (i) To award other scholarships made available for University education and research:
    - (ii) To make or recommend appointments to any committee or body concerned with the award of scholarships:
  - (c) Except as otherwise lawfully provided, to exercise all powers of making and recommending appointments to any committee or body concerned with the award of scholarships, being powers which the Senate of the University of New Zealand could for the time being have exercised if it had continued in existence.

- (2) All statutes, regulations, rulings, and decisions, and all acts of authority of the Senate of the University of New Zealand or of any committee or Board of that Senate or University or of the Chancellor or Vice-Chancellor or any officer of that University, so far as they relate to scholarships and were in force immediately before the commencement of this Act, shall continue with full force and effect except so far as they are repealed, replaced, or amended by this Act or any other Act or by regulations, rulings, decisions, or acts of authority of the University Grants Committee under powers conferred by this Act or any other Act:

Provided that the University Grants Committee shall not make or alter any such regulations until it has first received and considered any recommendations that may be made in that behalf by the Vice-Chancellors' Committee, unless that Committee, having had reasonable opportunity to make such recommendations, has failed to do so.

### **13 Applications for Government grants**

- (1) Every application by any University for any grant by the Government of money or property shall be made to the University Grants Committee.
- (2) The Council of each University shall submit to the University Grants Committee for approval any academic development which may lead to a request to the University Grants Committee for a special grant to support that development or any extension thereof.

Compare: 1960, No. 26, s. 13

### **14 Contracts of Committee and members**

- (1) Part II of the First Schedule to the Public Bodies Contracts Act 1959, as amended by section 14 of the University Grants Committee Act 1960, is hereby further amended by omitting the item relating to the University Grants Committee, and substituting the following item:  
 “The University Grants Committee  
 1961, No. 54—The Universities Act 1961.”
- (2) Part II of the First Schedule to the Local Authorities (Members' Contracts) Act 1954 is hereby amended by inserting in its appropriate alphabetical order the following item:  
 “The University Grants Committee  
 1961, No. 54—The Universities Act 1961.”
- (3) Section 5A of the Local Authorities (Members' Contracts) Act 1954, as inserted by section 2 of the Local Authorities (Members' Contracts) Amendment Act 1957, is hereby amended by repealing paragraph (a) of subsection (3), and substituting the following paragraph:  
 “(a) The University Grants Committee:”

**15 Money to be paid into bank**

- (1) All money received by the University Grants Committee amounting to ten pounds and upwards shall, as soon as practicable after it has come into the hands of the proper officer of that Committee, be paid into such bank account or accounts of that Committee as that Committee from time to time determines.
- (2) No money shall be withdrawn from the said bank except by authority of the University Grants Committee and by cheque signed by an officer of that Committee approved by it and countersigned by a member of that Committee or by another officer of that Committee approved by it:

Provided that it shall be lawful, with the prior consent in writing of the Audit Office and subject to such conditions as the Audit Office prescribes, for any money to be paid by the University Grants Committee by cheque issued by means of a cheque-writing machine, and every such cheque issued by means of such a machine and bearing a facsimile of the signatures of the persons authorised pursuant to the provisions of this section to sign and countersign cheques shall be deemed to have been duly signed and countersigned in accordance with the provisions of this section.

Compare: 1960, No. 26, s. 15

**16 Investment of money**

Subject to the terms of any trust or endowment, any money belonging to or vested in the University Grants Committee and available for investment may be invested in accordance with the provisions of the Trustee Act 1956 as to the investment of trust funds, or in such other manner as the Minister of Finance from time to time approves.

**17 Provision for Common Fund investment**

- (1) The University Grants Committee may at any time, if it thinks fit, establish the following funds and account:
  - (a) A Common Fund to be known as the University Grants Committee Common Fund:
  - (b) A Reserve Fund to be known as the University Grants Committee Common Fund Reserve Fund:
  - (c) A Common Fund Income Account to be known as the University Grants Committee Common Fund Income Account.
- (2) Subject to the provisions of this section, if the University Grants Committee has established the said funds and account, it may invest any trust funds in its possession, whether at the time in a state of investment or not, whether they came into its possession before or after the commencement of this Act, and whether they comprise the whole or part of the trust estate to which they belong, either—

- (a) On a separate account in respect of the trust estate to which the funds belong; or
  - (b) If the funds are not directed to be invested in some other specified manner, and investment in the said Common Fund is not inconsistent with the terms of the trust instrument (if any) governing the funds, as part of the said Common Fund.
- (3) All funds forming part of the said Common Fund shall be invested in the manner required by section 16 of this Act.
- (4) Where any funds of a trust estate are in the possession of the University Grants Committee and are lawfully invested in any investment in which the said Common Fund may be invested as aforesaid, then, if in accordance with paragraph (b) of subsection (2) of this section the funds could be invested as part of the said Common Fund, the University Grants Committee may transfer that investment to the said Common Fund and give credit in that Fund to the trust estate for such amount as it considers proper, having regard to its duty to be fair to all those interested in the said Common Fund and to those beneficially interested in the capital and income of the trust estate to which the investment belongs. Upon any investment being so transferred it shall cease to form part of the trust estate to which it formerly belonged.
- (5) Investments made from funds forming part of the said Common Fund shall not be made on account of or belong to any particular trust estate, but the University Grants Committee shall cause to be kept an account showing at all times the entitlement of each trust estate in the said Common Fund.
- (6) All income derived from the said Common Fund and from the investments and money included therein shall be paid into the said Common Fund Income Account.
- (7) In each year interest on the amount of the entitlement of each trust estate in the said Common Fund shall be transferred from the said Common Fund Income Account and credited to that trust estate at such uniform rate as may from time to time be determined by the University Grants Committee:  
Provided that in no case shall the rate so determined be lower than one-half per cent below the rate which would be so paid if all the income paid into the said Common Fund Income Account in that year was so transferred.
- (8) The University Grants Committee shall also each year pay into the said Reserve Fund—
  - (a) All income in the said Common Fund Income Account which is not transferred to any trust estate in that year in accordance with subsection (7) of this section:
  - (b) All capital gains arising in connection with the said Common Fund.

- (9) The funds forming part of the said Reserve Fund shall be kept separate from all other trust funds, and shall be invested in the manner authorised by section 16 of this Act.
- (10) All income paid into the said Reserve Fund as aforesaid, and all income derived from the said Reserve Fund and from the investments and money included therein, shall be applied as the University Grants Committee thinks fit in any one or more of the following ways:
  - (a) Towards augmenting the capital of the said Reserve Fund:
  - (b) Towards stabilising or increasing the income of the said Common Fund:
  - (c) Towards reinstating any losses of capital in the said Common Fund.
- (11) The capital of the said Reserve Fund may, if the University Grants Committee thinks fit, be applied in reinstating any losses of capital in the said Common Fund.
- (12) The University Grants Committee may at its discretion at any time withdraw from the said Common Fund any amount for the time being to the credit of any trust estate in the said Common Fund; and where any amount is being so withdrawn,—
  - (a) If the capital of the said Reserve Fund has increased while the said amount was in the said Common Fund, the University Grants Committee shall pay out of the said Reserve Fund and add to the amount so withdrawn, as capital, such amount (if any) as it considers equitable having regard to the length of the period during which the amount was in the said Common Fund and to the proportion which the said amount bears to the average amount of the total assets of the said Common Fund during that period:
  - (b) If losses of capital in the said Common Fund have occurred during the said period, then, so far as those losses have not been reinstated and cannot be reinstated from the amounts in the said Reserve Fund at the time of the withdrawal, that amount shall bear its proportion of those losses, as determined by the University Grants Committee, and the amount being so withdrawn shall abate accordingly.

## **18 Accounts**

- (1) The University Grants Committee shall keep full and correct accounts of all money received and expended by it.
- (2) The accounts shall be audited by the Audit Office, which for that purpose shall have all powers that it has under the Public Revenues Act 1953 in respect of public money and the audit of local authorities' accounts.
- (3) The University Grants Committee shall, as soon as is practicable after the end of any financial year ending with such date as that Committee may determine, cause its accounts for that year to be balanced, and full and true statements and accounts of all the money received and expended by it in that year and of its

assets and liabilities at the end of that year to be prepared and submitted to the Audit Office.

Compare: 1960, No. 26, s. 16

### **19 Fees and travelling allowances**

- (1) There may be paid to the members of the University Grants Committee and of the Curriculum Committee, the Research Committee, any Examination Board, any other subcommittee of the University Grants Committee, and the Universities Entrance Board remuneration by way of fees, salary, or allowances and travelling allowances and expenses in accordance with the Fees and Travelling Allowances Act 1951, and in respect of travel in New Zealand the provisions of that Act shall apply accordingly as if any members of any such committee, subcommittee, or Board (as well as members of the University Grants Committee) were members of a Statutory Board within the meaning of that Act.
- (2) In respect of travel in New Zealand the University Grants Committee is hereby declared to be a statutory Board within the meaning of the Fees and Travelling Allowances Act 1951.
- (3) Nothing in this section shall apply to the remuneration of the Chairman of the University Grants Committee.

Compare: 1960, No. 26, s. 17

### **20 University Grants Committee may insure members against personal accident while engaged in duties**

The University Grants Committee may from time to time enter into contracts of insurance of a type for the time being approved by the Minister insuring members of that Committee against loss from personal accident arising out of and in the course of the exercise of their powers or duties as members of that Committee, and may pay the premiums payable in respect of those contracts.

### **21 Unauthorised expenditure**

The University Grants Committee may in any year expend for purposes not authorised by any law for the time being in force any sum or sums not exceeding in the aggregate five hundred pounds.

Compare: 1960, No. 26, s. 18

### **22 Saving of decisions of former University Grants Committee**

- (1) Every reference, whether made on or before or after the first day of January, nineteen hundred and sixty-one, in any enactment or document to the University Grants Committee shall be read as a reference to the University Grants Committee constituted by this Act.
- (2) Every decision of the University Grants Committee appointed by the Senate of the University of New Zealand, so far as it is subsisting or in force at the commencement of this Act, shall continue and have effect as if it were a

decision of the University Grants Committee constituted by this Act and may be amended or revoked by that Committee accordingly.

Compare: 1960, No. 26, s. 19

### **23 Authority of Committee to require information**

- (1) The University Grants Committee shall have authority to require the Council of every University to supply it with all the information it considers necessary for the effective discharge of its duties.
- (2) The Council of each University shall supply the University Grants Committee with all information that it is so required to supply.

Compare: 1960, No. 26, s. 20

### **24 Officers and staff**

- (1) The University Grants Committee shall have power to appoint and remove such officers and servants as may be necessary for the purposes of this Act.
- (2) Notwithstanding anything to the contrary in section 19 of this Act, the University Grants Committee may pay to its Chairman and to its officers and servants such salaries and allowances as it thinks fit (including allowances and travelling expenses in respect of their attendance at any conference or meeting or in respect of their attendance to make any investigation that in the opinion of that Committee will render them better fitted to carry out their duties for that Committee):

Provided that the Chairman shall not be entitled to vote on any question before that Committee or any subcommittee thereof which directly affects his salary or allowances or in which he has a direct pecuniary interest.

- (3) Service as Chairman or as an officer or servant of the University Grants Committee shall be deemed to be Education service within the meaning of the Superannuation Act 1956; and for the purposes of sections 52A and 52B of that Act (which were inserted by section 17 of the Superannuation Amendment Act 1959) the University Grants Committee shall be deemed to be a University.

Compare: 1960, No. 26, s. 21

### **25 Annual report of University Grants Committee**

- (1) The University Grants Committee shall, in every year, furnish to the Minister a report with respect to the operations of that Committee during the immediately preceding year, together with a copy of the report of every University for that year.
- (2) A copy of every such report of the University Grants Committee, together with a copy of the report of every University for the corresponding year, shall be laid before Parliament within twenty-eight days after the date on which they are furnished to the Minister if Parliament is then in session, and, if not,

shall be laid before Parliament within twenty-eight days after the date of the commencement of the next ensuing session.

Compare: 1960, No. 26, s. 22

### *Examination Boards*

#### **26 Examination Boards**

- (1) The University Grants Committee may appoint as a subcommittee or subcommittees thereof such Examination Board or Examination Boards as that Committee thinks fit.
- (2) The University Grants Committee may assign to any such Board the duty of conducting examinations at the request and on behalf of the Councils of any two or more Universities or at the request and on behalf of any professional body, as that Committee and the Councils or body may agree.
- (3) Every such Board may appoint and remove examiners, assessors, and moderators for the purposes of any such examination, and may issue certificates in connection with any such examination.
- (4) Subject to such conditions as the University Grants Committee may impose, every such Board shall have power to do all such things as it considers necessary or expedient in order that it may carry out its functions.
- (5) The University Grants Committee may fix fees for examinations conducted by any such Board and for certificates issued and other acts done by it, which fees shall be paid to the University Grants Committee for its purposes.
- (6) The University Grants Committee may pay to any person (including any member for the time being of the University Grants Committee) who acts at the request of any such Board as examiner or assessor or moderator in any subject or subjects of any examination conducted by any such Board such fee or stipend as it may think reasonable for his services; and the University Grants Committee shall, in determining the amount of such fee or stipend, take into consideration any recommendation which any such Board may make in that behalf.
- (7) The expenses of any such Board, including payment to examiners, assessors, and moderators, shall be defrayed by the University Grants Committee.
- (8) The University Grants Committee shall do all things which it deems necessary or expedient to assist Examination Boards appointed under this section in carrying out their functions.
- (9) The University Grants Committee may if it thinks fit make financial and other arrangements to its satisfaction with any professional body before appointing an Examination Board to conduct examinations on behalf of that professional body.

*Curriculum Committee*

**27 Constitution of Curriculum Committee**

- (1) There shall be a subcommittee of the University Grants Committee to be known as the Curriculum Committee.
- (2) The Curriculum Committee shall consist of:
  - (a) The Chairman of the University Grants Committee, who shall be the Chairman of the Curriculum Committee:
  - (b) The Vice-Chancellor of each of the Universities (other than the University Colleges of Agriculture):
  - (c) The Principal of each of the University Colleges of Agriculture:
  - (d) The Director of Education:
  - (e) Four professors, who shall be appointed by the University Grants Committee, and of whom one shall be from a University in each University District:

Provided that the University Grants Committee shall not make any such appointment until it has first received and considered any recommendation that may be made in that behalf by the Vice-Chancellors' Committee unless that Committee, having had reasonable opportunity to make such a recommendation, has failed to do so.

- (3) Any member of the Curriculum Committee (other than the members appointed under paragraph (e) of subsection (2) of this section) who is unable to be present at a meeting of the said committee or any subcommittee thereof may appoint some other person to attend that meeting in his place. The fact that any person so attends shall be sufficient evidence of his authority to do so, and while attending he shall be deemed to be a member of the Curriculum Committee:

Provided that any person so appointed by the Chairman of the University Grants Committee shall not, by reason only of that appointment, be the Chairman of the Curriculum Committee.

- (4) Except as otherwise provided in this Act, every appointed member of the Curriculum Committee shall hold office for a term of three years, but may from time to time be reappointed, and shall continue in office after the termination of his term until his successor is appointed:

Provided that the University Grants Committee may make any of the first appointments under paragraph (e) of subsection (2) of this section for a shorter term than three years in order to provide for rotational appointments.

- (5) All rulings, decisions, and all acts of authority of the Curriculum Committee constituted under section 4 of the New Zealand University Amendment Act 1954, so far as they were subsisting or in force immediately before the commencement of this Act and could have been given or done under this Act by

the Curriculum Committee constituted by this section, shall continue and have effect except so far as they are repealed, revoked, replaced, or amended by this Act or any other Act or by rulings, decisions, or acts of authority of the Curriculum Committee constituted by this section under powers conferred by this Act or any other Act.

- (6) All course regulations approved under any enactment repealed by this Act, and all prescriptions of subjects and appointments of examiners made under any such enactment or made before the commencement of this Act by the Council of any University, so far as they were in force on the thirty-first day of December, nineteen hundred and sixty-one, or may thereafter come into force, shall continue and have effect except so far as they are revoked, replaced, or amended under powers conferred by this Act or any other Act.

## **28 Meetings of Curriculum Committee**

- (1) At any meeting of the Curriculum Committee five members shall form a quorum, and no business shall be transacted unless a quorum is present.
- (2) The Curriculum Committee may from time to time appoint one of its members to be the Deputy Chairman of that Committee.
- (3) The Chairman of the Curriculum Committee shall preside at every meeting of that Committee at which he is present. If at any meeting of the Curriculum Committee the Chairman of that Committee is not present or there is no such Chairman, the Deputy Chairman of that Committee shall preside at the meeting; and if that Deputy Chairman also is not present at the meeting or there is no such Deputy Chairman, the Curriculum Committee shall appoint some member present to act as Chairman in respect of that meeting. The Deputy Chairman or person so appointed shall have and may exercise in any such case all the powers and functions of the Chairman for the purposes of the meeting.
- (4) At any meeting of the Curriculum Committee the Chairman of that meeting shall have a deliberative vote, and in the case of an equality of votes shall also have a casting vote.
- (5) Every question before any meeting of the Curriculum Committee shall be decided by a majority of the valid votes recorded thereon.
- (6) Meetings of the Curriculum Committee shall be held whenever required under section 29 of this Act, and also at such times and places as the Chairman of the Curriculum Committee or the said Committee may determine.
- (7) Except as expressly provided in this Act, the Curriculum Committee may regulate the procedure of its meetings.

Compare: 1954, No. 84, s. 6

## **29 Passing of resolutions of Curriculum Committee without a meeting**

- (1) Anything that may be done by resolution passed at a meeting of the Curriculum Committee may be done by that Committee without a meeting by means of a

resolution signed by the number of members of that Committee specified in subsection (2) of this section:

Provided that, subject to the provisions of subsection (2) of this section, any member of the Curriculum Committee may, by notice in writing to the Chairman of the Curriculum Committee, require that any matter be determined at a meeting of the Curriculum Committee, in which event a meeting of that Committee to determine the matter shall be held as soon as practicable thereafter.

- (2) For the purposes of subsection (1) of this section a resolution shall be signed by all the members of the Curriculum Committee who are for the time being in New Zealand and not incapacitated by disability from attending a meeting:

Provided that it shall be sufficient if such a resolution is signed by seven of those members, and if a copy of the resolution has been posted to every other such member at his last known address, and if each of those other members has failed, within one month after the copy is so posted to him, to sign the resolution or to notify the Chairman of the Curriculum Committee that he requires the matter to be determined at a meeting of that Committee.

- (3) Any such notice requiring any matter to be determined at a meeting of the Curriculum Committee may be given by any member of that Committee either in person or by his duly authorised agent; but, except as provided by section 8 of this Act or by any other Act, no person may sign any such resolution in place of any member of the Curriculum Committee.
- (4) The Chairman of the Curriculum Committee shall report to and lay before that Committee at each meeting a copy of every resolution made in accordance with this section since the previous meeting of the Curriculum Committee.

### **30 Curriculum Committee may appoint subcommittees**

- (1) The Curriculum Committee may from time to time appoint standing or special subcommittees, and may refer to any such subcommittee any matters for investigation or consideration.
- (2) Any person may be appointed to be a member of any such subcommittee, whether or not he is a member of the Curriculum Committee.

### **31 Course regulations and academic developments**

- (1) The Council of each University shall submit to the Curriculum Committee for approval any proposed course regulations, and shall attach thereto such explanation as the Curriculum Committee may require:

Provided that the University Grants Committee may, under such conditions as it determines, waive the requirement to submit any proposed course regulations in respect of any academic qualification other than a degree.

- (2) Any course regulations involving the introduction of a new subject or a new stage of a subject shall, when submitted for approval as aforesaid, be accom-

panied by a description of the nature and scope of that subject or stage of a subject.

- (3) The Curriculum Committee shall consider all course regulations submitted to it under this section, and shall by resolution either approve or disapprove the regulations:

Provided that course regulations involving any academic development which, in the opinion of the Council of the University submitting the regulations or in the opinion of the Curriculum Committee, requires or is likely to require a special grant to support that development or any extension thereof shall not be approved by the Curriculum Committee unless the approval of the University Grants Committee to the academic development has been obtained.

- (4) The Curriculum Committee may, of its own motion or at the request of the University Grants Committee or the Council of any University, advise the University Grants Committee or the Council of the University on any academic development.
- (5) When considering any course regulations submitted as aforesaid, the Curriculum Committee shall have regard to the comparative equivalence of courses for degrees and other academic qualifications.
- (6) Any approval of any course regulations that is given as aforesaid may be given either absolutely or subject to such conditions and modifications as may be specified by the Curriculum Committee.
- (7) Course regulations shall not become effective until they have been approved by the Curriculum Committee and published in the Calendar of the University concerned:
- Provided that, in any special circumstances or in order to avoid hardship to any student, the published course regulations may be made effective from a date specified in the regulations which may be before the date of their publication.
- (8) A copy of any course regulations under the seal of the University and certified by the Registrar of the University to have been approved and published in accordance with this section shall in all Courts be sufficient evidence of the same, and of their having been made, approved, and published in the manner specified in this section.

Compare: 1954, No. 84, s. 8

### **32 Annual report of Curriculum Committee**

The Curriculum Committee shall furnish an annual report on the exercise of its functions to the University Grants Committee, and the University Grants Committee shall send a copy of every such report to the Council of each University.

Compare: 1954, No. 84, s. 7(b)

*Research Committee***33 Constitution of Research Committee**

- (1) There shall be a subcommittee of the University Grants Committee to be known as the Research Committee.
- (2) The Research Committee shall consist of:
  - (a) The Chairman of the University Grants Committee:
  - (b) The Permanent Secretary of the Department of Scientific and Industrial Research:
  - (c) Five University teachers appointed by the University Grants Committee after consultation with the Vice-Chancellors' Committee:
  - (d) Such other person or persons as the University Grants Committee may from time to time appoint.
- (3) Except as otherwise provided in this Act, every member of the Research Committee appointed under paragraph (c) of subsection (2) of this section shall hold office for a term of three years, but may from time to time be reappointed, and shall continue in office after the termination of his term until his successor is appointed:

Provided that the University Grants Committee may make any of the first appointments under the said paragraph (c) for a shorter term than three years in order to provide for rotational appointments.

- (4) Members of the Research Committee appointed under paragraph (d) of subsection (2) of this section shall in each case be appointed for such term as the University Grants Committee may determine.
- (5) All rulings, decisions, and all acts of authority of the Research Committee established by the Senate of the University of New Zealand, and all commitments of that Committee, so far as they were subsisting or in force immediately before the commencement of this Act and could have been given or done or incurred under this Act by the Research Committee constituted by this section, shall continue and have effect as if they had been given or done or incurred by the last-mentioned Research Committee and as if this Act had been in force when they were given or done or incurred.

**34 Meetings of Research Committee**

- (1) At any meeting of the Research Committee a quorum shall consist of four members or such greater number of members as is determined by the University Grants Committee having regard to any recommendation that the Research Committee may make in that respect, and no business shall be transacted unless a quorum is present.

- (2) Notwithstanding anything to the contrary in section 10 of this Act, the University Grants Committee shall from time to time appoint one of the members of the Research Committee to be the Chairman of that Committee.
- (3) The Chairman of the Research Committee shall preside at every meeting of that Committee at which he is present. If at any meeting of the Research Committee the Chairman of that Committee is not present or there is no such Chairman, the Research Committee shall appoint some member present to act as Chairman in respect of that meeting. The person so appointed shall have and may exercise in any such case all the powers and functions of the Chairman for the purposes of the meeting.
- (4) At any meeting of the Research Committee the Chairman of that meeting shall have a deliberative vote, and in the case of an equality of votes shall also have a casting vote.
- (5) Meetings of the Research Committee shall be held at such times and places as the Chairman thereof or that Committee may determine.
- (6) Every question before any meeting of the Research Committee shall be decided by a majority of the valid votes recorded thereon.
- (7) Except as expressly provided in this Act the Research Committee may regulate the procedure of its meetings.

### **35 Research Committee may appoint subcommittees**

- (1) Subject to the consent of the University Grants Committee, the Research Committee may—
  - (a) Appoint standing or special subcommittees:
  - (b) Delegate to any such subcommittee or to any person any of the functions, powers, and duties conferred on the Research Committee by this Act or any other enactment, other than its power to make regulations.
- (2) Every such delegation shall be revocable at will, and no such delegation shall prevent the exercise of any function or power or the performance of any duty by the Research Committee.
- (3) Unless and until any such delegation is revoked, it shall continue in force according to its tenor.
- (4) It shall not be necessary that any person who is appointed to be a member of any such subcommittee, or to whom any such delegation is made, shall be a member of the Research Committee.

### **36 Functions of Research Committee**

- (1) Out of moneypaid to the University Grants Committee for the purpose of research the University Grants Committee may pay the expenses of the Research Committee and make sums available to the Research Committee. From the money so made available to it, the Research Committee may make research grants and may authorise the expenditure of such sums as it thinks fit

for the purpose of encouraging research in New Zealand or elsewhere by the award of scholarships and by such other means as it thinks fit.

- (2) The Research Committee may make all such regulations as in its opinion are necessary or expedient for the due administration of its functions under this Act or any other Act.

### **37 Annual report of Research Committee**

The Research Committee shall furnish an annual report on the exercise of its functions to the University Grants Committee, and the University Grants Committee shall send a copy of every such report to the Council of each University.

## **Part II Universities Entrance Board**

### **38 Constitution of Universities Entrance Board**

- (1) There is hereby established a Board to be known as the Universities Entrance Board.
- (2) The Universities Entrance Board shall consist of:
  - (a) A Chairman who shall be appointed by the University Grants Committee:
  - (b) Five persons who shall be appointed by the University Grants Committee after consultation with the Vice-Chancellors' Committee and each of whom shall be a teacher at a University:
  - (c) Five persons who shall be appointed by the Minister and each of whom shall be an officer of the Department of Education or a teacher at a secondary school, technical school, combined school, district high school or registered private secondary or technical school.
- (3) Except as otherwise provided in this Act, every member of the Universities Entrance Board shall hold office for a term of three years, but may from time to time be reappointed, and shall continue in office until his successor is appointed:

Provided that the first appointments under paragraphs (b) and (c) of subsection (2) of this section may be made for a shorter term than three years in order to provide for rotational appointments.
- (4) In the absence from any meeting of the Universities Entrance Board of the Chairman or any other member of that Board some person who is eligible to be appointed in the same manner as the Chairman or member was appointed may be appointed as his deputy, and when so appointed may attend that meeting in his stead, and while so attending shall be deemed to be a member of that Board. The fact that any person so attends shall be sufficient evidence of his authority to do so.

**39 Meetings of Universities Entrance Board**

- (1) At any meeting of the Universities Entrance Board six members shall form a quorum, and no business shall be transacted unless a quorum is present.
- (2) The Chairman of the Universities Entrance Board or his deputy shall preside at every meeting of that Board at which he is present. If at any meeting of the Universities Entrance Board the Chairman of that Board or his deputy is not present or there is no such Chairman or deputy, that Board shall appoint some member present to act as Chairman in respect of that meeting. The person so appointed shall have and may exercise in any such case all the powers and functions of the Chairman for the purposes of the meeting.
- (3) At any meeting of the Universities Entrance Board the Chairman of that meeting shall have a deliberative vote, and in the case of an equality of votes shall also have a casting vote.
- (4) Every question before the Universities Entrance Board shall be decided by a majority of the valid votes recorded thereon.
- (5) Meetings of the Universities Entrance Board shall be held at least once in each year and at such times and places as the Chairman thereof or that Board may determine.
- (6) Except as expressly provided in this Act the Universities Entrance Board may regulate the procedure of its meetings.

**40 Universities Entrance Board may appoint Committees**

- (1) The Universities Entrance Board shall, subject to the consent of the University Grants Committee, have power to appoint standing or special committees consisting of two or more persons, whether members of that Board or not:  
Provided that the Chairman of that Board shall, by virtue of his office, be a member of every committee appointed under this section.
- (2) The Universities Entrance Board may delegate to any such committee or to any person (whether a member of that Board or not) any of the functions, powers, and duties, other than the power to make regulations, conferred on that Board by this Act or any other Act.
- (3) Every such delegation shall be revocable at will, and no such delegation shall prevent the exercise of any function or power or the performance of any duty by the Universities Entrance Board.
- (4) Unless and until any such delegation is revoked, it shall continue in force according to its tenor.

**41 Functions and powers of Universities Entrance Board**

- (1) The Universities Entrance Board shall have the following functions and powers:

- (a) To establish and maintain by such means as it considers appropriate a common educational standard as a prerequisite for University entrance:
  - (b) Of its own motion, or at the request of the Minister or of any University (including a University College of Agriculture) or of the University Grants Committee, to consider any matter relating to postprimary education, and to report thereon to the University Grants Committee, and (where the matter is considered at the request of the Minister or any University) to the Minister or that University, as the case may be:
  - (c) To prescribe the conditions of examinations for University Entrance, Entrance Scholarships, Fine Arts Preliminary, and such other examinations as it considers necessary to its functions and to conduct such examinations; and for these purposes to make regulations, draw up prescriptions, and appoint examiners, assessors, and moderators:
  - (d) To prescribe requirements upon compliance with which persons may become academically qualified for entrance to a University without being required to sit the University Entrance Examination:
  - (e) To issue certificates to persons who pass the examinations specified in paragraph (c) of this subsection, or who are accredited for entrance to a University under paragraph (d) of this subsection:
  - (f) To award bursaries and scholarships (including University Junior Scholarships and University National Scholarships) on the results of the Entrance Scholarships Examination; and to make regulations governing the number, value, and other conditions of any such bursaries and scholarships:  

Provided that any regulations governing the award of University National Scholarships shall not come into force unless and until they receive the consent of the Minister, and any regulations governing the number, value, and tenure of other scholarships awarded from funds made available by the University Grants Committee shall not come into force unless and until they receive the consent of the University Grants Committee:
  - (g) To determine and control admission *ad eundem* at University entrance standard and, if it thinks fit, to make regulations thereon:
  - (h) To issue certificates relating to the following examinations formerly conducted by the University of New Zealand, namely, the University Entrance Examination, the Entrance Scholarships Examination, and the Fine Arts Preliminary Examination, however those examinations were formerly described.
- (2) For the effective discharge of its duties the Universities Entrance Board may require reports or information from the University Councils in such form as the said Board from time to time specifies.

- (3) All regulations made by the Universities Entrance Board under this Act shall be published by the Universities Entrance Board.
- (4) The Minister shall pay to the University Grants Committee, out of money appropriated by Parliament for the purpose, the amounts from time to time payable to the holders of University National Scholarships.

#### **42 Proposals relating to academic requirements for University entrance**

Before making a final decision on any academic requirement for University entrance, the Universities Entrance Board shall submit its proposals to the University Grants Committee, the Council of each University (including each University College of Agriculture), and the Director of Education, and shall allow them respectively a reasonable opportunity to express their views, and shall consider any views so expressed.

#### **43 Fees for and expenses of examinations**

- (1) The University Grants Committee shall fix fees for examinations conducted by the Universities Entrance Board and for certificates issued by that Board; and those fees shall be paid to the University Grants Committee for its purposes.
- (2) The University Grants Committee may pay to any person (including any member for the time being of the University Grants Committee) who acts, at the request of the Universities Entrance Board, as examiner or assessor or moderator in any subject or subjects of any examinations conducted by the Universities Entrance Board under powers conferred by this Act, such fee or stipend as it may think reasonable for his services.
- (3) The expenses of the Universities Entrance Board, including payments to examiners, assessors, and moderators, shall be defrayed by the University Grants Committee.

#### **44 Annual report of Universities Entrance Board**

The Universities Entrance Board shall furnish a report annually on the exercise of its functions to the Minister, the Council of each University, (including each University College of Agriculture), and the University Grants Committee.

#### **45 Saving of certain statutes, etc., of University of New Zealand**

All statutes, regulations, rulings, decisions, and other acts of authority of the Senate of the University of New Zealand or any committee or Board of the said Senate or University, or of the Chancellor, Vice-Chancellor, or any officer of the said University, so far as they relate to the University Entrance Examination, the Entrance Scholarships Examination and scholarships awarded thereunder, and the Fine Arts Preliminary Examination and were in force immediately before the commencement of this Act, shall continue with full force and effect except so far as they are repealed, replaced, or amended by this Act or any other Act or by regulations, rulings, decisions, or acts of authority of the Universities Entrance Board or of the University Grants Committee or

of the Council of any University other than a University College of Agriculture under powers conferred by this Act or any other Act.

### **Part III**

#### **Vice-Chancellors' Committee**

#### **46 Constitution of Vice-Chancellors' Committee**

- (1) There is hereby established a Committee to be known as the Vice-Chancellors' Committee.
- (2) The Vice-Chancellors' Committee shall consist of:
  - (a) The Vice-Chancellors of the Universities, other than the University Colleges of Agriculture:
  - (b) The Principals of the University Colleges of Agriculture.
- (3) The Vice-Chancellors' Committee may regulate the procedure of its meetings.

#### **47 Functions of Vice-Chancellors' Committee**

The Vice-Chancellors' Committee shall perform all functions conferred on it by this Act or any other enactment; and may of its own motion or at the request of the University Grants Committee consider any matter relating to the Universities, and may, if it thinks fit, report or make recommendations thereon to the University Grants Committee and also, if it thinks fit, to any University.

### **Part IV**

#### **Casual Vacancies**

#### **48 Disqualifications**

The following persons shall be incapable of being appointed to be members of the University Grants Committee, the Curriculum Committee, the Research Committee, or the Universities Entrance Board:

- (a) A mentally defective person within the meaning of the Mental Health Act 1911:
- (b) A bankrupt who has not obtained his order of discharge or whose order of discharge has been suspended for a term not yet expired or is subject to conditions not yet fulfilled:
- (c) A person convicted of any offence punishable by imprisonment, unless he has received a free pardon or has served his sentence or otherwise suffered the penalty imposed on him.

Compare: 1960, No. 26, s. 9

**49 Casual vacancies**

- (1) If any member of the University Grants Committee, the Curriculum Committee, the Research Committee, or the Universities Entrance Board—
  - (a) Dies; or
  - (b) Resigns his office by writing under his hand delivered to the Minister in the case of the University Grants Committee or to the Chairman or the Secretary of the Committee or Board in any other case; or
  - (c) Is absent without leave from three consecutive meetings of the Committee or Board of which he is a member; or
  - (d) Becomes a mentally defective person within the meaning of the Mental Health Act 1911; or
  - (e) Is adjudged a bankrupt; or
  - (f) Is convicted of any offence punishable by imprisonment; or
  - (g) Otherwise becomes ineligible for appointment, under the provision of this Act under which he was appointed, to the office which he holds—his office shall become vacant, and the vacancy thereby created shall be deemed to be a casual vacancy.
- (2) In the case of any such casual vacancy the vacancy shall be filled as soon as practicable by the appointment of a new member in the manner in which the member whose office is vacant was appointed.
- (3) Any member appointed to fill a casual vacancy in any such office shall hold office for only the unexpired portion of the term of office of the vacating member.
- (4) The Chairman of the University Grants Committee may at any time be removed from office by the Governor-General for disability, bankruptcy, neglect of duty, or misconduct, proved to the satisfaction of the Governor-General, or may at any time resign his office by written notice given to the Minister. Nothing in subsections (1) to (3) of this section or in section 48 of this Act shall apply to the Chairman of the University Grants Committee.

Compare: 1960, No. 26, s. 9

**50 Proceedings of University Grants Committee, etc., not affected by vacancies, etc.**

No act or proceeding of the University Grants Committee, the Curriculum Committee, the Research Committee, or the Universities Entrance Board, or of any committee or subcommittee of any of them, or of any person acting as a member of any such committee, subcommittee, or Board shall be invalidated in consequence of there being a vacancy in the number of any such committee, subcommittee, or Board at the time of that act or proceeding, or of the subsequent discovery that there was some defect in the election or appointment of

any person so acting or that he was incapable of being or had ceased to be such a member.

## **Part V**

### **Dissolution of University of New Zealand**

#### **51 Dissolution of University of New Zealand**

The University of New Zealand shall cease to exist at the commencement of this Act on the first day of January, nineteen hundred and sixty-two.

#### **52 Devolution of property vested in University of New Zealand**

- (1) All money and property whatsoever vested in the University of New Zealand upon trust or as an endowment for any scholarship or any other purpose, except the money in the account usually known as the Ordinary Scholarship Account, shall, unless the terms of any trust governing the same otherwise provide, vest without conveyance or assignment in the University Grants Committee for a like purpose; and all money and property that, under any will or trust instrument, would have vested in the University of New Zealand for any purpose after the commencement of this Act if the University of New Zealand had continued in existence, shall, unless the will or instrument expressly provides for the eventuality of the University of New Zealand not being in existence, vest in the University Grants Committee for a like purpose:

Provided that the University Grants Committee, after consultation with the Councils of the Universities, may transfer any such money or property or any part thereof to any University for a like purpose.

- (2) All other real and personal property of every description vested in the University of New Zealand shall vest without conveyance or assignment in the University Grants Committee, subject to all charges, encumbrances, estates, and interests affecting the same; and all liabilities of the University of New Zealand shall be deemed to be liabilities of the University Grants Committee.
- (3) In any case where any land vests in the University Grants Committee under this section the District Land Registrar for the land registration district in which the land is situated, on the deposit with him of such plans and documents as he may require, shall make such entries in the register and generally do all such things as may be necessary to give full effect to the provisions of this section.

#### **53 General saving of statutes, etc., of University of New Zealand**

- (1) All statutes, regulations, rulings, and decisions, and all acts of authority of the Senate of the University of New Zealand or any committee or Board of the said Senate or University or of the Chancellor or Vice-Chancellor or any officer of the said University, so far as they were subsisting immediately before the commencement of this Act and are applicable to any University or any member thereof or to any other person connected or associated therewith, or

to the University Grants Committee or any other Committee or subcommittee or Board constituted by or under this Act, shall continue to apply to that University, member, person, Committee, subcommittee, or Board, as the case may be, except so far as they are repealed, replaced, or amended by this Act or any other Act or by appropriate acts of authority of the Council of that University, or by appropriate acts of authority of that Committee, subcommittee, or Board.

- (2) Nothing in this section shall restrict the operation of any of the following provisions of this Act, namely, subsection (4) of section 11, subsection (2) of section 12, subsections (5) and (6) of section 27, subsection (5) of section 33, and section 45.
- (3) Except as otherwise provided in this Act or any other Act, all matters and proceedings commenced by the Senate of the University of New Zealand or any committee or Board of the said Senate or University, or by the Chancellor or Vice-Chancellor or any officer of the said University, and pending or in progress immediately before the commencement of this Act, may be continued, completed, and enforced by the University Grants Committee as if the University of New Zealand had continued in existence. Except as otherwise provided in this Act or any other Act, any powers, discretions, and authorities that were vested immediately before the commencement of this Act in the Chancellor or the Vice-Chancellor or any officer of the University of New Zealand in relation to any such matter or proceeding shall vest in the Chairman of the University Grants Committee.
- (4) Except as otherwise provided in this Act or any other Act, all powers, discretions, and authorities that were vested immediately before the commencement of this Act in the Chancellor or the Vice-Chancellor or any officer of the University of New Zealand may be exercised at any time within two years after the commencement of this Act, in relation to the University in which he holds office, by the person holding the corresponding office in any of the following Universities, namely, the University of Otago, the University of Canterbury, the University of Auckland, and the Victoria University of Wellington.

#### **54 Degrees of University of New Zealand**

- (1) Any person who has completed the requirements for a degree or other academic qualification of the University of New Zealand or who completes those requirements on or before the tenth day of April, nineteen hundred and sixty-two, shall be entitled on application to the Registrar of any of the following Universities, namely, the University of Otago, the University of Canterbury, the University of Auckland, and the Victoria University of Wellington, to have the degree or other academic qualification of the University of New Zealand for which he has qualified conferred upon or awarded to him, as if the University of New Zealand had continued in existence, by the Chancellor of the University to which he applies or by any other person who is for the time being authorised to confer the degrees of that University. The Council of the

University at which the degree or other academic qualification is so conferred or awarded shall have authority to issue any certificate in respect thereof.

- (2) Any other person who has been credited with any subjects or units for a degree or other academic qualification of the University of New Zealand or who has performed any work in satisfaction of the requirements for a degree or other academic qualification of the University of New Zealand shall have the subjects, units, and work performed credited to the corresponding degree or other academic qualification of the University on whose books he is enrolled.
- (3) The University Grants Committee shall have power to issue certificates relating to degrees and other academic qualifications and courses of the University of New Zealand as if that University had continued in existence, and may charge such reasonable fees for the certificates as that Committee may from time to time determine.
- (4) Any person who during or before the year nineteen hundred and sixty-one had entered for examination in any subject prescribed by the Senate of the University of New Zealand as a subject of the course for the Diploma in Banking may complete the requirements for that diploma not later than the examinations of the year nineteen hundred and sixty-six. The University Grants Committee shall have authority to do all things necessary to conduct the examination for the said Diploma in Banking, and to issue to any such person any certificate relating to that diploma as if the University of New Zealand had continued in existence, and may from time to time make regulations amending any statute of the University of New Zealand which continues in force and relates to that diploma.

#### **55 Transitional provisions affecting examination fees and scholarships**

- (1) The Council of every University shall, until the thirty-first day of March, nineteen hundred and sixty-five, pay to the University Grants Committee the net balance of all examination entry fees received from candidates for degrees and other academic qualifications.
- (2) The University Grants Committee shall have power, after consultation with the Councils of the Universities, to determine those examination entry fees and the said net balance.
- (3) The University Grants Committee shall keep in a bank account for the purposes of scholarships all such net balances received, together with any sums made available out of money appropriated by Parliament, and shall credit the same to a separate account in the books of the University Grants Committee.
- (4) The University Grants Committee shall, from the last-mentioned account and from the funds of any trust established for this purpose, continue to provide the funds for emoluments for all scholarships which have been awarded by the Senate of the University of New Zealand or any committee of the said Senate or University and which are current on the dissolution of the University of New Zealand, together with any supplementation approved by the said Senate or

committee of any scholarship, under the same terms and conditions as those under which the scholarships and supplementation thereof were awarded.

- (5) The University Grants Committee shall further provide from that account and the funds of any trust established or which may be established for this purpose, except as otherwise provided in any other Act or under the terms of any instrument creating any such trust, the emoluments of such scholarships and supplements thereto as may be awarded from the commencement of this Act until the thirty-first day of March, nineteen hundred and sixty-five, by any body authorised by the University Grants Committee, and the emoluments of all University Junior Scholarships awarded under paragraph (f) of subsection (1) of section 41 of this Act during that period.
- (6) The University Grants Committee may also provide from that account all administration costs in connection with scholarships to which this section relates.

#### **56 Grant in place of national endowment**

The grant in place of national endowment previously paid by the Government of New Zealand to the Senate of the University of New Zealand under the provisions of sections 33 to 35 of the New Zealand University Act 1908 shall, until the thirty-first day of March, nineteen hundred and sixty-five, be paid out of money appropriated by Parliament to the University Grants Committee for distribution equally to the University of Otago, the University of Canterbury, the University of Auckland, and the Victoria University of Wellington on such conditions as the University Grants Committee may determine.

## **Part VI Miscellaneous Provisions**

#### **57 Certain money to be paid to University Grants Committee**

The Minister of Finance shall pay to the University Grants Committee the following money:

- (a) All money appropriated by Parliament for the purposes of the scholarships to be awarded by the University Grants Committee under the powers conferred on it by section 12 of this Act:
- (b) All money appropriated by Parliament for the purposes of research, being money to which section 36 of this Act applies.

#### **58 Proof of certain decisions and documents**

- (1) Acertificate by the Chairman of the University Grants Committee, or by the Chairman of any Board or Committee or subcommittee constituted by or under this Act, as to any decision of the Committee or Board or subcommittee of which he is Chairman shall be sufficient evidence of that decision in the absence of proof to the contrary.

- (2) A certificate by the Chairman of the University Grants Committee as to any act or decision or ruling of the Senate of the University of New Zealand or of any committee or Board of the said Senate or University or of the Chancellor or Vice-Chancellor or any officer of the said University or as to whether any statute or regulation or decision or ruling or other act of authority continued in force at the date of the commencement of this Act or at any other date, shall be sufficient evidence of the facts stated in the certificate relating to those matters.
- (3) Notice shall be taken judicially without further proof of the appointment and signature of every such Chairman.
- (4) A copy of any statute or regulation made by the Senate of the University of New Zealand, or of any resolution passed by the said Senate or any committee or Board of the said Senate or University, and a copy of any regulation made by the University Grants Committee, the Research Committee, or the Universities Entrance Board, if under the seal of the University Grants Committee, shall be sufficient evidence of the same and of its having been so made or passed.

#### **59 Consequential amendments**

- (1) The enactments specified in the First Schedule to this Act are hereby amended in the manner indicated in that Schedule.
- (2) Every reference in any enactment or document to an agricultural college shall, unless the context otherwise requires, be read as a reference to a University College of Agriculture.

#### **60 Repeals**

The enactments specified in the Second Schedule to this Act are hereby repealed.

## **SCHEDULES**

### **FIRST SCHEDULE Enactments Amended**

Section 59(1)

Title of Act	Amendment
1913, No, 15—The New Zealand Institute of Architects Act 1913 (1957 Reprint, Vol. 11, p. 185)	By omitting from subsection (1) of section 25 the words “the University of New Zealand for the conduct by the University”, and substituting the words “any University in New Zealand or the University Grants Committee for the conduct by that University or by an Examination Board appointed by the University Grants Committee”.

Title of Act	Amendment
	By omitting from subsection (2) of section 25 the words “the University of New Zealand for the degree of Bachelor of Science (in Architecture)”, and substituting the words “any University in New Zealand for the degree of Bachelor of Architecture”.
1928, No. 21—The Public Works Act 1928 (1957 Reprint, Vol. 12, p. 486)	By omitting from section 2 (as amended by section 46 of the Public Works Amendment Act 1948) the words “The New Zealand University and the New Zealand School of Agriculture” where they appear in paragraph (d) of the definition of the term “public work”.
	By omitting from section 2 (as so amended) the words “School of Agriculture” where they secondly appear in the said paragraph (d), and substituting the words “University College of Agriculture”.
1936, No. 57—The Dentists Act 1936 (1957 Reprint, Vol. 3, p. 885)	By omitting from paragraphs (b) and (d) of subsection (1) of section 9 the words “the University of New Zealand” in each place where they occur, and substituting in each case the words “a University in New Zealand”.
	By omitting from paragraph (b) of subsection (1) of section 9 the word “Senate” in each place where it appears, and substituting in each case the words “Council of the University”.
	By omitting from subsection (3) of section 9 the words “Senate by section nine of the New Zealand University Amendment Act 1926”, and substituting the words “Council of the University of Otago by section 8 of the University of Otago Ordinance 1869”.
1945, No. 41—The Atomic Energy Act 1945 (1957 Reprint, Vol. 1, p. 385)	By omitting from subsection (1) of section 13 the words “constituent institution of the University of New Zealand”, and substituting the words “University in New Zealand”.
1947, No. 43—The Adult Education Act 1947 (1957 Reprint, Vol. 1, p. 104)	By repealing paragraph (d) of subsection (1) of section 4, and substituting the following paragraph: “(d) The Chairman of the University Grants Committee or his nominee:.”
1950, No. 20—The Medical Research Council Act 1950 (1957 Reprint, Vol. 9, p. 583)	By omitting from paragraph (i) of subsection (1) of section 4 the words “Senate of the University of New Zealand on the recommendation of the Academic Board of that University”, and substituting the words “University Grants Committee”.
1950, No. 50—The Medical Practitioners Act 1950 (1957 Reprint, Vol. 9, p. 545)	By omitting from paragraphs (a) and (c) of section 9, in each place where they appear except where they last appear, the words “the University of New Zealand”, and substituting in each case the words “a University in New Zealand”.

Title of Act	Amendment
	By omitting from subparagraph (iii) of paragraph (c) of section 9 the words “Senate of the University of New Zealand and shall be conducted by the Senate of the University of New Zealand”, and substituting the words “Medical Council and by the Council of the University in New Zealand in which the course is taken, and the examination shall be conducted by the Council of that University”.
1952, No. 52—The Land Transfer Act 1952 (1957 Reprint, Vol. 7., p. 622)	By omitting from section 7 the words “of the University of”, and substituting the word “for”.
1954, No. 14—The Historic Places Act 1954 (1957 Reprint, Vol. 6, p. 111)	By omitting from paragraph (b) of section 15 (as amended by section 3 of the New Zealand University Amendment Act 1954) the words “The University of New Zealand and any constituent institution or agricultural college of that University”, and substituting the words “Any University or University College of Agriculture”.
1956, No. 47—The Superannuation Act 1956 (1957 Reprint, Vol. 15, p. 411)	By omitting from subsection (2) of section 52A (as inserted by section 17 of the Superannuation Amendment Act 1959) the words “the University of New Zealand or under any University that is a constituent institution of that University or under any agricultural college”, and substituting the words “any University or University College of Agriculture”.
	By omitting from subsection (1) of section 52B (as inserted by section 17 of the Superannuation Amendment Act 1959) the words “the University of New Zealand or by any University that is a constituent institution of that University or by any agricultural college”, and substituting the words “any University or University College of Agriculture”.
1956, No. 63—The Local Authorities Loans Act 1956 (1957 Reprint, Vol. 8, p. 455)	By repealing paragraphs (d) and (f) of section 18, and substituting the following paragraph: <ul style="list-style-type: none"> <li>“(d) The borrowing of money from the Crown by— <ul style="list-style-type: none"> <li>“(i) The Council of the University of Otago under section 37 of the University of Otago Amendment Act 1961:</li> <li>“(ii) The Council of the University of Canterbury under section 51 of the University of Canterbury Act 1961:</li> <li>“(iii) The Council of the University of Auckland under section 50 of the University of Auckland Act 1961:</li> </ul> </li> </ul>

Title of Act	Amendment
	<p>“(iv) The Council of the Victoria University of Wellington under section 51 of the Victoria University of Wellington Act 1961:</p> <p>“(v) The Lincoln College Council under section 49 of the Lincoln College Act 1961.”</p> <p>“(vi) The Massey College Council under section 49 of the Massey College Act 1961:</p>
1957, No. 29—The Maori Soldiers Trust Act 1957 (1957 Reprint, Vol. 9, p. 169)	By repealing paragraph (j) of section 18. By omitting from subsection (5) of section 8 the words “the Vice-Chancellor of the University of New Zealand”, and substituting the words “the Chairman of the University Grants Committee”.
1958, No. 42—The New Zealand Society of Accountants Act 1958	By omitting from section 17 the words “the University of New Zealand for the conduct by that University”, and substituting the words “any University in New Zealand or the University Grants Committee for the conduct by that University or by an Examination Board appointed by the University Grants Committee”.

## SECOND SCHEDULE

### Enactments Repealed

Section 60

1908, No. 132—The New Zealand University Act 1908. (1957 Reprint, Vol. 11, p. 245.)

1914, No. 68—The New Zealand University Amendment Act 1914. (1957 Reprint, Vol. 11, p. 292.)

1917, No. 28—The Statute Law Amendment Act 1917: Sections 12 and 13. (1957 Reprint, Vol. 11, p. 294.)

1923, No. 39—The New Zealand University Amendment Act 1923. (1957 Reprint, Vol. 11, p. 294.)

1926, No. 70—The New Zealand University Amendment Act 1926. (1957 Reprint, Vol. 11 p. 295.)

1928, No. 54—The New Zealand University Amendment Act 1928. (1957 Reprint, Vol. 11, p. 297.)

1929, No. 30—The New Zealand University Amendment Act 1929. (1957 Reprint, Vol. 11, p. 299.)

1930, No. 36—The New Zealand University Amendment Act 1930. (1957 Reprint, Vol. 11, p. 300.)

1932, No. 11—The Finance Act 1932: Section 4(4), and so much of the First Schedule as relates to the New Zealand University Amendment Act 1914, the New Zealand University Amendment Act 1926, and the New Zealand University Amendment Act 1928. (1957 Reprint, Vol. 5, p. 85.)

1933, No. 37—The Education Law Amendment Act 1933: Section 8. (1957 Reprint, Vol. 11, p. 300.)

1944, No. 25—The Statutes Amendment Act 1944: Section 47. (1957 Reprint, Vol. 11, p. 301.)

1945, No. 40—The Statutes Amendment Act 1945: Sections 58 and 59. (1957 Reprint, Vol. 11, p. 301.)

1945, No. 45—The Finance Act (No. 2) 1945: Section 52. (1957 Reprint, Vol. 11, p. 302.)

1946, No. 40—The Statutes Amendment Act 1946: Sections 61 to 63. (1957 Reprint, Vol. 11, p. 302.)

1948, No. 77—The Statutes Amendment Act 1948: Sections 33 to 35. (1957 Reprint, Vol. 11, p. 303.)

1950, No. 80—The New Zealand University Amendment Act 1950. (1957 Reprint, Vol. 11, p. 304.)

1951, No. 81—The Statutes Amendment Act 1951: Section 20. (1957 Reprint, Vol. 11, p. 305.)

1953, No. 32—The New Zealand University Amendment Act 1953. (1957 Reprint, Vol. 11, p. 305.)

1954, No. 49—The Local Authorities (Members' Contracts) Act 1954: So much of Part II of the First Schedule as relates to the Senate of the University of New Zealand. (1957 Reprint, Vol. 8, p. 535.)

1954, No. 50—The Criminal Justice Act 1954: So much of the First Schedule as relates to the New Zealand University Amendment Act 1926. (1957 Reprint, Vol. 11, pp. 252, 261.)

1954, No. 84—The New Zealand University Amendment Act 1954. (1957 Reprint, Vol. 11, p. 306.)

1956, No. 20—The New Zealand University Amendment Act 1956. (1957 Reprint, Vol. 11, p. 306.)

1957, No. 23—The New Zealand University Amendment Act 1957. (1957 Reprint, Vol. 11, p. 307.)

1957, No. 108—The Taranaki Scholarships Trust Board Act 1957: Section 23.

1958, No. 86—The New Zealand University Amendment Act 1958.

1959, No. 34—The New Zealand University Amendment Act 1959.

1960, No. 80—The New Zealand University Amendment Act 1960.

1948, No. 68—The Education Amendment Act 1948: Section 20.

1960, No. 26—The University Grants Committee Act 1960.

This Act is administered in the Department of Education.