

[CONFIDENTIAL.]

(Rough Draft for Consideration Only.)

No. , 1924.

A BILL

To provide for the management of the Australian Museum; to repeal the Australian Museum Act, 1902; and for purposes connected therewith.

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. This Act may be cited as the "Australian Short title. Museum Act, 1924," and shall come into operation upon a date to be fixed by the Governor by proclamation published in the Gazette.

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2. (1) The Australian Museum Act, 1902, is repealed. Repeal of Act No. 61, 1902, and savings.

(2) All persons other than the trustees of the Australian Museum appointed under the Act hereby repealed and holding office at the commencement of this Act shall be deemed to have been appointed hereunder.

(3) All proclamations, by-laws, and rules and orders issued or made under the authority of the Act hereby repealed and in force at the commencement of this Act shall, in so far as they are not inconsistent with this Act, be deemed to have been made or issued hereunder, and shall continue in force until revoked, varied, or repealed under the provisions of this Act. References in any such proclamation, by-law, rule, or order to the provisions of the Act hereby repealed shall be construed as references to the corresponding provisions of this Act.

3. In this Act, unless the context otherwise requires,— Interpretation.

“Committee” means the advisory committee constituted under this Act.

“Director” means the Director of the Australian Museum appointed under this Act.

“Prescribed” means prescribed by this Act or by regulations made thereunder.

4. The body corporate constituted under the name of “The Trustees of the Australian Museum” by the Act hereby repealed is dissolved, and the powers, duties, and authorities of that body corporate are vested in the Minister subject to the provisions of this Act. Dissolution of Board of Trustees constituted under the Act repealed.

5. (1) For the purposes of this Act the Minister is constituted a corporation sole under that name, with perpetual succession and a seal of office, and may in his corporate name sue and be sued, proceed and be proceeded against in all courts. The Minister to be a corporation sole.

(2) All real and personal property which at the commencement of this Act is vested in the body corporate dissolved by this Act is hereby transferred to and vested in the Minister subject to any trusts affecting the same.

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(3) All liabilities of the body corporate dissolved by this Act, may be pursued against the Minister or his successors.

(4) Any reference in any proclamation, by-law, rule or order, or in any instrument to the trustees of the Australian Museum shall after the commencement of this Act be construed as a reference to the Minister.

(5) The Minister may take, purchase, hold and enjoy, not only such lands, tenements, and hereditaments as may from time to time be required for the purposes of the Australian Museum, but also any other lands, tenements, and hereditaments wheresoever situate, and may also take, purchase, hold, and enjoy any chattels and personal property.

(6) Where any property or interest therein or charge thereon is vested in or is acquired by the Minister the same shall, unless otherwise disposed of by the Minister, pass and devolve to and vest in the successors of the Minister.

(7) Subject to the provisions of this section the Minister may sell, grant, convey, demise, or otherwise dispose of, either absolutely or by way of mortgage, any property held by him.

(8) It shall not be lawful for the Minister to sell, grant, convey, demise, mortgage, or dispose of any lands, buildings, or hereditaments unless with the approval of the Governor :

Provided that such approval shall not be necessary in the case of a lease for any term not exceeding thirty-one years from the time when such lease is made.

(9) Every lease entered into by the Minister under this Act shall reserve to the Minister during the whole of the term granted by the lease, the best yearly rent that can reasonably be obtained, without any fine or foregift.

6. (1) An advisory committee is hereby constituted for the purpose of advising and assisting the Director in the management of the Australian Museum. Constitution of advisory committee.

(2) The committee shall consist of—

- (a) the persons who for the time being hold the following offices, namely, the Professors of Anatomy,

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Anatomy, Geography, Geology, and Zoology, in the University of Sydney, the Under Secretary for Mines, and the Superintendent of Technical Education; and

(b) not more than six other persons, who shall be appointed by the Governor.

(3) Of the members of the committee appointed by the Governor one shall be a person nominated by the governing body of the Linnean Society of New South Wales and one a person nominated by the governing body of the Royal Society of New South Wales.

(4) The members of the committee appointed by the Governor shall hold office for three years and shall be eligible for reappointment from time to time.

(5) The committee shall act in an honorary capacity and shall exercise such powers, authorities, duties, and functions as may be prescribed.

(6) A meeting of the committee for the purpose of considering matters appertaining to the management of the Australian Museum shall be held at least once in every period of two months. Not less than nine such meetings shall be held in each year.

7. (1) The Governor may, upon the recommendation of the Public Service Board, and after considering any report or representations made by the committee, appoint a Director of the Australian Museum, and such other officers as may be necessary for carrying out the provisions of this Act. Appointment of Director and officers.

(2) The Director shall, subject to the direction of the Minister, have the entire management and superintendence of the affairs, concerns, and property of the Australian Museum; and in all cases not provided for by this Act or the regulations, may act in such manner as appears to him best calculated to advance the objects of the said museum.

8. All expenses incurred in respect of the administration of this Act shall be defrayed from moneys to be appropriated by Parliament for that purpose. Expense of administration.

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9. (1) The Minister shall at least once in every year, and also whenever the Governor so directs, furnish a report as to the management and progress of the Australian Museum to the Governor. Minister to furnish reports to Governor.

(2) A copy of every such report shall be laid before both Houses of Parliament within one month after the same is received, if Parliament is then in session, or if not, then within one month after the commencement of the next ensuing session.

10. (1) The Governor may make regulations for or with respect to all matters necessary or convenient to be prescribed for carrying out the provisions of this Act, including—

- (a) the management and good government of the Australian Museum;
- (b) the management of all property held by the Minister under this Act, and for the security of such property;
- (c) any other matter or thing relating to the Australian Museum which the Governor deems necessary for the effectual attainment of its objects.

(2) The regulations may impose a penalty for any breach thereof not exceeding *twenty* pounds.

(3) The regulations shall—

- (a) be published in the Gazette;
- (b) take effect from the date of such publication or from a later date to be specified in such regulations; and
- (c) be laid before both Houses of Parliament within fifteen sitting days after publication if Parliament is in session, and if not, then within fifteen sitting days after the commencement of the next session. If either House of Parliament passes a resolution of which notice has been given at any time within fifteen sitting days after such regulations have been laid before such House, disallowing any regulation or part thereof, such regulation or part shall thereupon cease to have effect.