

ANZAC MEMORIAL (BUILDING) AMENDMENT ACT.

Act No. 32, 1934.

An Act to vest in the Trustees of the Anzac Memorial Building the sole right to publish replicas, photographs, booklets, pamphlets and other like matter relating to the Anzac Memorial Building; to make further provision as to the care, control and management of the Anzac Memorial Building; to validate certain matters; to amend the Anzac Memorial (Building) Act, 1923; and for purposes connected therewith. [Assented to, 9th November, 1934.]

George V.
No. 32, 1934.

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

1. (1) This Act may be cited as the "Anzac Memorial (Building) Amendment Act, 1934." Short title.

(2) The Anzac Memorial (Building) Act, 1923, is in this Act referred to as the Principal Act.

(3) The Principal Act, as amended by this Act, may be cited as the Anzac Memorial (Building) Act, 1923-1934.

2. (1) The Principal Act is amended—

(a) by omitting section seven and by inserting in lieu thereof the following new section:— Amendment of Act No. 27, 1923.
Substituted sec. 7.

7. (1) The trustees shall hold the said fund and any further sums which may be acquired by them as trustees upon trust to apply the same in Application of moneys.

or

No. 32, 1934.

or towards the erection of a suitable memorial building for the use, benefit, rest or recreation of returned sailors, soldiers and nurses and the equipment, upkeep, maintenance and management thereof or otherwise, for the purposes provided for in this Act.

(2) The site of the memorial building shall be in the City of Sydney upon the land comprised in the Schedule to this Act dedicated for a war memorial under section twenty-five of the Crown Lands Consolidation Act, 1913, by notification in the Gazette number three of the ninth day of January, one thousand nine hundred and thirty-one.

(b) by inserting next after section nine the following Schedule:—

New
Schedule.

Secs. 7
(2), 9.

SCHEDULE.

DESCRIPTION of an area of 36 $\frac{4}{10}$ th perches, being part of an area of about 40 acres at Sydney, dedicated 3rd May, 1878, for Public Recreation and known as Hyde Park, the dedication of which part was revoked, and which part was rededicated for War Memorial by notification in the Gazette No. 3 of 9th January, 1931, p. 117.

All that piece or parcel of land situate in the parish of Saint Lawrence, county of Cumberland, and State of New South Wales, containing an area of 36 $\frac{4}{10}$ th perches or thereabouts: Commencing at a point bearing 41 degrees 39 minutes 20 seconds 497 feet 8 $\frac{1}{2}$ inches from the intersection of the prolongations of the existing kerbs on the eastern side of Elizabeth-street and the north-western side of Liverpool-street; and bounded thence by lines bearing 359 degrees 16 minutes 9 inches, 269 degrees 16 minutes 5 feet 6 inches, 359 degrees 16 minutes 15 feet, 269 degrees 16 minutes 7 feet, 359 degrees 16 minutes 16 feet 11 inches, 269 degrees 16 minutes 9 feet, 359 degrees 16 minutes 4 feet 6 inches, 89 degrees 16 minutes 3 inches, 359 degrees 16 minutes 32 feet, 269 degrees 16 minutes 3 inches, 359 degrees 16 minutes 4 feet 6 inches, 89 degrees 16 minutes 9 feet, 359 degrees 16 minutes 16 feet 11 inches, 89 degrees 16 minutes 7 feet, 359 degrees 16 minutes 15 feet, 89 degrees 16 minutes 5 feet 6 inches, 359 degrees 16 minutes 9 inches; thence by an arc 76 feet 2 $\frac{1}{2}$ inches of a semi-circle on the northern side of a diameter bearing 89 degrees 16 minutes 48 feet 6 inches; thence by lines bearing 179 degrees 16 minutes 9 inches, 89 degrees 16 minutes 5 feet 6 inches, 179 degrees 16 minutes 15 feet, 89 degrees 16 minutes 7 feet, 179 degrees 16 minutes 16 feet 11 inches,

Anzac Memorial (Building) Amendment Act.

321

No. 32, 1934.

89 degrees 16 minutes 9 feet, 179 degrees 16 minutes 4 feet 6 inches, 269 degrees 16 minutes 3 inches, 179 degrees 16 minutes 32 feet, 89 degrees 16 minutes 3 inches, 179 degrees 16 minutes 4 feet 6 inches, 269 degrees 16 minutes 9 feet, 179 degrees 16 minutes 16 feet 11 inches, 269 degrees 16 minutes 7 feet, 179 degrees 16 minutes 15 feet, 269 degrees 16 minutes 5 feet 6 inches, 179 degrees 16 minutes 9 inches; and thence by an arc 76 feet 2½ inches of a semi-circle on the southern side of a diameter bearing 269 degrees 16 minutes 48 feet 6 inches, to the point of commencement.

(2) The actions of the trustees in acting as though the law had been in accordance with the amendment made by subsection one of this section are hereby validated. Validation.

3. The Principal Act is further amended—

Further amendment of Act No. 27, 1923.
New secs. 8A, 8B.

(a) by inserting next after section eight the following new sections:—

8A. (1) The trustees—

Further powers of trustees.
cf. Vict. Act, 1933, No. 4,130.

(a) shall be responsible for the completion, care, management, maintenance and preservation of the memorial building, and for the care, management, maintenance and improvement of the land dedicated as a site for such building;

(b) may to the exclusion of all other persons—

(i) provide and sell;

(ii) authorise the manufacture, printing, publishing, and sale of replicas, photographs, booklets, pamphlets and other like matter relating to the memorial building; and

(c) may receive moneys by way of—

(i) collections or donations for the completion of the memorial building and for the care, management, maintenance, preservation or improvement of the memorial building or of the site thereof;

(ii) proceeds of sales by the trustees of replicas, photographs, booklets, pamphlets and other like matter relating to the memorial building;

(iii)

No. 32, 1934.

- (iii) fees for authorities granted by the trustees for the manufacture, printing, publishing and sale of such replicas, photographs, booklets, pamphlets, and other like matter,

for the funds of the trustees.

(2) Any moneys received by the trustees pursuant to paragraph (c) of subsection one of this section shall be available only for the purposes of carrying into effect the powers and duties of the trustees under this Act.

Publication
of represen-
tations, etc.,
of memorial
without
permission
an offence.

8B. Any person who, except with the authority in writing of the trustees, manufactures, prints, publishes or sells, or authorises the manufacture, printing, publishing or sale of any replicas, photographs, booklets, pamphlets or other like matter relating to the memorial building shall be liable to a penalty not exceeding ten pounds:

Provided that this section shall not render liable—

- (a) any person who prints or publishes any such photograph unless he knows that such photograph is to be used for the purposes of advertisement or to be sold; or
- (b) any proprietor, printer or publisher of a newspaper for the printing, publishing or sale of a newspaper containing photographs or other matter relating to the memorial building.

Sec. 9.
(Regula-
tions.)

- (b) (i) by inserting in subsection one of section nine after the words " building, and " the words " the land described in the Schedule to this Act, for the protection of any structure thereupon, for the removal of trespassers and other persons loitering upon or causing annoyance or inconvenience upon the said land and ";

- (ii) by inserting at the end of the same section the following new subsections:—

(4) The whole amount of all such penalties shall be paid to the trustees to be applied by them for the purposes of this Act.

(5)

Stock Diseases (Amendment) Act.

323

No. 32, 1934.

(5) The trustees or an officer appointed by them may call in the aid of the police for the removal by force if necessary of any person who is found committing a breach of any by-law or who is loitering upon the land described in the Schedule to this Act or who by disorderly or insulting conduct upon or in the immediate neighbourhood of such land causes annoyance or inconvenience to persons being on the said land or going to or coming from the same.

(c) by inserting next after section nine the following new section:—

New sec.
10.

10. Nothing in this Act shall prevent any prosecution or proceeding under any other Act, by-law or regulation but no person shall be twice punished or proceeded against in respect of the same offence.

Prosecution
under other
Acts, etc.
