**ROSEWORTHY AGRICULTURAL COLLEGE ACT AMENDMENT BILL 1988**

**Legislative Assembly, 9 November 1988, pages 1395-6**

Second reading

**The Hon. L.M.F. ARNOLD (Minister of Employment and Further Education**) obtained leave and introduced a Bill for an Act to amend the Roseworthy Agricultural College Act 1973. Read a first time.

The Hon. L.M.F. ARNOLD: I move: That this Bill be now read a second time.

I seek leave to have the second reading explanation inserted in Hansard without my reading it. Leave granted.

Explanation of Bill

It seeks to amend the Roseworthy Agricultural College Act 1973 in a number of ways. Most of the amendments are relatively minor and could be described as being of a housekeeping nature reflecting changing usages and practices with the passage of time. The impetus for the change arises from the council of the college itself reviewing the Act and suggesting ways in which it might be updated.

Perhaps the most significant of the changes relates to superannuation. The Act presently provides (section 20 (6)) that college employees are employees for the purposes of the Superannuation Act. In other words, it provides an entitlement to membership of the State Superannuation Scheme without giving the discretion to the college, after consultation with staff, to opt for some other arrangement. Recent developments in higher education have seen the establishment of a national scheme entitled (perhaps inappropriately but for historical reasons) the Superannuation Scheme for Australian Universities (SSAU). The Commonwealth, as the principal funding agent for higher education, is keen to see institutions adopt SSAU as the vehicle for making superannuation available to staff. It is proposed in this Bill to amend the college Act in such a way as to enable the college to move to SSAU if it so wishes, whilst at the same time preserving rights of access to the State scheme and protecting existing entitlements.

The Act also provides for the college to be able to be required to pay to the State part of its primary production and agricultural processing income. This provision is a legacy of earlier days in the college’s history when it was under the control of the Minister of Agriculture as Commissioner for Agricultural Endowments. It is not an appropriate provision in the Act of a modern higher education institution, particularly at a time when such institutions are being encouraged to develop their entrepreneurial roles for the benefit of education and research programs. Furthermore the provision has not been used since the college was established as an autonomous institution. This Bill seeks to delete the provision.

Other parts of the Bill seek to:

• delete references to the now non-existent South Australian Board of Advanced Education, Australian Council on Awards in Advanced Education and Australian Commission on Advanced Education;

• update the definitions of academic and ancillary staff;

• clarify eligibility for membership of the council of the college;

• update references to the Department of Technical and Further Education;

• increase the maximum penalty for contravention of the by-laws.

Some might wonder why amendments to this Act are being proposed at this time given the present discussions taking place in relation to the organisation of higher education in the State. In that regard it must be recognised that any such sector-wide changes are not likely to be implemented before the end of 1990 and in the meantime the college has identified a number of areas relating to its present operations requiring attention in the Act. Of particular practical significance at the present time are the provisions dealing with superannuation and, given the need to change those, it is sensible to attend simultaneously to other matters.

It should be mentioned, however, that the college did seek to increase the size of the council. The Government does not support such changes at this time given the statements on sizes of governing bodies in the Commonwealth White Paper on higher education and the discussions taking place in South Australia. This question would need to be addressed in a system-wide context.

Clause 1 is formal. Clause 2 provides that the measure is to come into operation on a day to be fixed by proclamation.

Clause 3 amends the definition section, section 4, by replacing the current definitions of the academic staff and the ancillary staff of the college. The new definition of the academic staff differs from the present definition in two major respects. First, it omits the present requirement for members of the staff to be in the full-time employment of the college. Secondly, it specifically includes within the staff the Associate Director of the college. The new definition of the ancillary staff differs from the present definition in that it omits the requirement that members of the staff be in the full-time employment of the college.

Clause 4 removes an obsolete reference to the Board of Advanced Education. Clause 5 replaces subsection (3) of section 10 relating to election of the President and VicePresident of the council of the college. The new provision excludes the Director of the college from eligibility for election as President or Vice-President. This is in addition to those currently excluded, that is, members of the academic staff, members of the ancillary staff and students.

Clause 6 is of a drafting nature only, correcting or removing outdated references. Clause 7 replaces subsection (6) of section 20 of the principal Act which provides that an employee of the college is an employee for the purposes of the Superannuation Act 1969. The new subsections provide instead that the college may enter into superannuation arrangements with the South Australian Superannuation Board under the new Superannuation Act 1988, as if the college were an instrumentality or agency of the Crown, but that this does not prevent the college from entering into other arrangements for the provision of superannuation benefits for employees of the college subject to the approval of the Treasurer.

Clause 8 increases the maximum penalty for an offence against a by-law of the council of the college from $50 to $200. Clause 9 removes subsection (2) of section 26 which requires the college to pay to the Treasurer, at such times as the Treasurer may determine, so much of the net income of the college from primary production and agricultural processing industries as may be determined by the Minister after consultation with the Treasurer.

Mr S.J. BAKER secured the adjournment of the debate.