

#### Explanatory note

This explanatory note relates to this Bill as introduced into Parliament.

#### Overview of Bill

The object of this Bill is to amend the Anzac Memorial (Building) Act 1923 (the principal Act) and related legislation as follows:

(a) to make the following people trustees of the Anzac Memorial Building (in addition to the existing trustees):

(i) the Director-General of the Department of Education and Training, the New South Wales Government Architect and the State Librarian,

(ii) a community representative appointed by the Minister,

(b) to provide for a veterans' representative to be a trustee in place of the President of the T.B. Sailors, Soldiers and Airmen's Association of NSW (Inc.), at a future date to be determined by the Minister,

(c) to remove the Chief Executive Officer of the NSW Trustee and Guardian as a trustee,

(d) to appoint the Premier as the Chairperson of the trustees and the President of the Returned and Services League of Australia (New South Wales Branch) (the RSL) as the Deputy Chairperson,

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(e) to include as a function of the trustees the education of the community about Australia's military history and heritage,

(f) to appoint the RSL as the guardian of the Anzac Memorial Building.

#### Outline of provisions

Clause 1 sets out the name (also called the short title) of the proposed Act.

Clause 2 provides for the commencement of the proposed Act on a day or days to be appointed by proclamation.

#### Schedule 1 Amendment of Anzac Memorial

#### (Building) Act 1923 No 27

Schedule 1 [2] makes the Director-General of the Department of Education and Training, the New South Wales Government Architect and the State Librarian trustees of the Anzac Memorial Building, in addition to the Premier, the Leader of the Opposition, the Lord Mayor of Sydney and the President of the RSL, who are currently trustees. The Chief Executive Officer of the NSW Trustee and Guardian will no longer be a trustee. There will also be two persons appointed by the Minister as trustees, referred to as the veterans' representative and the community representative. The President of the T.B. Sailors, Soldiers and Airmen's Association of NSW (Inc.), who is currently a trustee, will remain as a trustee until a date appointed by the Minister by order published on the NSW legislation website. On and from that date, the veterans' representative will be a trustee. Schedule 1 [4] provides that the veterans' representative will be a person nominated by the RSL and the community representative will be a person with financial or business qualifications or experience that will assist the trustees in the exercise of their functions.

Schedule 1 [2] also provides that the Premier is to be the Chairperson of the trustees and the President of the RSL is to be the Deputy Chairperson. Schedule 1 [3] provides that in the absence of the Premier, a proxy appointed by the Premier may, with the written authority of the Premier, exercise the Premier's functions as Chairperson.

Schedule 1 [6] provides that the trustees may promote the understanding of, and conduct community education about, Australia's military history and heritage and have the functions conferred on them by the Returned and Services League of Australia (New South Wales Branch) Incorporation Act 1935 or any other Act.

Schedule 1 [5] is a consequential amendment.

Schedule 1 [7] enables the trustees to delegate any of their functions to a trustee or an officer of the Department of Premier and Cabinet.

Schedule 1 [1] inserts standard definitions of exercise and function for the purposes of the principal Act.

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Schedule 2 Amendment of Anzac Memorial

(Building) By-laws 1937

Schedule 2 makes consequential amendments to the Anzac Memorial (Building)

By-laws 1937 and amendments of a statute law revision nature. The trustees will no longer elect the Chairperson and Deputy Chairperson as the principal Act will provide that the Premier is the Chairperson and the President of the RSL is the Deputy Chairperson. The quorum for a meeting of the trustees will be increased from 4 to 6 trustees, as a result of the increase in the number of trustees from 6 to 9.

Schedule 3 Amendment of Returned and Services

League of Australia (New South Wales

Branch) Incorporation Act 1935 No 39

Schedule 3 provides that the RSL is the guardian of the Anzac Memorial Building.

The trustees of the Anzac Memorial Building are required to appoint, as custodian of the building, a person nominated by the RSL. Any information or complaint in respect of an offence concerning the Anzac Memorial Building may be laid or made by the custodian. These arrangements are similar to the existing arrangements for the Cenotaph.