

Mr WIGHTMAN - Talking about Mr Ferguson's concern over clause 6 and the defence in section 54A(2), which creates a defence for parents, the offence to which Mr Ferguson referred relates to a parent selling or delivering R18+ games and is designed to maintain consistency with films under section 37 of the act, which already provides a similar provision. It is noted that this is somewhat inconsistent with section 25 of the act and the new provision relating to the private exhibition of films and games in the presence of a minor. It is my advice today that a bill to remedy the inconsistency is currently being considered so I will await further advice from the department.

Debate adjourned.

Quorum formed.

UNIVERSITY OF TASMANIA AMENDMENT BILL 2012 (No. 32)

Second Reading

[3.41 p.m.]

Mr McKIM (Franklin - Minister for Education and Skills - 2R) - Mr Deputy Speaker, I move

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That the bill be now read the second time.

Officially founded on 1 January 1890, our university was the fourth university to be established in nineteenth century Australia. In 1992, the University of Tasmania was confirmed as a single entity, following its amalgamation with the Tasmanian State Institute of Technology. At that time the University Council was established under the act to govern the institution.

As with other Australian universities, the University of Tasmania has been responding strategically to an altered environment, including strong growth in enrolments, changing funding arrangements, increasing competition, and new regulatory frameworks. These changes have been reflected in the University Council's desire to adopt contemporary management and governance practices.

The University of Tasmania Amendment Act 2001 and University of Tasmania Amendment Act 2004 have enabled the University Council to operate within a more contemporary management and governance framework. Today, the tabling of this bill continues this evolution. The purpose of this legislation is to enable the University Council to be reduced from 18 members to a maximum of 14, to reduce terms of members appointed by the minister and council from four to three years and to formalise council's power to remove the chancellor and deputy chancellor. These changes support the University Council to adopt recommendations from an external review of the processes and structure of the council.

The chancellor of the University of Tasmania, Mr Damian Bugg, requested amendment of the University of Tasmania Act 1992. The changes proposed in this bill are in accord with the Voluntary Code of Best Practice for the Governance of Australian Universities that I, together with my colleagues on the then Ministerial Council on Tertiary Education and Employment -

MCTEE - endorsed in September 2011. This code is supported by the Australian Council of University Chancellors.

This bill, taken together with the reforms introduced through the prior amending acts, enables the University of Tasmania to become fully compliant with the code. The national code, reflected in these proposed amendments, supports continuing transition from a traditional and large representative governance model toward a contemporary corporate governance model, particularly in relation to insistence on stricter governance and accountability of the academic quality and engagement and business competencies of Australian universities.

The University of Tasmania Act 1992 requires the council to provide the minister with an annual report to be laid before both Houses of parliament. The Voluntary Code of Best Practice for the Governance of Australian Universities requires the university to disclose in its annual report its compliance with the code of practice and provide any reasons for non-compliance. The reasoning for the reduction in size and altered composition of the council is that it should no longer be the traditional large body of persons appointed as representatives of particular interest groups. Until 2001, the council comprised 24 members, among them a representative from both Houses of this parliament.

I have mentioned the changing directions in which this country's universities must operate with increasingly complex educational, organisational, business and management responsibilities. Council membership must provide the necessary skills sets for ensuring the proper governance of a large tertiary education business within a highly competitive environment and a budget governed along business lines, rewarding achievement with revenue.

In order to efficiently and effectively discharge its roles and obligations, it has been determined that the council should comprise a minimum 10 with a maximum of 14 members, but preferably operating with 12 members. The proposed composition of the council is:

- the chancellor, vice-chancellor and chair of Academic Senate (all ex officio);
- one elected member of the academic staff;
- one elected member of general staff (to be termed 'professional staff');
- one appointed student;
- two members appointed by the minister; and
- between two and six members appointed by council

The changes proposed are those agreed between me as the minister responsible for the act and the chancellor of the university, Mr Damian Bugg, on 8 November 2011. The current act requires consideration to be given, when appointing members, to required skills, regional and gender balance. That provision will continue. These proposed amendments arose from the external review of the university during the previous 12 months. They were developed through the strategic planning processes of the University Council and communicated internally through the university and more widely through public media release.

I would draw members' attention to the preservation of the minister's prerogative to appoint two members of the council. Not only does this provision reflect the establishment of the University of Tasmania under state legislation but the ongoing significance of the university for Tasmania's economic, social and community good. The government fully supports the introduction of this bill and I commend it to the House.

[3.48 p.m.]

Mr FERGUSON (Bass) - Ten days ago it was my pleasure to attend the graduation ceremony for graduates from the University of Tasmania at the beautiful Albert Hall in my fantastic electorate of Bass. Graduates received degrees and diplomas from undergraduate right through to doctoral level. The students were graduating from enrolments at the Australian Maritime College, the faculties of arts, business, education, health, science and the faculties of science, engineering and technology. It was also great to see quite a number of graduates being granted their research higher degrees.

I never miss a graduation if I can help it. They are very special in the lives of Tasmanians and especially for me as a proud representative of the people of Bass and equally proud in my role as shadow minister for education and skills. These are very important punctuation marks in the lives of many thousands of Tasmanian students and their families, but also important punctuation marks in the life of our state and the future capacity of our economy. They are a milestone day for graduates. Think of the effort, persistence and sheer hard work that students have had to go through in order to qualify for those degrees and diplomas. Think of those families, many of whom are represented on those occasions, and the many years of support they have given to their sons and daughters and sisters and brothers, not just in the time the graduate has been studying, but for the years growing up as a child, up through primary school, high school, college and being able finally to get to that fantastic achievement.

One of loveliest things for me 10 days ago was to see just another one of my former students graduating with a Bachelor of Arts degree. That was a fantastic feeling, a great sense of satisfaction that frankly only a teacher could understand.

The stories that accompany those individual graduates are also individual. Each person's journey from childhood through to a university graduate has been unique and some have followed a natural progression through school, college and straight through to university. Others have planned gap years. Many others have returned to formal higher education as a mature age adult, having perhaps failed to matriculate as a teenager or even having left at the end of grade 10 as continues to often be the case in this state, with the all too persistent belief that school finishes at year 10.

What the formal records will not show is the disadvantage or disincentive that graduates have had to overcome, and to compensate for, in achieving their degrees and diplomas. Those are intensely personal stories and when I listen to them I am filled with admiration and respect because these are the learners who can genuinely inspire other Tasmanians to also continue with their education journey at whatever point they are ready.

Higher education is a strong indicator of the health of the overall education system in Tasmania, over which I acknowledge the university itself has virtually no control. Lower participation in Tasmania is a problem that continues to dog our state. Lower proportions of our population have achieved at the higher levels of education. I want to acknowledge the role of the university in recognising this as a particular shortcoming for our state and the role that they have played in pushing and trying their best to trend these participation figures upwards and those participation figures have done just that. That has been a stated goal of the commonwealth under this administration and past ones because it has been recognised that this is just one of the steps that Tasmania needs to take to help us compete with other states.

I also want to point out the important role of regional campuses of the University of Tasmania, such as the Launceston and Cradle Coast campuses, which have been so important in the life of those regional communities in the north and north-west in a way that, with respect I will say, perhaps people in the Hobart area might occasionally take for granted. People in the north and the north-west certainly do not. I will put additional emphasis on the north-west because it has been singularly impressive the way that the Cradle Coast campus has simply transformed not just that local economy and the role that it has played, but the way it has transformed what people believe education can consist of. With my two colleagues from Braddon, who are in the chamber, we have discussed the incredible role that the Cradle Coast campus has played over I think the last 10 years or so, perhaps longer, which has been a great benefit. We want to see that continue.

There have been some debate and controversy, quite heated at times, over the regional distribution of senior academics and professors. While that is not the subject of what I want to contribute today, I acknowledge it and say that I do follow that debate with great interest. The amalgamation of institutions over the past 20 years occurred with strong levels of agreement and trust regarding the sharing of the centres of gravity of the newly amalgamated university. I am specifically referring to the amalgamation of the University of Tasmania with the Tasmanian State Institute of Technology, which was the northern-based higher education provider. It is in everyone's interests that those agreements be honoured both in the letter and the spirit with which they were struck and the outcomes monitored because that will protect the institutional reputation and community goodwill.

The university today is a very different one from the one that was created by this parliament as far back as 1890. Since those founding days when the university would have been a very small and selective institution, indeed able to be housed in Domain House, the university has become one of the predominant institutions of Tasmania. The University of Tasmania is one of Australia's original sandstone universities. It is the fourth oldest in Australia and the only one in our state. It is one of the state's major employers. Apart from government, statewide the university is the third-largest employer, only after Woolworths and Coles. Something that is unusual for a university, particularly one in a regional community, it boasts the full spectrum of study disciplines, which is very impressive and something that would cause all members here to be proud.

Without wanting to be romantic about my descriptions of the university or gloss over areas where we can always improve, the role it plays in Tasmania is a major one in the life and economy of Tasmania. Some of that is accidental and some is deliberate in respect of its purposes. However, both explicit and hidden roles and contributions it makes, and allows others to make in Tasmania's educational, civic and economic life are enormous, if we could measure it at all.

I commend and now refer to the document Introducing the University of Tasmania for some of the evolutionary steps since 1890 and achievements to date because they go to the material of the bill we are debating today. In its formative years the campus was on Hobart's Domain, above the city centre. In the early 1940s it moved to its current home in the suburb of Sandy Bay. The southern campus now encompasses a 100-hectare site at Sandy Bay, about 10 minutes from the city centre. The Tasmanian Conservatorium of Music and Centre for the Arts lie in the heart of Hobart's cultural precinct. Also in downtown Hobart is the clinical school of the School of Medicine and the Menzies Research Institute, part of and a new educational and research complex that encompasses the health sciences.

In 1991, the Hobart-based university merged with its northerly neighbour, the TSIT, to form a new University of Tasmania. The northern campus is in the suburb of Newnham, looking down to the River Tamar, about 10 minutes from the centre of Tasmania's second-largest city, Launceston. The Academy of the Arts and the School of Architecture are housed in the Inveresk Arts precinct, an award winning, 17-hectare inner-city site comprising art studios, galleries, performance spaces, a museum and specialist workshops.

Established in 1995, the vibrant Cradle Coast campus in Burnie is the newest campus and caters for researchers and students in the state's north-west. Also in Burnie is the university's state-of-the-art rural clinical school, which I have visited and discovered what an incredible amount of work it is conducting, both undergraduate and research.

The university remains a highly regarded tertiary institution across national and international benchmarks. UTas supports, enhances and rewards excellence in teaching. It has been commended for its commitment to assuring quality teaching and learning as well as for the suite of activities designed to support student access, participation and transition. As we recently celebrated, it is now recognised as one of the top 10 research universities in our country and recently achieved a ranking of 326th best university in the world, a rise of 80 places from the 2010 result, and the highest for around the decade. Something the Minister for Economic Development taught me last week is that the world has some 9 000 universities, so a ranking of 326 is almost Usain Bolt-like. That ranking is provided by the 2012 Academic Ranking of World Universities, which is accepted around the world as the most reliable. This ranking means something terrific for Tasmania, both in achievement and opportunity. While we celebrate and commend all those in the university who are responsible for this amazing showing, it should cause us to focus even more keenly on the future, to take advantage of domestic and international opportunities for student growth, research potential, international multicentre collaboration and, last but certainly not least, the opportunity to showcase everything Tasmania has to offer as a place to live, visit and invest - and to study.

In addition to best equipping Tasmanians to achieve their potential, in order to fully grow our state and our economy we need to substantially lift our lagging education standards. Frighteningly, around half of adult Tasmanians are deemed functionally illiterate, according to the ABS. Less than half of adult Tasmanians have a post-year 10 qualification, yet the vast majority of jobs require those post year 10 qualifications. As prominent economist Saul Eslake said just four hours ago in Launceston, Tasmania's most persistent economic problem is the fact that our productivity is around 10 per cent lower than the national average, resulting in lower skills, wages and living standards. Mr Eslake also notes that productivity could be substantially lifted if we increased our year 12 completion rates. That is essential because our year 12 completion rates are the lowest of any state in Australia - to the everlasting shame of this government after 14 years.

A majority Liberal government will have at its heart a fundamental commitment to improving Tasmania's education performance. We have already outlined our visionary 10-year plan to extend high schools to year 12, ensuring that more students achieve a year 12 or equivalent completion certificate.

Despite being derided and foolishly criticised in the last 14 months since the opposition leader made that announcement, the government is now showing early, somewhat promising, signs of finally recognising that problem. As we have seen from the Minister for Education and

Skills who now animates himself on this subject, he is now crab-walking towards half-adopting the policy of the opposition. Frankly, talk of a discussion paper is hardly a policy, so we invite the minister to come further along in his crabwalk.

Last summer the opposition leader made a strong announcement that recognised the great export opportunity for our state that education of overseas students represents. Currently it is worth around \$128 million per year to our economy and I simply cannot represent the social and cultural benefit that Tasmania takes advantage of as a result of having those students here with us. Currently at that value, education is Tasmania's ninth largest export industry. Our goal, as outlined in February, is targeted to grow our education industry to the national average, where it ranks not as the ninth, or eighth, or seventh, but as the second largest export.

If and when we achieve that target, education will be worth more than \$400 million in today's terms to our economy each year. I say sincerely that it was great to hear the Premier recently telling the parliament that that target of the opposition is now the government's target and even using the same \$400 million figure we have outlined. That is great to see and we look forward to seeing tangible results from the Premier's efforts.

Today in considering this bill the parliament takes another step in the ongoing evolution of the university. Under the University of Tasmania Act 1992 the University Council was established to govern the institution and in later years in the amendment acts of 2001 and 2004 the University Council was able to operate with a more modern governance and management framework. In short, its governance arrangements, it could be said, followed the path of private corporate Australia, specifically meaning a smaller council increasingly based on skills-based membership.

It has been well known for some months that the University Council has wanted to move further along in this direction in order to make itself more agile in responding to challenges and opportunities, and positioned to plan strategically for the future. It has requested further amendments to the act following an external review of the processes and structure of the council, which I believe took place some 18 months ago.

The university advised that these changes are highly desirable from a modern corporate governance perspective. The government says that it allows the university to meet the Voluntary Code of Best Practice for the Governance of Australian Universities, which was endorsed in 2011 by the then ministerial council.

This bill achieves three main objectives. The first is to enable the University Council to be reduced from 18 members down to a maximum of 14 and to reduce that size from a maximum of 18 down to a flexible size of between 10 and 14. It is the stated goal of the University Council, although not referred to in the bill or the act, that the ideal or normative size to target would be 12. The flexibility is there, I would say, for obvious good reason and we support that, especially in regard to maintaining and developing competencies amongst members of that council throughout the lifecycle of their appointments. For example, I can forecast being able to appoint a new member earlier than the planned departure of an existing member to enable a sensible transition. I take no issue with that; that is a good move.

The second objective is to reduce the terms of members from four to three years. The third is to formalise council's power to remove the chancellor and deputy chancellor. Those latter

objectives are perfectly sound, and the opposition supports them. The opposition also supports the first objective in principle. However, we make the following observations as part of this debate.

The bill maintains a flexible size of the council with a minimum of 10 and a maximum of 14 members, but preferably operating with 12, and the bill proposes to change the composition of council by also reducing the number of people appointed by the minister from four down to two, reducing the number of academic staff which are elected by the academic staff from three to one, replacing the term 'general staff' with 'professional staff', maintaining that current representation of one elected professional staff member and reducing the number of students appointed - not elected but appointed - by the council from two down to one. It also changes the number of people the council can appoint to itself from four to a new limitation of up to six.

There are two areas of this bill that have attracted my specific interest and I would invite the minister to hear them out and make a response. The first is a reduction in ministerial appointments to the university council, both in absolute terms - that is from four down to one - but as well as that in relative or proportional terms, from four out of 18 down to two out of 14.

Mr McKim - From four to two in absolute terms.

Mr FERGUSON - That is what I said.

Mr McKim - You said from four to one.

Mr FERGUSON - If I said four to one, I erred. It is four down to two in absolute terms, and in relative or proportional terms four out of 18 down to two out of 14. This move in itself represents a reduction in the real role and relevance of this parliament to guide the future development of the university it creates through this act. Let us not forget that if we are able to make any comparisons to private corporate structures, then this parliament represents the equivalent role of shareholder in trust for Tasmanians. That status ordinarily attracts the responsibility to elect its directors. However partisan the decisions of responsible ministers inevitably appear to the opposition at times or the public, I take this opportunity to make the point that the responsibility of a minister to make decisions such as appointments to university council are made only because of the implicit trust vested in that minister on behalf of the people of this state and this parliament. Despite the fact that I sit in opposition and our political opponents are in government, I nevertheless express a reservation that the bill diminishes the real role and relevance of this House of parliament to guide and support the future development of the university that it creates. Minister, I would invite you to address that point however you see fit.

The second comment I make in passing is that although the rationale for the reduction of constituent-elected members of University Council is spelled out and understood, it is a fact that the bill still retains this feature in the act. The preservation of two staff-elected positions and one student-appointed position means that the issue of constituent representation at the council may continue to be an issue requiring management and training, and it does frankly fly in the face of the contemporary corporate practice of skills-based governance structures. I want to make it clear that the opposition certainly does not object to the presence of staff or student members on university council - far from it. However the arrival of two members of council through election of a constituent group presents this parliament with the existence of a governance double standard. That is, a student becomes a member of council not by an election of the student body with automatic right of being a member of council. A student becomes a member of council by

appointment of the University Council, but they do that, according to the act, after consultation with the student representative body. That said, it is nonetheless a bona fide appointment of their peers on council.

Minister, I hope you heard what I have just said, which is that the arrival of two members of council, that is staff, through an election of a constituent group presents a contrast with a student University Council member who arrives there not by election but by appointment. I simply highlight to you that there is a governance double standard implicit in that distinction and I would ask you to address that. So two members become members of council by a democratic but nonetheless potentially political process of election, though right now we see no particular concern because I am not aware of any issue at all with staff representatives on University Council having difficulty meeting their real obligation to make decisions in support of the university as opposed to their perceived obligation and accountability to the constituency which elected them. Do I have to tell anybody here? I think not; anybody who is elected to a position has a sense of regard to their future re-election and often a sense that they need to behave accordingly. The problem, while we might not see it now, is certainly foreseeable in the future and that is why I am raising it at this opportunity today to scrutinise the bill.

I know and support the council's and government's view that staff and student membership of council is warranted and desirable. However, as we are debating the bill today, it is for the minister to explain the double standard that has been identified and why that double standard is not addressed in the bill. Students do not have the right to elect their representative to council; staff do. So my simple question to the minister is: why have you not sought to deal with the problem by ensuring that staff-designated members of council are not appointed by consultation with their representative bodies in the same way that a student-designated member is?

Finally, I draw attention to the omission of the position of provost in those senior executive positions in section 3, 'definition of academic staff', and section 8(7) in the principal act. They are not included in this bill before us today.

In closing, I call on all members of this House and Tasmanians generally to support their university and where possible to take advantage of what it offers to them personally.

Mr McKim - Can you make that last point again?

Mr FERGUSON - I said I draw your attention, minister, to the omission of the position of provost in those senior executive positions in section 3, definition of academic staff, and section 8(7) in the principal act. That omission is not corrected in the bill before us. The provost, of course, is the senior deputy to the vice-chancellor which sits between the VC and the deputies.

Mr McKim - I am aware of what a provost is.

Mr FERGUSON - The University of Tasmania Act specifically makes all graduates automatic members of the University of Tasmania, something not well understood. Being a member of the university may not give you a discount at a shop or even the student shop. It does not give you special voting rights but it is a select and special group to be a part of. Membership in and of itself is a great status symbol to any Tasmanian. Members carry the status of having been educated in Tasmania by a terrific university during crucial years of their lives, which is something of which they can be justly proud. As a graduate of the university myself these words

are very sincere. The University of Tasmania has no better friend than the Tasmanian Liberals and our ambition is to work to support and enhance its place in unleashing the transformative power of education to Tasmanian families, communities and the economy.

Mr Deputy Speaker, the opposition will not be opposing this bill.

[4.14 p.m.]

Ms O'BYRNE (Bass - Minister for Health) - I appreciate the opportunity to make a contribution of the University of Tasmania Amendment Bill 2012. UTas is established under the University of Tasmania Act and the recent transfer of title for Domain House, the original university site and buildings on the Hobart Domain, to the university demonstrates that the state government has a larger interest in the university beyond that of it establishing legislation. Not only does the state government provide UTas with resources, it has many relations with the university, for example through its agencies and departments, schools, colleges, TasTAFE and major agreements, notably the Tasmanian Government and University of Tasmania Partnership Agreement. The state government is committed to the strengthening of Tasmania's tertiary education and the continuing development of skills provision, research capacity, innovation, and knowledge transfer and community engagement. The university is vital to the realisation of Tasmania's economic, social and cultural prosperity.

Tasmanians expect that education provision will be suited to their needs and aspirations, with the interests of individual learners, communities, regions and businesses at the forefront. Higher education should lead the intellectual and skills development of the state and must be a key component in creating opportunity, overcoming disadvantage and supporting social inclusion. Ensuring that tertiary education and training provide the workforce with necessary learning and skills is a necessary means of increasing regional and state economic performances.

Established by the state government 120 years ago, the role of the university as being the principal provider of Tasmanian higher education is often taken for granted. Rapid changes in higher education, globally, nationally and within Tasmania are challenging many assumptions about the nature of higher education, the university and its place in Tasmanian society. Indicators such as rapid growth in enrolments, the transfer of influence from state to commonwealth through financial governance and regulatory controls, competition for students, research success and brand enhancement, demonstrate the need for the state government to understand the university, the context of the twenty-first century higher education, and the social, economic and cultural wellbeing of the state.

UTas has evolved rapidly during the last decade as has the Australian tertiary education sector within the global transformation of higher education. UTas student enrolment has more than doubled, from 12 820 students in 2001 to 27 281 in 2011, including 5 919 international enrolments.

There is increasing control of Australian universities through commonwealth funding and financial, quality and other regulatory frameworks. A diverse range of pressures indicate that the change is unlikely to slacken. These pressures include strong and growing global and national competition, the increasing economic significance of higher education and tertiary skills, technological innovation within and outside universities and expanding access and participation targets. The state government has a role in considering the nature, the relevancy and the adequacy of regulatory and governance frameworks - those of UTas, the commonwealth and its own.

The University of Tasmania describes itself as the state's university. It is a generator of ideas and knowledge and makes a significant contribution to the economic, social and cultural fabric of the Tasmanian community. It has a crucial role to play in the state's long-term prosperity. The vision that the university has developed is telling. The vision is that the University of Tasmania will be ranked among the top echelon of research-led universities in Australia. The diversity will be a world leader in its specialist thematic areas and will be recognised for its contribution to state, national and international development.

UTas will be characterised by its high quality, academic community, its unique island setting and its distinctive student experience. UTas graduates will be prepared for life and careers in the globalised society of the twenty-first century.

As the university's chancellor, Mr Damian Bugg, has observed, a modern university cannot be a slow-changing or static institution. Rather, it must be prepared to develop, to grow and to anticipate and welcome change and that change must be driven by the university's governing body. In turn, the change being experienced by the University of Tasmania is, in many aspects, common to all of Australia's 39 universities. Through the last decade, successive commonwealth governments have pursued greater uniformity in the regulation and management of Australian universities. The national approach has been reflected in agreements between states, territories and commonwealth. A core agreement is intended to modernise governance practices at universities by providing a set of standards to ensure that governing bodies effectively oversee university operations.

A review undertaken by the Joint Committee on Higher Education led to the development of a voluntary code of best practice governance for higher education. The governance code was produced by a working group comprising representatives of Universities Australia, the Council of University Chancellors, states and territories and the Australian government.

The voluntary Code of Best Practice for the Governance of Australian Universities was endorsed during 2011 by the then-ministerial council on tertiary education and employment and supported by the Council of University Chancellors and Universities Australia. The code required a university's governing body to adopt a statement of its primary responsibilities. These include -

- (a) appointing the vice-chancellor as the chief executive officer of the university and monitoring his or her performance;
- (b) appointing other senior officials of the university as considered appropriate;
- (c) approving the mission and strategic direction of the university, as well as the annual budget and business plan;
- (d) overseeing and reviewing the management of the university in its performance;
- (e) establishing policy and procedural principles consistent with legal requirements and community expectations;

- (f) approving and monitoring systems of control and accountability, including general overview of any controlled entities.

A controlled entity is one that satisfies the test of control in section 50A(a) of the Corporations Act.

- (g) overseeing and monitoring the assessment and management of risk across the university, including commercial undertakings;
- (h) overseeing and monitoring the academic activities of the university; and
- (i) improving significant commercial activities of the university.

Chancellors and vice-chancellors have the prime responsibility for the implementation of the code of best practice within their institutions. Coinciding with the approval of the code and its referral to UA and UCC for implementation, the University of Tasmania Council adopted recommendations from an external review of the processes and structure of the University Council. This review of the council examined both the structure and processes of council, including the committees, the council and governance issues. It extended to a consideration of the three major university entities, the Australian Maritime College, the Institute of Marine and Antarctic Studies and the Menzies Research Institute Tasmania.

At its September 2011 meeting council received a report on the code. It noted that UTas would in future include in its annual report a statement of council compliance with the code. Council also noted that the university was currently compliant with the code, apart from clause 4. Clause 4 requires that the chancellor and deputy chancellor hold office subject to retaining the confidence of council. At this meeting the council reported that, in discussions with the Minister for Education and Skills, it had requested appropriate amendment over changes to the University of Tasmania Act 1992.

As the University Council is established pursuant to the provisions of section 8 of the University of Tasmania Act, additional resolutions of the council relating to the size and composition of the council could not be implemented without amendment to this act. A principal finding resulting in the council external review was an appreciation that a council of 18 members is an overly large governing body, particularly in comparison to the corporate world. This observation has become more apparent as modern universities, including UTas, move away from the traditional and complex representative governance models and more towards those of corporate governance models. Prior to the amendment of the act in 2001 the university had a council of 24 members, including two members each representing the Houses of this parliament.

Despite the changing university, there are essential differences between it and a corporation. Importantly, the act defines the members of the University of Tasmania as the students, graduates, academic and general staff and council members. As distinct from a commercial corporation entity owned by shareholders and governed by a shareholder-elected board, the members of the University of Tasmania are many and have diverse interests.

With in excess of 2 500 staff, 27 000 students and 50 000 alumni whose interests must be protected, it is not the case that those interests are best served by proportional representation on the governing council. The shift from the traditional representative body to a more corporate

model has occurred over time. Emerging pressures for extended skill sets has outweighed the significance of direct numerical representation of specific interest groups. This shift has been amplified as the university has become a large academic institution and a large business. Indeed, the University of Tasmania is one of the state's largest businesses. Gross turnover of the university now is in excess of \$400 million and the salary bill is approximately \$250 million. UTas is responsible for both the academic development and pastoral wellbeing of its 27 000 students located within Tasmania, across Australia and offshore.

The building of infrastructure and infrastructure projects of the university are currently in the order of \$300 million. Major relations with this government and the Australian Government have enabled commencement and delivery of a series of remarkable major projects. Members of this chamber can all appreciate the new works on the Domain university heritage building and the second stage of the medical science precinct. Closer still are the foundation works for the impressive wharf transformation that will house the Institute for Marine and Antarctic Studies.

Although the University of Tasmania is state-owned through legislation and supported through the provision of state resources, historical shifts in financial responsibilities mean that the commonwealth is now the largest source of university funding. With these funding arrangements has come the progressive takeover of regulation of Australia's tertiary sector. It is this commonwealth insistence on tighter governance and accountability of both the academic and business side of Australian universities that is reflected in the establishment of the code for governance of Australian universities. This quality of governance demands careful identification of skills sets within the membership of the council. The council must be constituted to properly govern the large business the university has become. This business is required to provide a tertiary education to as many students as possible from diverse backgrounds and cultures.

Despite remaining the only university situated in Tasmania, UTas now operates in a highly competitive environment, competing with mainland and overseas universities for students and funding. The budget of the university is governed along the business lines of rewarding achievement with revenue.

The council's external review has resulted in improved reporting lines and linkages with senior management, improved meeting procedures and governance arrangements which align the strategic plan of the university with the Menzies Research Institute, the Institute of Marine and Antarctic Studies and the Australian Maritime College.

The amendment to the council size and structure proposed in this bill will enable the council to become more efficient and responsive to the day-to-day needs of a statewide university operating through five major campus locations. Currently meeting seven times a year, three times in Launceston and Hobart and once in Burnie, the council considers it necessary to be structured in a way to allow it to meet more frequently and flexibly. The council has concluded that the appropriate flexible size of the council should be a minimum of 10 members with a maximum of 14, but preferably operating with 12. The minimum number of 10 provides for operation during vacancies and the maximum of 14 provides flexibility for occasions when additional specialist skill sets are required.

The proposed composition of the new council agreed by the Minister for Education and Skills include the chancellor, the vice-chancellor, the chair of Academic Senate ex officio members, one elected member of academic staff, one elected member of professional staff, one student

appointed after consultation with relevant student associations, two members appointed by the minister, and two to six members appointed by council. As is now the case, the appointment of members by the council and the minister will continue to require consultation between the chancellor and the minister. This current requirement includes due regard being given to the balance of skills and experience, regional representation and appropriate gender balance.

The Voluntary Code of Best Practice for the Governance of Australian Universities requires that members not act as representatives of a body of electors, but should be elected or appointed *ad personam*. All members of the governing body should be responsible and accountable to the governing body. When exercising the functions by a member of the governing body, a member of the governing body should always act in the best interests of the university. Furthermore, the code states that a university should develop procedures that provide that the chancellor and deputy chancellor hold office subject to retaining the confidence of the governing body and to deal with the removal from office if the governing body determines that such confidence is no longer held. The proposed bill contains clear and certain procedures for the council to operate by if such circumstance should ever arise.

Tasmania shares the national tertiary education growth target, meaning that by 2025, 40 per cent of all Tasmanians aged 25 to 34 years should hold a qualification at bachelor level or above. Associated state targets include meeting participation rates in higher education, particularly for a proportion of UTas enrolments, by those students from low SES backgrounds, increasing the proportion of Tasmanians with high level qualifications, so certificate III or above, including diplomas and advanced diplomas, and meeting the 2015 national attainment target of 90 per cent of young Tasmanians with year 12 or equivalent.

Tertiary education policies should support UTas's declared goal, being among the top ranks of the new generation of outstanding and successful universities. It already holds an enviable position in the increasingly important global rankings of universities. The release of the most watched of these global rankings, the academic rankings of world universities, on 15 August, revealed that UTas has maintained its place after moving into the top 400 universities worldwide.

Australian learning and teaching awards confirm that UTas is among the top teaching institutions in excellence and research for Australia and as results underline, the majority of research being produced is world class. The university's new strategic plan for 2012-22, Open to Talent, reasserts its ambitions to rank within the top 10 Australian universities in terms of research quality and output. The characteristics of Tasmania's university must include a quality reputation sufficient for attracting an increasing proportion of students in an increasingly competitive market. There is ongoing achievement in priority research areas and partnering locally, nationally and globally with university and non-university partners to achieve outcomes improving Tasmanian life. This includes fostering the role and capacity of tertiary education institutions in research and development, and innovation support for Tasmania's economic development. Through dispersal of its campuses, regional development approaches and exploiting online technologies, UTas has opened up higher education access and promoted regional development. This has provided a basis for alignment of tertiary institutional activity and arrangements to reflect state and regional needs and priorities.

As this government's acceptance of the recommendations of the Simmons report makes clear, the interconnection of UTas, the academy, TasTAFE as a regionally integrated relationship offers potential benefits for Tasmanians wherever they may live. Increasing tertiary education across the

state's regions will benefit individual Tasmanians, lift our economic performance and support the intellectual and cultural life of our communities. Current and intended future growth in Tasmania's international education, principally driven by UTas, underlines the need for effective university governance and articulation with state policy. Social, cultural and economic benefits flow from international tertiary education. This government has made sure that Tasmania's engagement with Asian economies includes the ongoing importance of the Asian tertiary international education market.

Among the functions of the university included in the University Act is to engage in activities which promote the social, cultural and economic welfare of the community and to make available for those purposes the resources of the university. As the chancellor stated in the latest annual report of the proceedings of the university, which are required by the act to be laid before both Houses of parliament:

A modern university must be prepared to develop, to grow and to anticipate and welcome change which will equip the universities to provide the best outcomes for its students and community. What was best when we began in 1890 would not satisfy Tasmania's demands of its university today. Change must flow from the top and be driven by the university's governing body, the council.

The bill before the House today reflects the council's considered decision on these essential changes to the university's governing body necessary in meeting into the future those expectations of the University of Tasmania established by Tasmania's state government. I support the bill.

[4.32 p.m.]

Mr BROOKS (Braddon) - I would just like to talk briefly about my experience with universities. No, I do not have a degree. I left home at 15 and joined the navy as a tradesman. I remember the conversation I had with my father about university. Dad was a high school principal at the time, and mum was a teacher at Adult Education, and my brother may have left or was still at Jane Franklin studying to be a scientist, of all weird things, in my opinion at that time. He asked me what I wanted to do at university, and I said 'I am not going to university. I am not even going to do year 11 or 12. I want to be a tradesman and I am going to join the military'. He was not too happy about that, and for no reason other than he understood the importance that universities play in developing people's professions. But the interesting thing about it is that I would also say that university probably is not for everyone either. If I had gone to university I probably would have failed because I would not have done the work required, and it was not something that interested me one bit. That was over 20 years ago now, and there has been a transition from the way things were done previously to a more open and more adaptable curriculum and education format.

It is interesting that around about 12 years ago I decided that I would go and do a degree, so I applied through Open Learning Australia. I was sitting on a mine site at Leinster and enrolled to do a university course in business, because that is probably where my main interest was. It was interesting because I had no idea how to reference, how to format and how to write to the required standard. I remember my first assignment, which I failed. I did not think highly of that because I normally do not like to fail at things. It does not mean we give up, it just means that I had to improve. I had a chat to the teacher about how badly I had gone and he highlighted some areas that I had to work on. I found that without stepping foot in a university I managed to get through

12 units of a business degree and then basically life took over and I focused on other things, such as running my company.

The point that I wanted to talk about was that at a time in my life university was not for me, in my opinion and probably for my attitude, but that did not last forever. There was another time in my life when it was for me and it was something that I wanted to do. It was not easy and I have a lot of respect for everyone who has attended university and done a degree because if it were easy, then there would be little merit in it. The regard that the University of Tasmania has from an Australian and global point of view is right up there and as a member of the Tasmanian Liberals and as a member of this parliament, I know that there are people who have achieved some wonderful outcomes from their university experience.

I wanted to put on the public record that for a long time I felt that I had failed because I had not gone to university. I felt I was one of the failures of the family but university is not for everyone and that does not mean that if people do not go and get a degree, that they will fail. It is not true at all. It shows that there may be a time in the future when people can go back and do something and extend their education. My constituents say that they are back part-time or full-time or pursuing further education and I think that is a fantastic thing.

What I like about this bill is that it seems to be improving the system, creating a better way, modernising it slightly, you could even say, by maintaining a flexible size of the council and reducing the number of persons appointed by the minister from four to two, reducing the number of academic staff elected by the academic staff from three to one and replacing the term, general staff, with professional staff and reducing the number of students appointed by the council from two to one.

We need to focus on continually revisiting our education requirements and standards in Tasmania. I remember when my brother left he stayed at Jane Franklin and there was no opportunity on the north-west coast at that time. Now, with the wonderful work that has been done up there, there is a wealth of opportunity for the young people of north-west Tasmania and I think Mr Rockliff might talk about that.

I urge the government and we, from the opposition, will continue to pursue and put forward ideas and suggestions that can improve a way to educate and engage more people to develop their education further and to learn more. Whilst I am probably a little bit different from many of the members here who do have degrees, it does not mean that I did not learn anything by even doing just one module. Certainly I would urge anyone to further their education at any stage or time in their life. As outlined by the shadow minister for education, we will not be opposing this bill and I think we all need to work towards improving education and structures around education where we can.

[4.40 p.m.]

Mr ROCKLIFF (Braddon - Deputy Leader of the Opposition) - I welcome the opportunity to say a few words on this bill. Our shadow spokesperson for education, Mr Ferguson, has very eloquently put our view on the matter. We will not be opposing the bill.

Mr McKim - Is that the same as supporting the bill?

Mr ROCKLIFF - Yes, it is, exactly the same.

Mr McKim - Just checking.

Mr ROCKLIFF - That is all right; you do not necessarily need a university degree to work that out. The fact is he gave a very good contribution and spoke wholeheartedly in support of the value of the University of Tasmania and what a wonderful asset it is. He was absolutely spot on. I thought it was a very good dinner last week, the Science meets Parliament dinner. They are always very good events with interaction between the science community and parliamentarians and quite often those who work at the University of Tasmania as well. I was very pleased to hear the result and the increase in rankings. UTas has jumped some 80 places I think in the last 12 months to number 325 or 326 out of 9 000 universities worldwide. That is a tremendous achievement and really something to be extremely proud of in Tasmania.

Mr McKim - Hear, hear.

Mr ROCKLIFF - There is no doubt that the University of Tasmania has and continues to play an integral and important role in the education and cultural history of Tasmania. It was founded by an act of the Tasmanian Parliament on 1 January 1890, making it the fourth oldest university in Australia. UTas has a proud history of nurturing cultural and intellectual growth and eminent alumni and an international reputation for educational excellence, as I have just alluded to there with the rankings.

The Tasmanian Conservatorium of Music, the Centre for the Arts, the School of Medicine and the Menzies Research Institute, the Academy of the Arts and the School of Architecture, the Tasmanian Institute of Agriculture - and I had the pleasure of meeting just the other day the head of that organisation and the deputy - and the vibrant Cradle Coast campus in Burnie which includes the university's state-of-the-art rural clinical school - all have flourished over the years UTas has expanded and excelled in all its teaching, research and scholarly activities.

More recently, the Tasmanian Aquaculture and Fisheries Institute, the Institute of Antarctic and Southern Ocean Studies, Centre for Marine Science and Antarctic Climate and Ecosystems CRC have placed UTas at the forefront of climatic and ocean research as they attract international plaudits and recognition. There can be absolutely no doubt that for a relatively small institution UTas has consistently punched above its weight, and its global ranking which I said has increased 80 places, the highest in a decade, reflects its commitment to and achievement of world teaching and research.

Uniquely, UTas also plays a huge social and economic role in the broader Tasmanian community and its partnership with the Tasmanian government has been a collaboration that has become a very good model, in my view, for other states in Australia. Its award-winning development of the Cradle Coast campus in cooperation with the Cradle Coast Authority illustrates its special partnership with regional development and the local north-west community of which I am an elected representative. I also congratulate UTas in recognising the importance of its regional campuses and openly committing to the future in its Open to Talent strategic plan. I also understand the Cradle Coast campus received two commendations in the recent UTas and TEQSA audit, both for work undertaken by the Institute for Regional Development based on the Burnie campus. The first commendation was for the campus's efforts around its participation agenda and secondly for its applied research method known as knowledge partnering.

Recent census data also suggests the campus has had some success with its participation effort, given that the number of people living in the north-west region and studying at a tertiary institution has increased significantly since 2006 when compared to the 2011 ABS data. The recent statistics report that 32 per cent of people living in the north-west region are studying at a tertiary institution and 42 per cent for Burnie, significantly more than the national growth of 25 per cent, so that is indeed very positive. I speak very positively of the Cradle Coast campus, not just because my wife is employed by the University of Tasmania based at the Cradle Coast campus, but it has given me a wonderful insight into the value of that campus. In my view it is something that is still undervalued by the north-west community. That is improving but a lot more can be done in terms of promoting the benefits of that wonderful asset for the region.

It has been a long time in the development, some 21 years, and I have a time line in front of me. In 1991 UTas adopted a long-term strategy to develop a presence on the north-west coast. Study centres in Devonport and Burnie were used by the north-west tertiary students with support from local tutors. As student interest increased, plans began for a single study centre and UTas built facilities at Mooreville Road. On 15 September 1995 the Burnie campus was opened and the building had a teaching resources facilities wing and an agricultural science facilities wing, and about 110 equivalent full-time students were studying at the Burnie campus or by distance. In 1996 a further 36 places were offered, in 1997 a further 55 places, and in 2003 expansion was required to the growing student body, with 450 students and 20 postgraduates. In 2007, increased teaching, learning and study areas were available after \$6.5 million was spent on doubling the size of the campus for the 600 students. In July 2011 enrolments at the campus reached some 1 000, which is a wonderful milestone, and five full degrees are now offered along with two new degrees, social work and associate engineering, introduced this year. That time line is sourced by the *Advocate* newspaper and was published on 19 November 2011.

In the same article I was very interested to read of the great enthusiasm by the campus director, Janelle Allison, who spoke about the vision for the north-west university in terms of courses and student facilities. I think the great strength of the UTas Burnie campus is the relationships it has with industry, businesses and industry groups and generally the people on the north-west coast, and they are building all the time. Ms Allison is quoted late last year as saying:

As part of this momentum the university is set to expand the courses that can be studied on campus. We have a range of offerings across most of the disciplines such as business, arts and a little bit of science. We would love some more science. You can generally start your degree here and if you want to stay on campus some of it is online and some of it is blended.

Postgraduate business is a successful model which the university would like to continue. What we are discovering is that over 50 per cent of those who start are going on to finish their masters. All of this tells us there is an interest in learning, an interest in more choice and options and improved pathways that allow more people to gain the confidence to give it a go, which is very positive.

A distinction for the campus is also its ability to provide quality support. It enables people to build confidence, as well as truly be able to feel they can do it, even in remote situations. We have demonstrated that if you provide good access, clear pathways and good support to build confidence, people feel able to come to university. We want to improve that by enabling people to come

through the vocational education sector. Our aim is to get the pathways nice and clear, not just clear in educational terms but making sense in terms of the people who want to live and work on the north-west coast. It is about the link to the businesses in the know, the progress of the staff, and development plans for the industries and businesses of the north-west coast.

In engineering, we went to Caterpillar and said, 'What will work with you?'. The response to grow skills within the pathway needed to be clear. It is vital, particularly given the strength of the campus and its importance to the region, particularly in very challenging economic times. I think that more than ever we need a very strong and ever-growing presence with the University of Tasmania and that campus facility.

I was very pleased to attend the University Foundation dinner a month or so ago, which was an excellent event. The topic of support for the university campus by the seaside came up in discussion and I believe very strongly that is a wonderful vision to have. I know a lot of investment has gone on up there in Mooreville Road but there is nothing wrong with looking forward to the future and building a good, purpose-built facility at the Burnie seaside. I know the Burnie City Council is very much pushing that agenda. It will require a lot of capital infrastructure and investment but it will also build a very strong culture for the campus, particularly for the students, and it will add a great deal of value for the City of Burnie. To have everything more central there adds a vitality to the CBD and the heart of Burnie and also will create even closer links, I believe, with the north-west coast and the City of Burnie. It would reinforce the importance of the Cradle Coast Campus to the north-west coast simply by greater interaction through the presence, not so much just physically in terms of infrastructure, but also through the students, lecturers and those who work within the university.

As to the growth of the university if the targets are to be met, this will most likely have to be a necessity in terms of changing the location of the campus. I know the Burnie Chamber of Commerce and Industry president, Andrew Barry, said the campus growth strategy was very important to the city and the region. He is quoted as saying, 'If it needs to continue its expansion, if it is unable to do so at the current site, everybody supports further development to allow it to expand wherever and whenever that may be'. I want to place on record that I have a very positive view of that vision and hope that it progresses and comes to fruition at some stage.

There can be no doubt that there are substantial benefits of every kind that have flowed to the regions as a result of the university. The huge turnout of visitors at each of its three campuses at the recent UTas Open Day was clear evidence of how well regarded and valued the university is by Tasmanian families and across the broader community. I think there were up to 800 visitors to the campus of the Cradle Coast, for example, on Sunday 26 August. That was a great day with a number of families attending. A diverse program was offered, course information and research presentations. A regional showcase was supported by the TIA, the IRD, PICSE and the RCS. There was a local food producer display as well, which was very well received and around 150 people attended the keynote speaker session, a presentation by Gourmet Farmer Matthew Evans. The increased community attendance this year generated, I understand, a very positive and vibrant atmosphere.

Like similar educational institutions across the country, UTas has been required to face a number of challenges in responding strategically as ongoing development and changes in the

tertiary education sector have been introduced, including changes to funding practices and the introduction of a new regulatory framework, such as the Voluntary Code of Best Practice for the Governance of Australian Universities. Like all institutions, it has been required to move with the times and this is nothing new. There are a lot of organisations that I am aware of in the not-for-profit sector, for example, that continually have to evolve their governance structures to keep up with the times, reflecting community attitudes, greater accountability and transparency. For all institutions and organisations, it is vital that they move with the times and in many respects this bill is an example of that. With stricter governance and accountability of the academic quality and business competencies, the highly competitive enrolment environments and tighter budgets being introduced everywhere, UTas, too, needs to reflect best practice in policy and management, in the delivery of its service and in the management of its budget.

I understand that the proposed amendments to the University of Tasmania Act 1992, which include reducing the size of the University Council, reducing the terms of members appointed by the minister and council, and formalising council's power to remove the chancellor and deputy chancellor should the need arise, are as a consequence of recommendations from an external review of the processes and structure of the council, and that the university considers them desirable from a modern corporate governance perspective.

As the governing body for UTas, it is particularly important that the relationship between state government and the university remain very strong and relevant, and any assurances the minister can give in this area would be appreciated. Of course, I speak about the relevance of parliament with respect to this act and I know the shadow minister for education raised that issue with you, minister, so I will not go any further there, except to say that the state opposition will be supporting the bill and just reinforce the fact that the University of Tasmania is a tremendous institution. I did not attend University of Tasmania myself, but I plan to in the future.

Mr McKim - I am sure the university will be very happy to know that.

Mr ROCKLIFF - I discussed it the other day as something that I would very much like to do and I gained some inspiration when I went to the Jane Franklin reunion.

Mr Wightman - Yes, I heard about that.

Members laughing.

Mr Wightman - I don't think we should raise that.

Mr ROCKLIFF - There is an adviser in the speaker's reserve and I will not go into that or where he got the good conversation on that night as well. It was a tremendous night and I and my wife, Sandra, attended Jane Franklin Hall. It was a great opportunity to meet some of her old friends and many of the people I knew as well. The University of Tasmania is indeed something we can all be very proud of.

[4.59 p.m.]

Mr McKIM (Franklin - Minister for Education and Skills) - I thank members for their contributions and for the indication from representatives of the Liberal Party that they will be supporting this bill, which means it will pass through the House unanimously.

There were a number of issues raised by members during their contributions and I will respond to them now. I will flag my intention to ask the House to resolve itself into committee at the conclusion of this speech so that I can move two minor amendments and use that opportunity to respond to an issue raised by the shadow minister - the failure of the bill to include a provost in the definition of 'academic staff'. That is indeed one of the amendments I will be moving in the committee stage.

Now before I get to a response to the detailed questions, can I first say that clearly the members have spoken. All have mentioned what an outstanding institution the University of Tasmania is, and I completely agree, and it is moving up the global rankings, as we have heard, with a rocket.

Mr DEPUTY SPEAKER - And the Australian rankings.

Mr McKIM - And the Australian rankings, as you point out quite rightly, Mr Deputy Speaker. That is well deserved, and I believe that under its current leadership and with the amendments proposed in this bill, we are positioning the university to continue that rise on the national and global rankings.

A couple of members have spoken about the importance of the government's relationship with the university, and I completely agree. This is an extremely important relationship, not only for both the government and for the university, but in fact for Tasmania. Members would be aware that we already have a partnership agreement with the University of Tasmania. We collaborate very closely on a range of issues and projects, including the IMAS project, which I was pleased to be able to support through the cabinet process whereby we are now seeing a reinvigoration of part of Hobart's waterfront through the construction of the new IMAS facility. I believe that will be an outstanding outcome for the university, an outstanding outcome for IMAS, and an outstanding outcome for Hobart, because Hobart is, amongst other things, a university city, and I believe that bringing more of the university into the cultural and creative hub of Hobart, which is Salamanca Place, can be nothing but a good thing for Hobart and the university.

Mr Wightman - There is a great campus in Launceston as well.

Mr McKIM - The Attorney-General has just pre-empted my next comment, which was to say that the university of course is not just southern-based and in fact has outstanding campuses and facilities around Tasmania including, as the attorney and member for Bass quite rightly points out, in Launceston and, as has been pointed out by other members, on the north-west coast.

Members have spoken about international education, and the shadow minister mentioned its importance both economically and socially to Tasmania. Well, thank you very much, Captain Obvious; you are right, and welcome aboard. This is something that I as a minister have spoken at length about on many occasions. It is something the government is of course very aware of, and the member would be aware of the fact that in the Premier's upcoming journey to China, international education will be one of the primary areas she will focus on.

The last point I wanted to respond to before I respond in detail to the questions raised by Mr Ferguson and others is to respond to his slightly gratuitous mention of the Liberals' policy to extend every single high school in Tasmania from K to 12. I am pleased that the member has raised this, because there is just one outstanding matter that he continually refuses to explain to the

Tasmanian people, and that is how he will justify bringing every Tasmanian school to go up to year 12 whilst at the same time maintaining the college system. What the Liberals are proposing to do here is to run two completely parallel systems for years 11 and 12, a complete system in every high school in Tasmania to go from years 7 to 12 and also retain everything in the college system. How can you argue to the Tasmanian taxpayers, who fund these extraordinary fantasy journeys of the shadow minister for education, that they should fund two completely parallel systems for years 11 and 12 students at a cost, on my advice, of over \$80 million every single year? How you can explain that to the Tasmanian people will be very interesting because you have yet to explain why it is that your policy position wants to transform every single high school from years 7 to 12 but also retain the college system.

Contrast that with current government policy which sees, as we speak, 18 schools in regional Tasmania already delivering years 7 to 12 programs through enrolments in schools up to year 12, whilst understanding that in urban areas it is appropriate and working well that we have the college system. Mr Ferguson has described a recent announcement that I will be shortly releasing - a discussion paper around how we can improve the way we deliver particularly years 11 and 12 into regional Tasmania - as a crab-walk towards his position. Well, I can tell him I am not crabbing or walking anywhere near his lunatic policy position of running two parallel structures with full facilities and full staffing, all for the same number of students that we currently have. I would not go anywhere near that lunatic policy position because it is shambles of an education policy that will cost the state around \$80 million a year recurrent forever should this man ever sit in this House and in government as minister for education. Not only that but, of course, the government education system in Tasmania trembles at the thought of Michael Ferguson ever being Minister for Education. I look forward in future debates to Mr Ferguson explaining why he wants to spend \$80 million creating a parallel system for years 11 and 12 students whilst still retaining the college system. It is the question I have asked him now for well over six months since he announced his fantasy policy and he has not yet taken the opportunity to respond in any way to that question, let alone explain where he is going to find the \$80 million a year it would take to implement.

Again, Mr Ferguson, for the umpteenth time, I challenge you to respond to that question - why do you think it is in Tasmania's best interests that we have two completely parallel systems for years 11 and 12 students, one embedded in high schools and the other embedded in the college system? I will tell you what, from the e-mails and contacts I get there are a lot of college teachers who would like to know that too, because they know what you are actually going to do is abolish the college system. That is what they are telling me and it is for you to explain yourself to those college teachers who understand that should Tasmania have the great misfortune of your ever being education minister you would abolish the college system.

Mr Ferguson - Interesting that we're talking about the university which supports this policy.

Mr McKIM - Well, Mr Ferguson, I will take that interjection and I hope it is on the record because you raised this in your second reading speech. I am simply responding to you.

In relation to the questions you asked around the ministerial appointments, you are correct that the ministerial appointments to University Council in this bill are proposed to be reduced from four to two. You have characterised that as a reduction in the real role of this parliament and a diminution of the role of this House in the University of Tasmania Council. You are obviously able to categorise this move in any way that you wish. I would point out, through, as I said in my

second reading speech, that until 2001 the council included a representative from each House of this parliament. Even if you wanted to characterise this as a reduction in the real role of the parliament, I would humbly submit that it would be more accurate to say a continuation of the reduction of the real role of this parliament.

I was approached by Mr Damian Bugg in relation to council's desire to have its size reduced and I thought it appropriate to agree for the reasons I have articulated in my second reading speech. Also, I believe that if we were going to support these amendments to support the reduction in the size of the council it would be appropriate for a reduction in the number of ministerial appointments. I still say that it is important that we still retain two ministerial appointments because it is appropriate that the minister of the day have appointments to university council to augment the already very close relationship, not only between government and the university of Tasmania, but between this parliament and the University of Tasmania.

Mr Ferguson also raised the issue of constituent representation and he said that remains an issue. I will respond by reminding the member that once appointed to council, the principal act says that all members of the council must act in the interests of the university. That is, members are required to act in the interests of the university and that means they ought not simply seek to represent the interests of their constituency on council. The act requires them to act in the best interests of the university. That is my response to that issue.

Mr Ferguson - Minister, my point was for you to explain why a student member of university council is not elected.

Mr McKIM - Yes, I am coming to that. That is the next point you raised and I was attempting to come to in my contribution, so I will do so now and we can move on.

The member has also raised the issue that he has just raised once more by interjection. He talks about a governance double standard in that there is capacity for election of some members of the university council and appointment, particularly, of the student representative. I will make the previous point, firstly, that once people are on the council they are required to act in the best interests of the university. The second is that there are several student associations representing students at the University of Tasmania and that the principal act requires consultation with the relevant student bodies by council prior to that appointment. You can categorise it as you have, as a governance double standard. I would categorise it as an appropriate provision.

The last point that the member made, I raised at the start of this contribution, which is we will be seeking to insert the role of provost after vice-chancellor in the definition of academic staff.

In conclusion, I believe that the provisions in this bill, which will be supported now by all members of the House, will assist the university to continue to modernise its governance structure. They will assist the university in being a flexible and responsive university. I make the final point in relation to many of the comments that have been made by members.

I have announced we will be moving by the middle of next year to legislate to return to one major public provider of vocational education and training in Tasmania. That institution will be called TasTAFE. The report by Ms Virginia Simmons that I commissioned recommended we return to one major public provider of VET in Tasmania, She also made recommendations around formalising the relationship between TasTAFE and the University of Tasmania so we can continue

some already very good work that is done around pathway planning and articulation between the VET system and the tertiary education system in Tasmania. I believe that recommendation, which has been accepted by government, will strengthen the relationship between TasTAFE and the VET sector in Tasmania and the University of Tasmania and result in better outcomes for many students of either vocational education and training or tertiary education in Tasmania.

There has already been some outstanding work done around articulation between the VET system and tertiary education in Tasmania. The daughter of a very good friend of mine has been the beneficiary in the area of fine arts. I think she is starting at the University of Tasmania this year after starting in the VET system. There has been a lot of good work done in this area but I believe the government's acceptance of Ms Simmons' recommendation to formalise that relationship will lead to continuing to improve the relationship between VET and the University of Tasmania, particularly around the issue of pathways and articulation. I thank members for their contributions.

Bill read the second time.

UNIVERSITY OF TASMANIA AMENDMENT BILL 2012 (No. 32)

In Committee

Clause 1 -
(Short title)

Mr FERGUSON - Minister, this does not go to the detail of this bill but it does go to the university. Could you give a report on the future governance arrangements of the university and specifically the government's decision in relation to the push for a national regulator for higher education?

Madam DEPUTY CHAIR - Mr Ferguson, you can only talk about the short title in clause 1. It may be better if you raise this at clause 5.

Clauses 1 to 3 agreed to.

Clause 4 -
(Section 3 amended - Interpretation)

Mr FERGUSON - I might, with the indulgence of the Chair, give you the opportunity to bring back that answer.

Mr McKIM - I can inform the member we already have national regulation of TEQSA.

Mr FERGUSON - I am reading an amendment that relates to a later clause, but I will point out to the minister that the definition of academic staff also appears in section 3 of the principal act, which is dealt with in clause 4 of the bill where the minister, I believe, has not appropriately recognised what I said twice in my second reading response. Therefore I move -

That clause 4 be amended by inserting the following after paragraph (b):

- (c) by inserting 'Provost' after 'Vice-Chancellor' in the definition of academic staff.

Minister, I did raise that twice in my contribution and so, in the interests of keeping this bill correct, your sloppy oversight causes me to bring that amendment, and I would say it is required.

Mr McKIM - This side of the House will accept that amendment and I would like to thank Mr Ferguson for putting it forward.

Mr Groom - Hear, hear.

Mr McKIM - Playing a constructive role.

Mr Ferguson - We are assisting you in our support for the university.

Amendment agreed to.

Clause 4, as amended, agreed to.

Clauses 5 and 6 agreed to.

Clause 7 -
(Section 8 amended - Constitution of the Council)

Mr McKIM - Mr Chairman, I move -

That clause 7, paragraph (i) on page 6 be amended by omitting the full stop after '2013'" and inserting instead a semi-colon; and

That paragraph (i) on page 6 be followed by new paragraph (j):

- (j) 'by inserting 'Provost' after 'Vice-Chancellor' in the definition of academic staff in subsection (7).

Mr Ferguson - I am happy to support that.

Mr FERGUSON - Minister, I want to take you back to explore that matter that I raised in my second reading speech and that you addressed in your summing up. I would like to resolve that more clearly. I pointed out that there is a double standard in treatment so far as student membership on the University Council and staff membership on the University Council are concerned. As I am sure we agree, under the bill two staff, one from academic, one from professional, would become members of the University Council by right of election, whereas a student member of the University Council will be not elected but appointed by the University Council after having consulted with, in your words and in the words of the act, relevant student organisations. When you said there are a number of students organisations, what are they other than the TUU?

[5.30 p.m.]

Mr McKIM - Mr Ferguson, the student bodies include the Tasmanian University Union, the AMC student association, and the University Postgraduate Student Association. There may be others. The point that I would like to make is that student associations come and go from time to time. There have been more in the past, and sometimes they amalgamate into more broadly representative student organisations. That is why the bill is framed as it is. The act does not seek to specify organisations by name; it simply refers to relevant student bodies.

In relation to your assertion that there is a governance double standard here, I can inform you that we are not changing anything in this bill relating to how a student representative ends up on council. That is not being amended in this bill so we are relying on the provisions that already exist in the principal act. I can also indicate that when I was approached by the chancellor first on this matter, he did not make any request at all to change the manner by which students end up on the university council. I might leave it at that.

Mr FERGUSON - Minister, did you consult with those student organisations in relation to that?

Mr McKIM - No.

Ms O'Connor - Did you?

Mr McKIM - It is a pretty fair question. Did you?

Mr FERGUSON - We are all members of the committee.

Mr McKim - I will take that as a no, will I?

Mr FERGUSON - You can take it however you like, minister.

Mr McKim - Well, did you?

Mr FERGUSON - I will be honest. No, I did not.

Mr McKim - That makes two of us then.

Mr FERGUSON - I am asking you a question about your double standard, minister, so you can poke your tongue out and laugh. It is a fair question by you to ask me too, but the issue we are exploring is why would you, in reviewing the act -

Mr McKim - I would not categorise this as a review of the act. I am simply responding to a request from the chancellor made on behalf of the University Council.

Mr FERGUSON - So, minister, you have agreement from this side of the House in relation to what the act says about how University Council members must work in the interests of the university. We all understand that, but I am asking why it is that a student representative on university council is only appointed. Presumably there is an element of skills-based assessment of contribution to the University Council -

Mr McKim - I have confidence that the council would appropriately consider that appointment.

Mr FERGUSON - I am asking you why would you not, as we are reviewing this act by virtue of -

Mr McKIM - No, we are amending the act.

Mr FERGUSON - We are reviewing; we are amending.

Mr McKIM - No.

Mr FERGUSON - We are amending and we are considering this clause. The question to you is: on what basis are you satisfied that professional and general staff would be treated differently from students?

Mr McKIM - As I have indicated to you, shadow minister, these amendments were prepared at the request of the chancellor on behalf of the University Council. There was no request made by the chancellor to me to change the manner by which students are currently appointed. I will also make it really clear that I would not categorise what we are doing in this House as reviewing the act. I would categorise it as amending the act. I also want to be very clear that I would not categorise what I or the government did in developing these amendments as a review of the act. What I would categorise as a review normally would be a far broader process than we went through. We were responding specifically to requests made to me directly by the Chancellor. The government considered those requests and those other amendments that we are currently debating.

Amendments agreed to.

Clause 7, as amended, agreed to.

Clause 8 agreed to and bill taken through the remaining stages.

HISTORIC CULTURAL HERITAGE AMENDMENT BILL 2012 (No. 33)

Second Reading

[5.38 p.m.]

Mr WIGHTMAN (Bass - Minister for Environment, Parks and Heritage - 2R) - Mr Speaker, I move -

That the bill be now read the second time.

As members from both sides of the House will appreciate, our historic heritage is a fundamental feature of Tasmania, our local communities and people. In recent years a number of measures have been introduced to ensure that the management of our historic heritage is more contemporary and user-friendly. The time has come for these changes to be reflected in the legislation that governs the entry of places on the Tasmanian Heritage Register and the approval of works to those places.

The purpose of this legislation is fourfold: to streamline the application, approval and appeal process for the owners of places to be entered in the Tasmanian Heritage Register; to bring Tasmania in line with national standards and best practice with respect to assessing historic