

Serial 163
Menzies School of Health Research Amendment Bill 2016
Mr Elferink

A Bill for an Act to amend the *Menzies School of Health Research Act*

NORTHERN TERRITORY OF AUSTRALIA

MENZIES SCHOOL OF HEALTH RESEARCH AMENDMENT ACT 2016

Act No. [] of 2016

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NORTHERN TERRITORY OF AUSTRALIA

Act No. [] of 2016

An Act to amend the *Menzies School of Health Research Act*

[Assented to [] 2016]
[Second reading [] 2016]

The Legislative Assembly of the Northern Territory enacts as follows:

1 Short title

This Act may be cited as the *Menzies School of Health Research Amendment Act 2016*.

2 Commencement

This Act commences on the day fixed by the Administrator by *Gazette* notice.

3 Act amended

This Act amends the *Menzies School of Health Research Act*.

4 Section 3 amended

(1) Section 3, definition ***Menzies Foundation***

omit

(2) Section 3

insert (in alphabetical order)

Council means the Council of Charles Darwin University as defined in section 3 of the *Charles Darwin University Act*.

5 Section 11 replaced

Section 11

repeal, insert

11 Composition of Board

- (1) The Board consists of:
 - (a) the Director; and
 - (b) the Vice Chancellor of Charles Darwin University; and
 - (c) at least 5 Board members, but no more than 9 Board members, appointed by the Council.
- (2) The Council may appoint a person to be a Board member under subsection (1)(c) only if:
 - (a) the Council is satisfied that the person has skills, knowledge and experience in one or more of the following areas:
 - (i) commerce;
 - (ii) financial management or accounting;
 - (iii) law;
 - (iv) marketing;
 - (v) philanthropy;
 - (vi) scientific, biomedical or clinical health research; and
 - (b) the Council is satisfied that the person holds suitable qualifications, or has suitable knowledge or experience relating to the functions of the School.
- (3) Each of the areas mentioned in subsection (2)(a) must be represented at all times by the Board members appointed under subsection (1)(c).

6 Section 12 amended

- (1) Section 12, heading

omit

Period

insert

Term

- (2) Section 12(1)

omit

all words from "11(1)(d)" to "Administrator"

insert

11(1)(c) holds office for a term not exceeding 3 years, as the Council

- (3) Section 12(2)

omit

- (4) Section 12(3)

omit

all words from "a Board" to "term"

insert

as a Board member under section 11(1)(c) may be reappointed when the term of appointment

7 Section 13 amended

- (1) Section 13(1) and (2)

omit

11(1)(d)

insert

11(1)(c)

(2) Section 13(1) and (2)

omit

elect

insert

nominate

(3) After section 13(2)

insert

(3) The Council may confirm or refuse to confirm an appointment made under subsection (1) or (2).

(4) No appointment made under subsection (1) or (2), or a term or condition in respect of any such appointment, is in force or has effect unless and until confirmed by the Council.

8 Section 14 replaced

Section 14

repeal, insert

14 Resignation of Board member

A Board member appointed under section 11(1)(c) may resign as a Board member by giving written notice to the Secretary.

9 Section 15 amended

(1) Section 15

omit

11(1)(d)

insert

11(1)(c)

(2) Section 15(a) and (b)

omit

he

insert

the Board member

(3) Section 15(a)

omit

all words from "his creditors" to "benefit;"

insert

the Board member's creditors or makes an assignment of the Board member's remuneration for the Board member's benefit; or

(4) Section 15(b) and (d), at the end

insert

or

(5) Section 15(c)

omit

Administrator

insert

Council

(6) Section 15(c)

omit

all words from "he" to "appointment;"

insert

the Board member has become incapable of performing the duties of a Board member and is unlikely to be able to perform the duties for the remainder of the Board member's term of appointment; or

(7) Section 15(d)

omit

he absents himself

insert

the Board member is absent

(8) Section 15(d)

omit

all words from "him" to "he"

insert

the Board member personally or by post and the Board member

(9) Section 15(e) to (g)

omit, insert

(e) if the Board member resigns from office; or

(f) if the Board member knowingly contravenes or fails to comply with section 16.

10 Section 29 amended

Section 29(1) and (3)

omit (all references)

Administrator

insert

Council

11 Section 33 amended

(1) Section 33(1) and (4)

omit (all references)

shall

insert

must

(2) Section 33(2)

omit

Administrator

insert

Council

(3) Section 33(3)

omit

all words from "shall" to "Administrator"

insert

is in force or has effect unless and until confirmed by the Council

12 Part VII heading inserted

After section 42

insert

Part VII Transitional matters

13 Section 43 heading amended

Section 43, heading, after "**Transitional**"

insert

matters for Menzies School of Health Research Act 1985

14 Section 44 inserted

After section 43

insert

44 Transitional matters for *Menzies School of Health Research Amendment Act 2016*

- (1) The person who was, immediately before the commencement of the amending Act, the Director, continues to be the Director after the commencement.

(2) In this section:

amending Act means the *Menzies School of Health Research Amendment Act 2016*.

commencement means the commencement of the amending Act.

15 Act further amended

The Schedule has effect.

16 Expiry of Act

This Act expires on the day after it commences.

Schedule Act further amended

section 15

Provision	Amendment	
	<i>omit</i>	<i>insert</i>
sections 22, 26(2), 30(1) and (2) and 32(2)(b)	of Charles Darwin University (<i>all references</i>)	
