An Act to consolidate the Acts relating to the University of Sydney and Colleges within the University of Sydney.

[Assented to 22nd September, 1900.]

WHEREAS it is expedient for the better advancement of religion and morality and the promotion of useful knowledge, to hold forth to all classes and denominations of Her Majesty's subjects resident in New South Wales, without any distinction whatsoever, an encouragement for pursuing a regular and liberal course of education; and to ascertain by means of examination the persons who acquire proficiency in literature, science, and art, and to reward them by academical degrees as evidence of their respective attainments and by marks of honour proportioned thereto; and to encourage and assist the establishment of colleges within the University of Sydney, in which colleges systematic religious instruction and domestic supervision, with efficient assistance in preparing for the University lectures and examinations, shall be provided for students of the University: Be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—
UNIVERSITY AND UNIVERSITY COLLEGES.

PART I.

Preliminary.

1. This Act may be cited as the "University and University Colleges Act, 1900," and is divided into Parts and Divisions, as follows:—

PART I.—Preliminary.—ss. 1-5.

PART II.—Incorporation and constitution of the University and provisions relating to the Senate.—ss. 6-18.

PART III.—Examinations and degrees.—ss. 19-23.

PART IV.—Endowment and finance.—ss. 24-29.

PART V.—Students, licensed masters, and privileged officers.—ss. 30-32.

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Division 1.—Interpretation.—s. 33.

Division 2.—Endowment and subscribed fund—

(i.) Conditions of endowment.—ss. 34, 35.

(ii.) Endowment for building.—s. 36.

(iii.) Endowment for principal.—ss. 37-39.

(iv.) Interest on subscribed fund.—s. 40.

Division 3.—Government of students.—s. 41.

2. (1) The Acts mentioned in the Schedule to this Act are, to the extent therein expressed, hereby repealed.

(2) All persons elected or appointed under the Acts hereby repealed, and holding office at the time of the passing of this Act, shall continue in office as if this Act had been in force at the time they were appointed, and they had been appointed hereunder.

(3) All regulations or by-laws made under the authority of any Act hereby repealed, and being in force at the time of the passing of this Act, shall be deemed to have been made under the authority of this Act, and references in such regulations to the provisions of any Act hereby repealed shall be deemed to be references to the corresponding provisions of this Act.

3. In this Act, unless the context or subject-matter otherwise indicates or requires,—
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“Bachelor” means any person upon whom the degree of Bachelor has been conferred by the University.

“Doctor” means any person upon whom the degree of Doctor has been conferred by the University.

“Fellow” means a member of the Senate.

“Master” means any person upon whom the degree of Master has been conferred by the University.

“University” means the University of Sydney.

4. Nothing in this Act shall be deemed to affect or interfere with any right, title, or interest of Her Majesty, Her Heirs and Successors, or in any way to limit the Royal Prerogative.

3. The benefits and advantages of the University, and the provisions of this and any other Act relating thereto, shall be deemed to extend in all respects to women equally with men.

PART II.
Incorporation and constitution of the University and provisions relating to the Senate.

6. The University of Sydney is the body politic and corporate incorporated by that name under the Act fourteenth Victoria number thirty-one, and shall, by that name, have a perpetual succession and a common seal and power to sue and be sued, and to take, purchase, and hold all real and personal property whatsoever, whether the same is situate in New South Wales or elsewhere, and to grant, demise, alien, or otherwise dispose of the same, and also to do all other matters and things incidental or appertaining to a body politic.

Provided that the University shall not, unless with the approval of the Governor, alienate, mortgage, charge, or demise any of its lands, except by way of lease for any term not exceeding thirty-one years from the making thereof, by which lease there shall be reserved and made payable during the whole of the term the best yearly rent that can reasonably be obtained without any fine or foregift.
7. The said body politic and corporate shall consist of a Senate which shall be constituted by—

(a) sixteen elective fellows, who shall be elected as hereinafter provided, and of whom at least twelve shall be laymen; and

(b) not fewer than three nor more than six ex officio Fellows, who shall be Professors of the said University in such branches of learning as the Senate shall from time to time by any by-law select.

8. Every vacancy occurring by death, resignation, or otherwise among the elective Fellows shall be filled up as it occurs by the election, at a meeting duly convened for the purpose, of such other fit and proper person as may be elected to fill such vacancy by the majority of the following persons present at such meetings, that is to say,—

(a) Fellows;

(b) Officials declared by this Act to have the same rights and privileges within the University as Masters and Doctors;

(c) Graduates keeping their names in accordance with any by-law in that behalf on the register of the University who have taken within the University the degree of Master or of Doctor;

(d) Bachelors and all other persons who obtain any certificate which the Senate by by-law declares to be equivalent to the degree of Bachelor, if such Bachelors or other persons are of three years standing in the University, after obtaining such degree or certificate, and are of the age of twenty-one years.

9. Unless by death or resignation no vacancy among the elective Fellows shall occur for any cause not previously specified in some by-law of the University.

10. (1) The Senate shall elect out of their own body, by a majority of votes, a Chancellor of the University, who shall hold office for such period as the Senate shall from time to time appoint.
(2) Whenever a vacancy occurs in the said office by death, resignation, or otherwise, the Senate shall, in like manner, elect out of their own body, a person to fill that office.

11. (1) The Senate shall annually, on a day of which due notice has been given, elect out of their own body a Vice-Chancellor of the University, who shall hold office for one year.

(2) Whenever a vacancy occurs in the said office by death, resignation, or otherwise before the expiration of the year of office, the Senate shall, as soon as conveniently may be, hold a meeting of which due notice has been given, and at such meeting elect out of their own body some other person to be Vice-Chancellor for the remainder of the year.

(3) Any Vice-Chancellor shall be capable of re-election as often as is deemed meet.

12. (1) At every meeting of the Senate the Chancellor or, in his absence, the Vice-Chancellor shall preside as chairman, but if the Chancellor and Vice-Chancellor are both absent, the Fellows present shall elect a chairman.

13. (1) All questions which come before the Senate shall be decided at any meeting duly convened, at which a quorum is present, by a majority of the votes of the Fellows present.

(2) The chairman at any such meeting shall have a vote, and in case of an equality of votes a second or casting vote.

(3) At any such meeting—

(a) five Fellows of whom the Chancellor or Vice-Chancellor shall be one; or

(b) in the absence of both the Chancellor and Vice-Chancellor, eight Fellows shall form a quorum.

14. (1) The Senate shall have full power to appoint and dismiss all professors, tutors, officers, and servants of the University.

(2) The Senate shall have the entire management of and superintendence over the affairs, concerns, and
property of the University, and in all cases unprovided
for by this Act the Senate may act in such manner as
appears to them to be best calculated to promote the
purposes of the University.

15. (1) The Senate may make by-laws and regula-
tions relating to—

(a) the discipline of the University; and
(b) examinations for and the granting of scholarships,
exhibitions, degrees, certificates or honours; and
(c) the conferring of \*ad eundem\* degrees;
(d) the mode and time of convening meetings of the
Senate; and
(e) all other matters whatsoever regarding the Uni-
versity;

Provided that no such by-law or regulation shall
be repugnant to any existing law or to the general
objects and provisions of this Act.

(2) All such by-laws and regulations shall be
reduced to writing and submitted for the considera-
tion and approval of the Governor, and when approved shall
be countersigned by him, and when so countersigned
and sealed with the seal of the University shall be of
full force and effect.

(3) The Colonial Secretary shall lay every such
by-law and regulation before the Legislative Council
and Legislative Assembly during the session of Parlia-
ment in which it becomes in force or within six weeks
after the beginning of the next ensuing session.

(4) Any such by-law or regulation may be proved
in any Court by the production of a verified copy under
the seal of the University.

16. (1) The University shall once at least in every
year, and also whenever the pleasure of the Governor
may be signified in that behalf, report their proceedings

(2) A copy of such report shall be laid before the
Legislative Council and Legislative Assembly within six
weeks after it is made if Parliament is then in session;
or, if not, then within six weeks after the beginning of
the next ensuing session.
17. The Governor of New South Wales shall be the Visitor of the University, with authority to do all things that pertain to visitors as often as he deems meet.

18. No religious test shall be administered to any person in order to entitle him to be admitted as a student of the University, or to hold any office therein, or to partake of any advantage or privilege thereof.

Provided that this enactment shall not be deemed to prevent the making of regulations for securing the due attendance of the students for divine worship at such church or chapel as their parents or guardians may approve.

PART III.

Examinations and degrees.

19. (1) The Senate may give such instruction as it thinks fit, and may, after examination, confer the several degrees of Bachelor, Master, and Doctor, and such other degrees and such certificates in the nature of degrees as it thinks fit in all branches of knowledge, except theology and divinity.

Provided that no student in the University shall be compelled to attend lectures upon or pass examinations in any of the following subjects, namely:—Ethics, metaphysics, and modern history.

(2) All persons who obtain any certificate or qualification which the Senate by by-law declares to be of equivalent rank to the degree of Bachelor shall have the same rights and privileges within the University as Bachelors.

20. (1) At the conclusion of every examination of candidates the examiners shall declare the name of every candidate whom they deem entitled to any degree, and also—

(a) the departments of knowledge in which his proficiency has been evinced; and

(b) his proficiency in relation to that of other candidates.
Certificates.

(2) The Chancellor shall give every such candidate a certificate under the seal of the University and signed by such Chancellor, in which the particulars so declared shall be stated.

Ad eundem degrees. 44 Vic. No. 22, s. 1.

 Rights of holders.

21. (1) When any person has obtained in any University, recognised by the by-laws of the University in force for the time being, any degree corresponding or equivalent to any degree which the Senate is now or may hereafter be empowered to confer after examination, the Senate may confer such latter degree upon such persons without examination.

(2) The persons upon whom degrees are conferred, under the provisions of the preceding subsection, shall be entitled to the same rights and privileges as appertain to those who have taken the same degrees in the ordinary course in the University.

Senate may authorise educational establishments to issue certificates. 4 Vic. No. 31, s. 11.

Upon which degrees may be granted.

22. (1) The Senate may authorise any college or educational establishment, whether incorporated or not, instituted for the promotion of literature, science, or art, to issue to candidates for the degrees of Bachelor of Arts, Master of Arts, Bachelor of Laws, and Doctor of Laws certificates to the effect that the candidate for any such degree has completed such course of instruction therefor as the Senate by regulation prescribes.

(2) Any person who presents to the Senate any such certificate may be admitted as a candidate for the degree to which it has reference.

Report on medical establishments by Senate. 14 Vic. No. 31, s. 12.

Candidates from such establishments may be admitted to degrees.

23. (1) For the purpose of granting the degrees of Bachelor of Medicine and Doctor of Medicine, and for the improvement of medical education in all its branches, as well in medicine as in surgery, midwifery, and pharmacy, the Senate may report to the Governor the medical institutions and schools, whether incorporated or not, in the city of Sydney, from which, either singly or jointly with other medical institutions and schools in New South Wales or in foreign parts, it appears to the Senate fit and expedient to admit candidates for medical degrees.

(2) On approval of such report by the Governor, the Senate shall admit as a candidate for the degree of Bachelor of Medicine or Doctor of Medicine any person...
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who presents to the Senate a certificate from any such institution or school to the effect that such person has completed the course of instruction therefor which the Senate by regulation prescribes.

PART IV.

Endowment and finance.

24. (1) By way of permanent endowment for the University the Governor is hereby empowered by warrant, under his hand, to direct to be issued and paid out of the Consolidated Revenue Fund the sum of five thousand pounds in every year as a fund for building, and for defraying the several stipends appointed to be paid to the several professors or teachers of literature, science, and art, and to such necessary officers and servants as are from time to time appointed by the Senate, and for defraying the expense of such prizes, scholarships, and exhibitions as are awarded for the encouragement of students in the University, and for providing gradually a library for the same, and for discharging all incidental and necessary charges connected with the current expenditure thereof.

Provided that the Senate may apply any portion of the said endowment fund to the establishment and maintenance of a college in connection with and under the provisions of the University.

(2) The said sum shall be paid in four equal quarterly instalments, on the first day of January, the first day of April, the first day of July, and the first day of October, in every year.

25. The Senate may charge such reasonable fees for the respective degrees conferred as they with the approbation of the Governor direct. Such fees shall be carried to one general fee fund for the payment of the expenses of the University.

26. The Senate may by any by-laws or regulations provide for payment by the students of the University of reasonable fees to the professors or teachers for
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attendance on their lectures. Such professors or teachers may, in addition to their stipends, demand and receive such fees from the students.

27. The Senate may in like manner provide for payment by such students of reasonable fees for entrance, degrees, certificates, and other University charges. The Treasurer of the University shall, on behalf of the University, collect such fees from the students.

28. The securities representing the investments of the sum of money bequeathed by the late Solomon Levey, Esquire, to the Sydney College, with the interest thereon, shall be held by the Senate upon trust to continue to hold the same, or to alter them from time to time in favour of other investments at interest upon such security and in such manner in all respects as the Senate in their absolute discretion think fit, and the clear or net interest or income arising therefrom shall be applied in or towards the endowment of a scholarship in the University under such regulations as the Senate, in their absolute and uncontrolled discretion in respect of making and altering the same, deem to be as nearly as circumstances permit in accordance with the intention of the said Solomon Levey in making the aforesaid bequest.

29. The Senate shall once in every year transmit a full account of the whole income and expenditure of the University to the Colonial Secretary, who shall submit the same to the Legislative Council and Legislative Assembly to be subjected to such examination and audit as such Council and Assembly may direct.

PART V.

Students, licensed masters, and privileged officials.

30. No student shall be allowed to attend the lectures or classes of the University unless he dwells—

(a) with his parents or guardian; or
(b) with some relative or friend selected by his parents or guardian and approved by the Chancellor or Vice-Chancellor; or
(c) in some collegiate or other educational establishment; or

(d) with a tutor or master of a boarding-house licensed by the Chancellor or Vice-Chancellor as herein-after mentioned.

31. (1) Every person desirous of being licensed as a tutor or master of a boarding-house in connection with the University shall apply for his license to the Chancellor or Vice-Chancellor in writing under his hand, specifying the house or houses belonging to or occupied by the applicant and intended by him for the reception of students, and the number of students who may be conveniently lodged and boarded therein.

(2) Such Chancellor or Vice-Chancellor may require testimonials of character and fitness for the office, and thereupon may grant or withhold the license for the academical year then current or then next ensuing.

(3) Every such license shall be registered in the archives of the University and shall lapse at the end of the academical year in which it was registered, but may be renewed by the Chancellor or Vice-Chancellor and re-registered.

(4) Every such license shall be revocable at any time, and the Chancellor or Vice-Chancellor may forthwith revoke the same in case of any misbehaviour of such tutor or master of a boarding-house or of the students under his care which, in the opinion of the Chancellor or Vice-Chancellor and a majority of the professors of the University, ought to be punished by immediate revocation of such license.

32. Each and every of the following officials, that is to say—

(a) every professor and other public teacher and examiner in the schools of the University; and

(b) every principal of any incorporated college within the University; and

(c) every superior officer of the University declared to be such by any by-law
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shall, during his tenure of office, but no longer, have the same rights and privileges within the University as are enjoyed by Masters and Doctors.

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PART VI.

Colleges within the University.

Division 1.—Interpretation.

33. In this part of this Act, unless the context or subject-matter otherwise indicates or requires,—

"College" means a college within the University.

"Principal" includes the master, warden, rector, or any other head of a college.

Division 2.—Endowment and subscribed fund.

(i) Conditions of endowment.

34. Whenever—

(a) any college has been established and incorporated by any Act; and

(b) the founders of or subscribers to such college have complied with the conditions mentioned in the next section,

such college shall be entitled to the endowments hereinafter severally mentioned, which said endowments shall be paid by the Treasurer under warrants signed by the Governor.

35. No such college although incorporated shall be entitled to such endowments unless and until the sum of ten thousand pounds at the least has been subscribed by its founders, and of that sum not less than four thousand pounds has been paid and invested in such manner as the Governor approves, and the residue has been to his satisfaction secured to be paid within three years next following; nor unless

(a) the whole of the said ten thousand pounds is to be devoted exclusively to the erection of college buildings on land granted for that purpose by Her Majesty to the University in trust for such
college, if any is so granted, and if not then upon
land otherwise conveyed to and accepted by the
University in such trust; and

(b) it has been agreed by the founders that the entire
amount shall be so expended, if the University so
requires, within five years next after the first pay-
ment on account of either of such endowments.

(ii) Endowment for building.

36. There shall be paid out of the Consolidated Revenue,
in aid of the building fund of every college so incorporated,
a sum or sums not exceeding in the whole twenty thousand
pounds, nor more than has been from time to time actually
expended by the college out of its subscribed funds for
the purpose of building.

(iii) Endowment for principal.

37. There shall be paid out of the said Consolidated
Revenue annually, to such incorporated college in per-
petuity, a sum of five hundred pounds for the use of and
as a salary to the principal of such college or in aid of
such salary.

38. Every such principal shall be entitled to the annual salary hereby provided for on the production of his own
certificate at the time of each payment that he has
during the period to which it relates performed the
duties of his office.

Provided that he shall transmit to the Colonial Secretary once in each year a certificate to the like
effect under the hands of such persons as are for that purpose appointed by the constitution or rules of the
particular college.

39. Where any person selected to be the principal of
any such college is out of New South Wales at the time
of his appointment no such certificate shall be required
until after he has actually entered on his duties, but he
shall be entitled to the salary, and the college to which
he has been appointed may receive the same accordingly
for his use from the day of his embarkation for New
South Wales.
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Provided that every principal shall actually enter on his duties within six months after such embarkation unless the Governor, upon being satisfied that unavoidable obstacles have intervened, thinks fit to extend that term to nine months.

(iv) **Interest on subscribed fund.**

40. Until the subscribed fund is required for the erection of college buildings as aforesaid, the interest or other proceeds accruing from the investment thereof, or of the portion remaining unexpended from time to time, may be applied to the general purposes of the college as the governing body of such college may determine.

Division 3.—**Government of students.**

41. All students in any such college shall immediately upon entering therein matriculate in the University, and shall thereafter submit and be subject to the discipline thereof, and shall be required duly and regularly to attend the lectures of the University on those subjects an examination and proficiency in which are required for honours and degrees, with the exception, if thought fit by any such college, of lectures on ethics, metaphysics and modern history.
### SCHEDULE.

<table>
<thead>
<tr>
<th>Reference to Act</th>
<th>Title or Short Title</th>
<th>Extent of repeal</th>
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<tbody>
<tr>
<td>14 Vic. No. 31</td>
<td>An Act to incorporate and endow the University of Sydney.</td>
<td>The whole.</td>
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<tr>
<td>16 Vic. No. 28</td>
<td>An Act to amend an Act intitled an Act to incorporate and endow the University of Sydney.</td>
<td>The whole.</td>
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<tr>
<td>17 Vic. No. 18</td>
<td>An Act to enable the University of Sydney to purchase the Sydney College with the land attached thereto.</td>
<td>The whole.</td>
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<tr>
<td>18 Vic. No. 37</td>
<td>An Act to provide for the establishment and endowment of colleges within the University of Sydney.</td>
<td>The whole.</td>
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<tr>
<td>22 Vic. No. 8</td>
<td>An Act to amend an Act intitled an Act to provide for the establishment and endowment of colleges within the University of Sydney.</td>
<td>The whole.</td>
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<tr>
<td>24 Vic. No. 13</td>
<td>An Act to amend the Sydney University Incorporation Act.</td>
<td>The whole.</td>
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