

SAMOA

Arrangement of Provisions

- | | |
|--|---------------------------------------|
| 1. Short title and commencement | 9. Powers of the Council |
| 2. Interpretation | 10. Powers of Delegation |
| 3. Establishment of the University | 11. Establishment of the Senate |
| 4. Legal status of the University | 12. Functions of the Senate |
| 5. The functions of the University | 13. Statutes |
| 6. Deputy Vice-Chancellors | 14. Performance and Management Report |
| 7. Composition of Council | 15. Annual Report |
| 8. Criteria for appointment to Council | 16. Repealed provisions |
| | 17. Schedule 1 |

2010, No. 22

AN ACT to amend the National University of Samoa Act 2006.
[19th October 2010]

BE IT ENACTED by the Legislative Assembly of Samoa in Parliament assembled as follows:

1. Short title and commencement-(1) This Act may be cited as the National University of Samoa Amendment Act 2010 and shall be read together with and form part of the National University of Samoa Act 2006 (hereafter called the “Principal Act”).

(2) This Act commences on the date it is assented to by the Head of State.

2. Interpretation - Section 2 of the Principal Act is amended:

- (a) by repealing the definitions of “Academic Board” and “Joint Committee of Senate and Academic Board”; and
- (b) in the definition of “Committee of the Council”, omit the words “the Academic Board,”.

3. Establishment of the University – Section 3 of the Principal Act is amended:

- (a) by repealing subsections (3), (4), (5) and (6); and
- (b) by renumbering subsection (7) as subsection (3).

4. Legal status of the University – Section 4(4) of the Principal Act is amended by omitting the word “not”.

5. The functions of the University – Section 5 of the Principal Act is amended:

- (a) by omitting the second mention of the word “and” in paragraph (e);
- (b) by omitting the full stop at the end of paragraph (f) and inserting a semi colon;
- (c) by inserting the following new paragraphs after paragraph (f):

“(g) The recognition of prior learning or competency and providing for flexible transition into University programs;

(h) The establishment and maintenance of connections with public and private workplaces and the Samoan community; and

- (i) The establishment of associations or arrangements with any institution.”.

6. Deputy Vice-Chancellors - Section 11 of the Principal Act is amended by omitting subsections (1), (2) and (3), and inserting new subsections (1), (2) and (3) as follows:

“(1) There shall be such number of Deputy Vice-Chancellors as may be determined by the Council.

(2) The Deputy Vice-Chancellors are responsible to the Vice-Chancellor for matters delegated to them by the Vice-Chancellor.

(3) The Deputy Vice-Chancellors are appointed for a term of up to three (3) years by a committee determined by the Council on such terms and conditions as the Vice-Chancellor determines, and may be re-appointed from time to time.”.

7. Composition of Council - Section 14(1) of the Principal Act is amended:

- (a) by repealing paragraphs (d) and (h);
- (b) by omitting paragraph (f) and inserting a new paragraph as follows:

“(f) an enrolled student of the University who is not a member of the staff of the University;”;

- (c) in paragraph (i), by omitting -
 - (i) number “5” and inserting number “6”;
 - and
 - (ii) the words “full-time” and “fun-time”;
- (d) in paragraph (j), by omitting number “3” and inserting number “4”; and
- (e) by rearranging the remaining paragraphs including the amended paragraphs in alphabetical order.

8. Criteria for appointment to Council - Section 15 of the Principal Act is amended by omitting the references to “section 14(1)(i)” and “section 14(1)(j)” and inserting “section 14(1)(g)” and “section 14(1)(h)” respectively.

9. Powers of the Council - Section 18(2)(d) of the Principal Act is amended by omitting the words “or students”.

10. Powers of Delegation - Section 19(5) of the Principal Act is amended by omitting the word “tenor” and inserting the word “tenure”.

11. Establishment of the Senate - Section 23 of the Principal Act is amended as follows:

- (a) in the section heading, omit “**Academic Board and Joint Committee**”;
- (b) omit subsection (1) and insert the following:

“(1) The Council shall establish a Senate consisting of the Vice-Chancellor, any Deputy Vice-Chancellor and members of the staff and students as provided in the relevant statute.”;

- (c) repeal subsections (2) and (3); and
- (d) omit subsection (4) and insert the following:

“(2) The Vice-Chancellor shall be the chairperson of the Senate and may delegate the chair to any other member of the Senate.”.

12. Functions of the Senate - Section 24 of the Principal Act is amended as follows:

- (a) in the section heading, omit “Academic Board and Joint Committee”;
- (b) in subsection (1), omit the phrase “and the Academic Board”;
- (c) in subsection (1)(a), omit the phrase “within their institutes”;
- (d) repeal subsection (2);

- (e) in subsection (3), omit both mentions of the phrase “or Academic Board”;
- (f) in subsection (4), omit the reference to “subsection (3)” and insert “subsection (2)”;
- (g) renumber the remaining subsections in numerical order.

13. Statutes - Section 25(2)(c) of the Principal Act is amended by omitting, “Academic Board, Joint Committee of Senate and Academic Board”.

14. Performance and Management Report – Section 33(1) of the Principal Act is omitted and replaced with the following:

“(1) The Vice-Chancellor shall prepare, for the approval of Council, an annual report on the operations of the University, a budget performance report for the relevant financial year, together with financial statements in accordance with section 104 of the Public Finance Management Act 2001.”.

15. Annual Report - Section 34 of the Principal Act is repealed.

16. Repealed provisions - The Principal Act is amended as follows:

- (a) in section 37 -
 - (i) repeal subsections (2), (3) and (4); and
 - (ii) renumber subsections (5) and (6) as subsections (2) and (3) respectively;
- (b) repeal sections 38, 39, 40, 41, 42, 44 and 45; and
- (c) renumber sections 43, 46 and 47 as sections 40, 41 and 42 respectively.

17. Schedule 1 - Schedule 1 of the Principal Act is amended as follows:

- (a) in clause 1(a), omit “section 14(1)(f)” and insert “section 14(1)(e)”;

- (b) in clause 1(b), omit “section 14(1)(c), (d), (e), (i) and (j)” and insert “section 14(1)(c), (d), (g) and (h)”;
- (c) in clause 1(c) -
 - (i) omit “section 14(1)(c), (d), (e) and (f)” and insert “section 14(1)(c) and (e)”;
 - (ii) omit the words “may be”;
- (d) in clause 1(d), omit “section 14(1)(c), (d), (e) and (f)” and insert “section 14(1)(c), (d) and (e)”;
- (e) in clause 1(e), omit “section 14(c), (d), (e), (f), (i) and (j)” and insert “section 14(1)(c), (d), (g) and (h)”;
- (f) in clause 2(2) -
 - (i) omit “Academic Board or”;
 - (ii) after the first mention of “University”, insert “or enrolled students who are not members of the staff of the University”; and
 - (iii) at the end of the subclause, omit full stop and insert “or an enrolled student.”;
- (g) in clause 2(3), omit “(other than the Vice-Chancellor)”; and
- (h) in clause 2(4), omit “Vice-Chancellor” and insert “Pro-Chancellor”.

The National University of Samoa Amendment Act 2010 is administered by the Ministry of Education, Sports and Culture.