

Passed by both Houses



New South Wales

# **Zoological Parks Board Amendment Bill 2000**

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*I certify that this PUBLIC BILL, which originated in the LEGISLATIVE ASSEMBLY, has finally passed the LEGISLATIVE COUNCIL and the LEGISLATIVE ASSEMBLY of NEW SOUTH WALES.*

*Clerk of the Legislative Assembly.  
Legislative Assembly,  
Sydney, , 2000*



New South Wales

## **Zoological Parks Board Amendment Bill 2000**

Act No , 2000

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An Act to amend the *Zoological Parks Board Act 1973* in relation to the constitution of the Zoological Parks Board of New South Wales; and for other purposes.

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*I have examined this Bill, and find it to correspond in all respects with the Bill as finally passed by both Houses.*

*Chairman of Committees of the Legislative Assembly.*

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**The Legislature of New South Wales enacts:**

**1    Name of Act**

This Act is the *Zoological Parks Board Amendment Act 2000*.

**2    Commencement**

This Act commences on a day or days to be appointed by proclamation.

**3    Amendment of Zoological Parks Board Act 1973 No 34**

The *Zoological Parks Board Act 1973* is amended as set out in Schedule 1.

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## Schedule 1 Amendments

(Section 3)

### [1] Section 6

Omit the section. Insert instead:

#### **6 Appointment of members**

- (1) The Board is to consist of 10 members appointed by the Minister, of whom:
  - (a) 5 are to be persons who have, in the opinion of the Minister, qualifications, knowledge, expertise or experience appropriate to the powers, authorities, duties and functions of the Board, and
  - (b) one is to be a person who has, in the opinion of the Minister, expertise in zoology, veterinary science or animal welfare, or in research relating to any one or more of those fields, and
  - (c) one is to be chosen by the Minister from a panel of 2 persons nominated by an organisation determined by the Minister, the principal activity of which is the voluntary provision of financial or other support to the zoological park in Mosman, and
  - (d) one is to be chosen by the Minister from a panel of 2 persons nominated by an organisation determined by the Minister, the principal activity of which is the voluntary provision of financial or other support to the zoological park in Dubbo, and
  - (e) one is to be chosen by the Minister from a panel of 2 persons nominated by the council of the local government area that includes the zoological park in Mosman, and
  - (f) one is to be a person chosen by the Minister from a panel of 2 persons nominated by the council of the local government area that includes the zoological park in Dubbo.

- (2) In making appointments to the Board, the Minister is to have regard to the powers, authorities, duties and functions of the Board referred to in section 15.
- (3) If the Minister would, but for this subsection, be unable to appoint a member referred to in subsection (1) (c)–(f) because a panel of persons has not been nominated:
  - (a) the Minister may instead appoint a person who is, in the opinion of the Minister, suitable to hold that office, and
  - (b) the person so appointed is taken to have been appropriately appointed.
- (4) A member:
  - (a) holds office, subject to this Act, for the term, not exceeding 5 years, that is specified in the member's instrument of appointment or (if not so specified) in a later instrument executed by the Minister, and
  - (b) is (if otherwise qualified) eligible for re-appointment.

**[2] Section 7 Chairperson and Deputy Chairperson**

Omit section 7 (1)–(3). Insert instead:

- (1) One of the members referred to in section 6 (1) (a) is to be appointed as Chairperson by the instrument appointing the person as a member or by a subsequent instrument executed by the Minister.
- (2) Another of the members referred to in section 6 (1) (a) is to be appointed as Deputy Chairperson by the instrument appointing the person as a member or by a subsequent instrument executed by the Minister.
- (3) The Chairperson and Deputy Chairperson are each to hold office as such for such period, not exceeding 5 years, as the Minister may determine by instrument in writing, and are eligible (if otherwise qualified) for re-appointment.

**[3] Sections 7 (4) and (5) (a) and 10 (1) (f) and (g) and (2)**

Omit “Governor” wherever occurring. Insert instead “Minister”.

**[4] Section 8 Provisions relating to official member**

Omit the section.

**[5] Section 10 Vacation of office**

Omit “An appointed member” from section 10 (1).

Insert instead “A member”.

**[6] Section 10 (1) (d)**

Omit the paragraph. Insert instead:

- (d) if the member becomes a mentally incapacitated person,

**[7] Section 10**

Omit “the appointed member” wherever occurring.

Insert instead “the member”.

**[8] Section 11 Proceedings of Board**

Omit section 11 (3). Insert instead:

- (3) The quorum for a meeting of the Board is a majority of its members for the time being. Any duly convened meeting of the Board at which a quorum is present is competent to transact any business of the Board and has and may exercise and perform all the powers, authorities, duties and functions of the Board.

**[9] Sections 47 and 48**

Insert after section 46:

**47 Savings and transitional regulations**

- (1) The regulations may contain provisions of a savings or transitional nature consequent on the enactment of the following Acts:

*Zoological Parks Board Amendment Act 2000*

- (2) Any such provision may, if the regulations so provide, take effect from the date of assent to the Act concerned or a later date.
- (3) To the extent to which any such provision takes effect from a date that is earlier than the date of its publication in the Gazette, the provision does not operate so as:
  - (a) to affect, in a manner prejudicial to any person (other than the State or an authority of the State), the rights of that person existing before the date of its publication, or
  - (b) to impose liabilities on any person (other than the State or an authority of the State) in respect of anything done or omitted to be done before the date of its publication.

**48 Provisions consequent on enactment of Zoological Parks Board Amendment Act 2000**

- (1) In this section, *amending Act* means the *Zoological Parks Board Amendment Act 2000*.
- (2) On the day of repeal of section 6 by the amending Act:
  - (a) a person holding office under section 6 (2) (a)–(c) or (5) immediately before that day ceases to hold that office, and
  - (b) a person holding office under section 6 (2) (d), (e), (f) or (g) immediately before that day is taken to be appointed as a member under section 6 (1) (c), (d), (e) or (f) (as inserted by the amending Act), respectively, for the balance of the person's term of office, and
  - (c) any other person holding office under section 6 (2) immediately before that day is taken to be appointed as a member under section 6 (1) (a) (as inserted by the amending Act) for the balance of the person's term of office.
- (3) A person who ceases to hold office under subsection (2) (a):
  - (a) is not entitled to any remuneration or compensation because of loss of that office, and
  - (b) is eligible (if otherwise qualified) to be appointed as a member.

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- (4) On the day of commencement of the amendment made to section 7 (1)–(3) by the amending Act, the persons holding office as Chairperson and Deputy Chairperson immediately before that day are taken to be appointed as Chairperson and Deputy Chairperson, respectively, under section 7 (as amended by the amending Act) for the balance of their respective terms of office as such.