



Employment, Education and Training Legislation Amendment Act 1994

No. 79 of 1994

**An Act to amend various Acts, and to repeal other Acts,
relating to employment, education and training, and for
related purposes**

[Assented to 23 June 1994]

The Parliament of Australia enacts:

PART 1—PRELIMINARY

Short title

1. This Act may be cited as the *Employment, Education and Training Legislation Amendment Act 1994*.

Commencement

2. This Act commences on the day on which it receives the Royal Assent.

PART 2—REPEALS

Repeals

3. The following Acts are repealed:

States Grants (Advanced Education Assistance) Act 1976

States Grants (Tertiary Education Assistance) Act 1987

States Grants (Technical and Further Education Assistance) Act 1989.

PART 3—HIGHER EDUCATION FUNDING ACT 1988

Principal Act

4. In this Part, “**Principal Act**” means the *Higher Education Funding Act 1988*¹.

Maximum grants

5. Section 17 of the Principal Act is amended by omitting paragraphs (f), (g) and (h) and substituting the following paragraphs:

“(f) in the case of the year 1994—\$3,500,395,000; and

(g) in the case of the year 1995—\$3,565,351,000; and

(h) in the case of the year 1996—\$3,616,156,000.”.

PART 4—MARITIME COLLEGE ACT 1978

Principal Act

6. In this Part, “**Principal Act**” means the *Maritime College Act 1978*².

Interpretation

7. Section 4 of the Principal Act is amended:

(a) by omitting “or the Chairman” from the definition of “ex officio member” and substituting “, the Chairperson or the Chairperson of the Academic Board of the College”;

(b) by omitting “a” from the definition of “teaching staff member” and substituting “the”;

(c) by omitting the definitions of “Chairman” and “Deputy Chairman”;

(d) by inserting the following definitions:

“‘**Chairperson**’ means the Chairperson of the Council;

‘**Deputy Chairperson**’ means the Deputy Chairperson of the Council;”.

*Employment, Education and Training Legislation
Amendment No. 79, 1994*

Constitution of Council

8.(1) Section 11 of the Principal Act is amended by omitting paragraph (c) and substituting the following paragraphs:

- “(ba) the Chairperson of the Academic Board of the College;
- (c) one member of the teaching staff of the College elected by the teaching staff;”.

(2) The member of the Council who, immediately before the commencement of this section, was a teaching staff member because he or she was elected by the senior teaching staff of the College stops being a teaching staff member at the commencement of this section.

(3) The other member of the Council who, immediately before the commencement of this section, was a teaching staff member:

- (a) after the commencement of this section, holds office as the teaching staff member of the Council; and
- (b) continues to hold that office until the time when his or her term of office as a teaching staff member of the Council would otherwise have expired.

Repeal of section 12

9. Section 12 of the Principal Act is repealed.

Term of office

10. Section 13 of the Principal Act is amended by inserting after subsection (3) the following subsection:

“(4) The Chairperson of the Academic Board of the College holds office as a member while he or she holds office as the Chairperson of the Academic Board.”.

Chairperson and Deputy Chairperson

11. Section 15 of the Principal Act is amended by omitting “Chairman” (wherever occurring) and substituting “Chairperson”.

Removal from office

12. Section 17 of the Principal Act is amended by adding at the end of subsection (3) “or the Chairperson of the Academic Board of the College”.

Member to cease to hold office in certain circumstances

13. Section 19 of the Principal Act is amended by inserting in subsection (1) “or the Chairperson of the Academic Board of the College” after “Principal”.

*Employment, Education and Training Legislation
Amendment No. 79, 1994*

Statutes

14. Section 24 of the Principal Act is amended by omitting paragraph (1)(c) and substituting the following paragraph:

“(c) the persons who are to be regarded as members of the teaching staff of the College for the purposes of this Act;”.

Further amendments

15. The Principal Act is further amended as set out in the Schedule.

Employment, Education and Training Legislation
Amendment No. 79, 1994

SCHEDULE

Section 15

1. Amendments relating to Chairperson and Deputy Chairperson

The following provisions are amended by omitting “Chairman” (wherever occurring) and substituting “Chairperson”:

Paragraph 11(1)(f)

Subsection 13(8)

Section 21

Subsections 22(1), (2), (3), (4) and (9).

2. Further amendments

Provision	Amendment
1. Subsection 13(2)	Insert “or she” after “he”.
2. Subsection 13(3)	Omit “his”, substitute “the”.
3. Paragraph 13(5)(b)	Insert “or she” after “he”.
4. Subparagraph 13(7)(b)(ii)	Insert “or she” after “he”.
5. Subsection 13(8)	Insert “or her” after “his”. Insert “or she” after “he”.
6. Section 14	Insert “or her” after “his”.
7. Paragraph 15(3)(a)	Insert “or her” after “his”.
8. Paragraph 15(3)(b)	Insert “or her” after “his”. Insert “or her” after “him”.
9. Paragraph 15(4)(a)	Insert “or her” after “his” (twice occurring). Insert “or she” after “he”.
10. Paragraph 15(4)(b)	Insert “or her” after “his”. Insert “or her” after “him”.
11. Paragraph 15(4)(c)	Insert “or she” after “he”.
12. Subsection 17(2)	Insert “or her” after “his” (twice occurring). Insert “or her” after “him” (twice occurring).

Employment, Education and Training Legislation
Amendment No. 79, 1994

SCHEDULE—continued

Further amendments—continued

Provision	Amendment
13. Subsection 18(1)	Insert “or she” after “he”. Insert “or her” after “his” (twice occurring).
14. Subsection 19(1)	Insert “or her” after “his”. Insert “or her” after “him”.
15. Subsection 19(2)	Omit “he”, substitute “the person”.
16. Subsection 19(3)	Omit “he”, substitute “the person”.
17. Section 20	Insert “or her” after “his” (twice occurring).
18. Subsection 22(3)	Insert “or she” after “he”.
19. Subsection 22(9)	Insert “or she” after “he”.
20. Subsection 26(4)	Insert “or her” after “his”.
21. Subsection 26(5)	Insert “or she” after “he”.
22. Paragraph 27(1)(b)	Insert “or her” after “his”.
23. Subsection 27(4)	Insert “or she” after “he”. Omit “his”, substitute “the”. Insert “or her” after “him”.
24. Subsection 27(5)	Insert “or she” after “he”.
25. Paragraph 27(6)(a)	Insert “or her” after “his”.
26. Paragraph 27(6)(c)	Insert “or her” after “his”.

NOTES

1. No. 2, 1989, as amended. For previous amendments, see No. 138, 1988; Nos. 80, 168 and 179, 1989; No. 122, 1990; Nos. 53, 177 and 216, 1991; Nos. 74 and 158, 1992; and No. 116, 1993.
2. No. 54, 1978, as amended. For previous amendments, see No. 80, 1982; No. 72, 1984; No. 65, 1985; No. 137, 1986; No. 126, 1987; Nos. 38 and 87, 1988; No. 2, 1989; and No. 158, 1992.

*Employment, Education and Training Legislation
Amendment No. 79, 1994*

*[Minister's second reading speech made in—
House of Representatives on 11 May 1994
Senate on 12 May 1994]*