

[CONFIDENTIAL.]

(Rough Draft for Consideration Only.)

No. , 1923.

A BILL

To regulate the trusts of certain public reserves; to amend the Public Trusts Act, 1897, the Public Parks Act, 1912, and certain other Acts; 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 "Public Reserves Short title. Act, 1923."

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2.

2. In this Act—

Definitions.

“ Minister ” means the Minister for Lands.

“ Public reserve ” means—

- (1) the areas enumerated in the Schedule hereto ; and
- (2) any land which in pursuance of section three of this Act is declared by the Governor to be a public reserve within the meaning of this Act.

3. (1) The Governor may by proclamation declare that— Power to proclaim public reserves.

- (a) any land specified therein, and which has, prior to the date of such proclamation, been set apart, dedicated, or reserved (whether temporarily or otherwise) for any public purpose under any Act, and whether the said land is or is not vested in trustees ; or
- (b) any public park named therein,

shall be a public reserve within the meaning of this Act.

(2) The proclamation shall be published in the Gazette.

4. (1) The Governor may by notification in the Gazette appoint any number of persons named therein, but not exceeding nine, to be the trustees of any public reserve specified in the notification. Constitution of corporate bodies of trustees.

(2) The trustees so appointed shall be a body corporate under the name prescribed by the Governor in such notification. Every such body corporate shall under its corporate name have perpetual succession and a common seal, may sue and be sued in all courts, and shall be capable of holding real and personal property.

(3) Upon the publication of a notification as aforesaid all trustees of the public reserve therein specified, who were in office at the date of such notification, shall cease to hold office.

(1) All powers and duties of such trustees shall thereafter be executed and performed by the body corporate so constituted as aforesaid ; and the property (if any) of such trustees, subject to any provisions which the Governor may by the said notification require to be made

made with respect to existing debts and securities, shall without further assurance be vested in and become the property of the body corporate constituted by such notification.

(5) If in the notification appointing a trustee, he is stated to be appointed in virtue of his holding a particular office or position, he shall on ceasing to occupy such office or position vacate his trusteeship.

(6) Any trustee who shall without leave of absence from the trustees absent himself from three consecutive ordinary meetings of the trust shall vacate his trusteeship.

5. The Governor may by a like notification—

(a) remove any trustee appointed in pursuance of this Act who desires to be discharged from, or refuses or becomes unfit or incapable to act in the trusts, or who shall reside out of the State ;

Power to remove trustees and fill vacancies.

(b) fill any vacancy however occurring.

6. (1) Every body corporate constituted under this Act shall, on or before the thirty-first day of July in each year, submit to the Minister an annual report upon the administration of the trust during the year ending on the thirtieth day of June next preceding.

Annual report, &c.

(2) Such report shall contain a statement of the receipts and expenditure of the body corporate, and a return showing the number of meetings of trustees held during the year, and the attendances thereat of each trustee, and such other matters as the Minister may from time to time specify in writing.

SCHEDULE.

Section 2.

- National Park.
- Ku-ring-gai Chase.
- Nielsen Park.
- Vaucluse Park.
- Captain Cook's Landing-place, Kurnell.
- Ashton Park.