

Legislative Council.

No. , 1919.

A BILL

To incorporate, regulate, and otherwise promote the objects of the New South Wales Branch of the "Returned Sailors and Soldiers Imperial League of Australia"; to provide for the establishment of an Anzac Memorial; to appoint trustees of the Anzac Memorial Fund; and for purposes consequent thereon and incidental thereto.

[MR. GARLAND;—12 *November*, 1919.]

WHEREAS a society which is unsectarian and non-Preamble.
political in character is now in existence, known
as the "Returned Sailors and Soldiers Imperial League
of Australia" (hereinafter called the league), having for

its objects the preservation of the memory and achievements of all Australian nurses, sailors, and soldiers—the erection of monuments, provision of burial places, and institution of an annual commemoration day to, for, and in honor of such of the said nurses, sailors, and soldiers who have died abroad or in Australia—the provision of pensions, medical attention, homes, employment, and other relief for such of the said nurses, sailors, and soldiers as are or may hereafter be sick, wounded, or impoverished, and for their dependents—the maintenance of a proper standard of honor and dignity among returned nurses, sailors, and soldiers, the preservation of their good name, and the furtherance of their material interests in civil life—the establishment and maintenance of clubs, clubrooms, information bureaus, libraries, and social, educational, and benevolent institutions for the use of members of the league; and the establishment and maintenance by the league or its branches of newspapers in aid of the aforesaid objects: And whereas a branch of the league (known as the “Returned Sailors and Soldiers Imperial League of Australia (New South Wales Branch),” and hereinafter called the branch) has been, and is now established, under certain rules and by-laws, in and for the second military district of the Commonwealth only: And whereas the branch is possessed of money, securities, and other property, and it is desirable that the said money, securities, and property should be protected for the purposes of the branch: And whereas it is expedient for the purpose of more effectually carrying out the objects of the branch and for its good government and management that legislative enactment should be provided: And whereas on the twenty-fifth day of April, one thousand nine hundred and sixteen, and the second day of August, one thousand nine hundred and eighteen, appeals were made to the public of New South Wales for funds, with the view of establishing in the State of New South Wales a State Memorial of the achievements of the Australian Imperial Forces to take the form of a memorial building, which would serve as a place
of

of rest and recreation for all returned nurses, sailors,
and soldiers, and the proceeds of such appeals and
certain accumulations thereof, a Government subsidy
of _____ pounds making in all the sum of
5 _____ pounds are now held on trust for the
said purposes: And whereas it is expedient that the
said moneys and all future moneys collected for
the same purpose should be vested in trustees with
power to apply the same to the purposes of the said
10 memorial building and also to the general purposes and
objects of the branch: And whereas it is desirable that
the branch should be incorporated with and subject to
the powers, privileges, restrictions and provisions here-
inafter mentioned: Be it therefore enacted by the
15 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 "Returned Sailors Short title.
20 and Soldiers Imperial League (New South Wales)
Incorporation Act, 1919."

2. In this Act, unless the context or subject-matter Definitions.
otherwise indicates or requires,—

25 "Anzac Memorial" means the land and building
to be acquired by the trustees with the approval
of the council under and for the purposes of
this Act.

30 "Body corporate" means the corporation of the
Returned Sailors and Soldiers Imperial League
(New South Wales).

"Branch" means the Returned Sailors and Soldiers
Imperial League of Australia (New South
Wales Branch) so incorporated by this Act.

35 "By-laws" means the rules and by-laws for the
time being of the branch.

"Council" means the council for the time being of
the body corporate.

"Councillor" means any member of the council for
the time being.

40 "League" means the Returned Sailors and Soldiers
Imperial League of Australia.

"Returned

“Returned soldier” means “returned soldier” as defined by the by-laws for the time being.

“Secretary” means secretary for the time being of the branch.

“Treasurer” means treasurer or treasurers for the time being. 5

“Trustees” means the trustees for the time being of the Anzac Memorial Fund.

Incorporation
of branch.

3. On and from and after the passing of this Act all persons who shall be members of the branch at the passing of this Act and all persons who shall hereafter become members thereof shall be, subject to the provisions in this Act contained, a body corporate by the name and style of the “Returned Sailors and Soldiers Imperial League (New South Wales),” by which name such body corporate shall have perpetual succession and a common seal, and in the same name shall sue and be sued, defend and be defended in all courts whatsoever, and may prefer, lay, and prosecute any indictment, information, and prosecution against any person or persons whomsoever for any offence, and in all indictments, informations, and prosecutions it shall be lawful to state any property of the said body corporate to be the property of the said body corporate in its corporate name, and to allege any intent to defraud the said body corporate or any of its officers to be an intent to defraud the said body corporate. 10 15 20 25

All trust
property
vested in
body
corporate.

4. All real and personal property which at the commencement of this Act is vested in and held by any person in trust for or on behalf of the branch is hereby transferred to and vested in the said body corporate, subject to any trusts affecting the same. 30

Power to hold
and deal with
lands.

5. The said body corporate may take, purchase, hold, and enjoy, not only such lands, buildings, and hereditaments as may from time to time be required for the purposes of the branch, but also any other lands and hereditaments whatsoever or wheresoever situate, and may also take, purchase and receive, hold and enjoy any chattels and personal property, and may also sell, grant, convey, demise, or otherwise dispose of, either absolutely or by way of mortgage, any of the property, real or personal, belonging to the said body corporate : 35 40

Provided

Provided that it shall not be lawful for the said body corporate to sell, grant, convey, demise, mortgage, or dispose of any land now or hereafter granted to it by the Crown by way of free gift, unless with the approval of the Governor.

6. The branch and the property of the said body corporate shall be governed, managed, and disposed of by the council, and eight councillors shall form a quorum of such council for doing any act or performing or transacting any business which may under the provisions of this Act or the by-laws thereunder be done, performed, or transacted by such council.

7. The council shall for all purposes connected with the branch be the representatives of the said body corporate and shall consist of twenty councillors, one of whom shall be the president, three of whom shall be the vice-presidents, and one of whom shall be the treasurer of the branch.

8. The council shall have the custody of the common seal of the said body corporate and shall have power to design and at any time and from time to time to change or alter the said common seal, and the councillors present at a meeting of the council shall have power to use such seal for the affairs of the branch, and to affix the same to any deed or document; and, under such seal either by letter of attorney or otherwise, to authorise any person or persons to execute without such seal deeds and contracts and to do all such other things as may be required to be done on behalf of the branch in conformity with the by-laws and this Act, and it shall not be necessary to use the said seal in respect of any of the ordinary business of the branch or for the appointment of any attorney for the prosecution or defence of any action, suit, or proceeding.

9. The first elections of president and councillor, vice-presidents and councillors, honorary treasurer and councillor, and the other councillors shall be held within four months after the commencement of this Act, and the twenty councillors then elected shall collectively form

- form the first council under this Act. Until such elections have been held, the existing council of the branch shall continue to manage the branch.
- Election of councillors.** **10.** The council shall be elected annually in the manner provided for by the by-laws for the time being of the branch, and every member of the council shall retire annually but shall be eligible for re-election. 5
- Filling of vacancies in council.** **11.** When and so often as any person elected to the council ceases to be president, a vice-president, or the honorary treasurer, of the branch, he shall at the same time cease to be councillor, and vice versa: And the remainder of the councillors shall forthwith elect his successor, unless the by-laws otherwise provide, in which event such successor shall be elected as provided for in the said by-laws. 10
15
- Informalities in appointment of councillors.** **12.** All acts done at any meeting of the council shall, notwithstanding any informality in the election, appointment or qualification of any councillor, be as valid as if such person had been duly elected or appointed and was qualified to be a councillor. 20
- District or local councils.** **13.** The council may appoint district or local councils and other necessary officers in such places and with such powers as are or may be provided by the by-laws or as may from time to time consistently therewith be determined by the council. 25
- By-laws.** **14.** Subject to the provisions of this Act, the present by-laws of the branch shall be the by-laws of the said body corporate until altered, varied, amended or repealed in the manner provided in this Act and the by-laws. 30
- Power to make by laws.** **15.** Subject to the provisions of this Act it shall be competent for the council from time to time to alter, vary, amend, and repeal the by-laws and to make new by-laws, but no by-law shall be made by the council in opposition to the general scope or true intent and meaning of this Act. 35
- How to make and alter by-laws.** **16.** Every alteration, variation, amendment, or repeal of any by-law, and every new by-law, shall be first approved of by two-thirds of the votes at a congress of delegates representative of the sub-branches of the branch convened for the purpose in the manner provided for by the by-laws. 40
- 17.**

17. A copy of the by-laws, sealed with the seal of the body corporate, and purporting to be certified by the secretary for the time being as being correct, shall be received in any court as conclusive evidence of such 5 by-laws, and of the same having been duly made under this Act.

Copy of by-laws to be evidence.

18. The council may invest any funds of the said body corporate which are not in the opinion of such council required to defray the current expenses of the 10 branch, and any moneys given or bequeathed to or arising from the sale of real or personal property granted, devised, bequeathed, or given to the branch, according to the discretion of the council in any Government stocks, funds, or debentures of any Australian States, or 15 of the Commonwealth of Australia, or in any debentures or debenture stock of any municipal corporation in any such States, or of any bank or incorporated company carrying on business therein, or by way of purchase of or mortgage upon any freehold estate there, as well as 20 in bank or deposit receipts for fixed periods or otherwise, with power from time to time and at any time to vary and transfer any such investment for or into any other investment authorised by this Act: - Provided that the council may at any time resort to any such investments 25 and sell the same for the purpose of applying the proceeds of any such sale for the purposes of the branch.

Power of council to invest funds.

19. The council may from time to time elect and appoint from their own body such and so many sub- 30 committees as they may think fit for transacting the affairs and business of the branch, with and subject to such powers, privileges, provisions, and conditions as may be expressed and declared by the by-laws.

Council to appoint sub-committees.

20. Every summons, or notice, or writ, or other proceeding at law, or in equity, requiring to be served 35 upon the branch may be served by being given personally to the secretary, or in case there be no secretary, then to any councillor of the body corporate.

Service of notice on branch.

21. The by-laws of the branch shall at all times prescribe the terms and conditions of membership of the 40 said body corporate, and notwithstanding anything herebefore contained, may provide for the cesser of membership and the expulsion of members: Provided

Who may become members of the body corporate.

Provided that, at the expiration of ten years from the passing of this Act, or as soon as the number of members of the branch shall have fallen to less than one thousand, whichever event shall last happen, all returned soldiers resident in the State of New South Wales, and all persons so resident who shall be sons of returned soldiers, and such other persons as the by-laws of the branch may prescribe, shall, without the payment of any subscription or fee, be entitled to become members of the said body corporate, subject, however, to any provisions in the by-laws as to nominations, applications for membership, approval of nomination and application, cesser of membership, and expulsion of members.

Anzac
Memorial
Fund.

22. All moneys given, subscribed, and collected for the purposes of the Anzac Memorial in connection with the public appeals made throughout the State of New South Wales on the twenty-fifth day of April, one thousand nine hundred and sixteen, and the second day of August, one thousand nine hundred and eighteen (including the moneys specified in the First Schedule to this Act), and all moneys hereafter given, subscribed, collected, bequeathed, or arising from any donation of real or personal property for the purposes of the Anzac Memorial, shall constitute one fund to be known as the Anzac Memorial Fund, and may, after the expiration of one month from the passing of this Act, be sued for and recovered by the trustees for the time being of the said fund in the Supreme Court or any district court of the said State as in an action at law for money had and received to the use of the said trustees.

Trustees,

23. The trustees of the said Anzac Memorial Fund shall be persons for the time being occupying the following positions, namely :—

- The Premier of the State of New South Wales; 35
- The leader of the Opposition in the Legislative Assembly of the said State;
- The Lord Mayor of Sydney in the said State;
- The Deputy Governor of the Commonwealth Bank of Australia in the said State; 40
- The General Manager of the Bank of New South Wales; The

The General Manager of the Commercial Banking
Company of Sydney, Limited;

The General Manager of the Australian Mutual
Provident Society;

5 The Managing Director of the Mutual Life and
Citizens' Insurance Society, Limited; and

The President of the Branch,

as shall sign an acceptance of the said trust in the form
of the Second Schedule to this Act; and also such three
10 other persons, to be nominated by the council, as shall
sign such acceptance in the form aforesaid: Provided

that any such trustee, upon ceasing to occupy in the said
State the position as occupier whereof he became a
trustee, shall automatically cease to be a trustee of the
15 said fund, and the next occupier in the said State,
of such position shall upon signing an acceptance of the
said trust as aforesaid become a trustee of the said fund:

Provided further that if at any time the number of
trustees shall be reduced to less than five in number the
20 council may from time to time nominate any number of
persons not exceeding twelve in number at one time to
be new trustees, but so that there shall not be more
than twelve trustees of the said fund, and such persons so
nominated shall, upon signing an acceptance of the said
25 trust as aforesaid, be and become trustees of the said
fund.

24. The trustees shall, subject to the provisions of
this Act, hold the said Anzac Memorial Fund upon trust
for the purchase of a building in the city of Sydney, or
30 of land in the said city on which to erect a building
and for the erection of such building on any land so
purchased or on land given for that purpose for the use
and benefit and rest and recreation of members of the
body corporate and the government and management of
35 the branch and the general purposes thereof, and for
the equipment, upkeep, maintenance, and management
of the said building for all the aforesaid purposes.

25. No portion of the said Anzac Memorial Fund
shall be applied in the purchase of a building or of land
40 or in the erection of a building until the council has
signified to the trustees its approval in writing of the
site selected for the said building.

Anzac
Memorial
building.

Approval of
council required
before purchase
or erection.

By-laws for
control of
building.

26. The council may make by-laws for the control and management of the said building, but such by-laws shall be of no force or effect until they have been approved of in writing by a majority of the trustees for the time being.

5

Portion of
building to
be set apart
for general
use.

27. The council shall, with the approval of a majority of the trustees, set apart a portion of such building for general use by all returned soldiers; and no returned soldier, so long as he complies with the said last-mentioned by-laws, shall be prevented by any person from using that portion of the said building which is so set apart, whether he be a member of the body corporate or not.

10

Religious and
political
matters
prohibited.

28. The by-laws of the said body corporate shall at all times expressly forbid the branch to take part in any matter of a political or religious character, and the said by-laws for the control and management of the said building shall at all times expressly prohibit all persons using the said building from engaging in any political or religious propaganda within the precincts of such buildings.

20

Trust moneys
to be paid to
trustees
within one
month.

29. Within one month after the passing of this Act the moneys specified in the First Schedule to this Act and all other moneys held by any person forming part of the Anzac Memorial Fund shall be paid over to the trustees, and the receipt of three of the trustees shall be a sufficient discharge to the person or persons paying over the said moneys or any of them.

25

Investment
of trust
moneys.

30. Subject to the provisions of this Act, any moneys now or hereafter forming part of the said Anzac Memorial Fund and which are not, in the opinion of a majority of the trustees and a majority of the council, required for the time being for the purpose of establishing the said building may be invested in any Government stock, funds, or debentures of any Australian States or of the Commonwealth of Australia, or in any Government Savings Banks of the said Commonwealth or of any of the said States, or in bank or deposit receipts for fixed periods or otherwise, or by way of mortgage upon any freehold lands in any of the said States for any term not exceeding seven years.

30

35

40

31.

31. Until the said building shall be established and available for use by the branch the trustees may from time to time pay the whole or any part of the income of the said Anzac Memorial Fund to the treasurer of the 5 branch, to be used as the council may decide for any of the purposes of the branch.

Payment of income of fund to council.

32. The trustees shall have power to make by-laws for the conduct of their own meetings (provided that at all meetings five trustees shall form a quorum), the signing 10 and endorsement of cheques, receipts and vouchers, the mode of operating on the banking accounts of the trustees, the auditing of accounts, and generally for prescribing or providing for such other matters and things as may, in the opinion of the trustees, be necessary 15 or expedient.

Trustees may make by-laws.

33. It shall be lawful for the branch to amalgamate with or to absorb any other society or institution (including any sub-branch of the league formed or to be 20 formed outside the second military district of the Commonwealth, but in the State of New South Wales) having objects similar to those of the branch, provided that the provisions and enactments of this Act are not impaired or interfered with.

Power to amalgamate or absorb other societies of like objects.

34. Nothing in this Act contained shall be deemed 25 to require that the branch shall continue to be a branch of the league, and notwithstanding that the league may at any time be dissolved or that the branch may secede from or be expelled from the league, the branch shall continue to exist as the body corporate constituted by 30 and for the purposes of this Act.

Branch to continue after dissolution of league or secession or expulsion from league.

35. Notwithstanding the present constitution of the league the branch shall at all times, subject to the by-laws, have power to admit to membership of the body corporate persons residing for the time being outside the 35 second military district of the Commonwealth and to establish branches or sub-branches and local or district councils outside the said military district.

Members, branches and councils outside second military district.

36. The members of the council and the trustees for the time being shall be respectively charged only for 40 such moneys, stocks, funds, shares, and securities as they shall

Each member of council, &c., to be liable only for his own acts, &c.

shall respectively actually receive, notwithstanding their
respectively signing any receipt for the sake of conformity,
and shall be answerable and accountable only for their
own acts, receipts, neglects, or defaults, and not for those
of each other, nor for any banker, broker, or other 5
person with whom any trust moneys or securities may
be deposited, nor for the insufficiency or deficiency of
any stocks, funds, or securities, nor for any other loss,
unless the same shall happen through their own wilful
default respectively. 10

Trustees
Audit Act,
1912.

37. The accounts of the corporation are hereby
included in Schedule Two to the Trustees Audit Act, 1912.

This PUBLIC BILL originated in the LEGISLATIVE COUNCIL, and, having this day passed, is now ready for presentation to the LEGISLATIVE ASSEMBLY for its concurrence.

W. L. S. COOPER,
Clerk of the Parliaments.

*Legislative Council Chamber,
Sydney, 26th November, 1919.*

New South Wales.



ANNO DECIMO

GEORGII V REGIS.

Act No. , 1919.

An Act to incorporate and otherwise promote the objects of a society called the Returned Sailors and Soldiers Imperial League of Australia (New South Wales Branch); and for purposes consequent thereon and incidental thereto.

WHEREAS a society called the Returned Sailors and Soldiers Imperial League of Australia has been formed under certain rules and by-laws, with a New South Wales branch, for the general advancement and benefit of returned sailors, soldiers, and nurses who have been on active service and their dependents and the dependents of fallen comrades: And whereas on the second day of August, one thousand nine hundred and eighteen, an appeal for funds was made

Preamble.

Returned Sailors and Soldiers Imperial League of Australia (New South Wales Branch) Incorporation.

made to the public for the purpose of raising a memorial building, which would not only serve as a memorial of the achievements of the Australian Imperial Forces, but would also provide returned sailors and soldiers with
 5 a place for rest and recreation, and as the result of such appeal the sum of forty-three thousand pounds is now held on behalf of such memorial building : And whereas other sums of money are also held for the same purpose, which sums include a Government subsidy and moneys
 10 collected on the twenty-fifth day of April, one thousand nine hundred and sixteen, and which subsidy and moneys amount to eighteen thousand six hundred pounds : And whereas it is expedient that the said society should be incorporated, and should be invested
 15 with the powers and authorities hereinafter contained : Be it therefore 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
 20 authority of the same, as follows :—

1. This Act may be cited as the “Returned Sailors Short title. and Soldiers Imperial League of Australia (New South Wales Branch) Incorporation Act, 1919.”

2. In this Act, unless the context or subject-matter Definitions. otherwise requires,—

“By-laws and rules” means the by-laws and rules of the corporation.

“Corporation” means the branch hereby incorporated.

30 “Council” means the council of management for the time being of the corporation.

“Returned sailor, soldier, or nurse” means a returned sailor, soldier, or nurse as defined by the by-laws and rules.

35 “Secretary” means such person or persons as shall for the time being be or be acting as secretary or secretaries, honorary or otherwise, of the corporation.

40 “Trustees” means such persons as shall for the time being be the trustees of the corporation.

Returned Sailors and Soldiers Imperial League of Australia (New South Wales Branch) Incorporation.

3. All persons who are hereinafter declared to be members shall be, subject to the provisions in this Act contained, a body corporate with the name of the "Returned Sailors and Soldiers Imperial League of Australia (New South Wales Branch)," by which name such body corporate shall have perpetual succession and a common seal, and shall and may enter into contracts, sue and be sued, proceed and be proceeded against in all courts and places whatsoever, and any writ, summons, notice, or other process which it may be requisite to serve upon the corporation may be served upon the secretary or one of the secretaries, as the case may be, or if there be no secretary, or if the secretary or secretaries be absent from the State, then upon the president or one of the vice-presidents of the corporation.

4. The members of the corporation shall be all returned sailors, soldiers, and nurses,—

- (a) who are members of the said branch at the commencement of this Act; and
- (b) who shall in manner prescribed by the by-laws and rules become members thereof:

Provided that when the members aforesaid become reduced in number to less than one thousand, and after the expiration of ten years from the commencement of this Act, all returned sailors, soldiers, and nurses, and the sons of returned sailors, soldiers, and nurses, and such other persons as the council may from time to time determine shall be entitled to become members upon signing and handing to the secretary an application in the form prescribed by the by-laws and rules.

5. The objects and purposes of the corporation shall be—

- (1) the purchase or erection and the equipment and maintenance of a suitable memorial building for the use, benefit, rest, and recreation of all returned sailors, soldiers, and nurses members of the corporation, and subject thereto;

(2)

Returned Sailors and Soldiers Imperial League of Australia (New South Wales Branch) Incorporation.

- (2) the protection of the interests and promotion of the welfare of returned sailors, soldiers, and nurses, and their dependents, and the dependents of deceased sailors, soldiers, and nurses; and
- 5 (3) the promotion or carrying out of any objects incidental to or which may be necessary or desirable in connection with any of the foregoing objects.
- 10 **6.** The corporation shall have power, with the consent of a majority of the trustees, to acquire and hold land and any interest therein, and also with such consent to sell, let, mortgage, or otherwise dispose of or deal with such land or interest therein. Power to hold and deal with lands.
- 15 **7.** The ordinary business of the corporation shall be managed by the council, and it shall not be lawful for individual members to interfere in any way in the management of the affairs of the corporation, except as is by this Act and by the by-laws and rules for the time
- 20 being specially provided. Ordinary business to be managed by the council.
- 8.** (1) The council shall consist of a president, three vice-presidents, and sixteen councillors of whom three shall be nominated annually by the trustees. Such nominees shall, while their nomination holds, be ex officio
- 25 members of the corporation.
- (2) The president and vice-presidents and the elected members of the council shall be elected annually by the members of the corporation in the manner provided by the by-laws and rules, and unless their offices
- 30 sooner become vacant, shall hold office until their successors are elected, and no longer, but shall be eligible for re-election.
- (3) At any annual or special meeting of the corporation fifty members shall form a quorum.
- 35 **9.** (1) The president and vice-presidents of the said branch in office immediately before the commencement of this Act shall be the president and vice-presidents respectively of the corporation, but, unless re-elected or their offices are sooner vacated, shall hold office only until their successors are elected. Continuance in office of existing officers.
- (2)

Returned Sailors and Soldiers Imperial League of Austrasia (New South Wales Branch) Incorporation.

(2) The secretary and treasurer of the said branch in office immediately before the commencement of this Act shall be the secretary and treasurer respectively of the corporation, and shall hold office until they are
5 retired by the council or their office is sooner vacated.

10. (1) Any vacancy occurring in the office of
president or vice-president by death, resignation, or
otherwise before or after the first election of presidents
and vice-presidents shall be filled by such person as
10 may be appointed by the council, but any person so
appointed shall retire at the next annual meeting and
shall be eligible for re-election.

(2) Any vacancy occurring in the office of an
elected member of the council shall be filled by the
15 council and any vacancy occurring in the office of a
nominated member of the council shall be filled by the
trustees, and the member so elected or nominated shall
hold office for the balance of the period for which his
predecessor would have held office and shall be eligible
20 for re-election or re-nomination.

11. A special general meeting of the members of
the corporation for the transaction of any particular
business may at any time be called by the council; and
on receiving a requisition signed by not less than fifty
25 members of the corporation the secretary shall call a
special general meeting of the members thereof.

12. (1) The council shall meet weekly, or oftener if
necessary.

(2) Eight members thereof shall form a quorum.
30 (3) Any member of the council absenting
himself without leave from the meetings of the council
for four consecutive meetings shall be considered to have
vacated his seat.

13. The council shall have the general management
35 and superintendence of the affairs, business, and property
of the corporation, and with the exception of the appoint-
ment of presidents and vice-presidents, the council may
appoint all officers and servants required for the carrying
out of the objects of the corporation and the manage-
40 ment and protection of its property, and may define the
duties and fix the salaries of all officers and servants.

The

Returned Sailors and Soldiers Imperial League of Australia (New South Wales Branch) Incorporation.

The council may also with the consent of a majority of the trustees purchase, lease, or otherwise acquire land or buildings, and may erect buildings for any of the purposes of the corporation, and may with such consent
5 borrow money for such purposes, either on mortgages of the real and personal property of the corporation or any part thereof or without security, and may also agree to and settle the covenants, powers, and authorities to be contained in any instrument as aforesaid.

10 **14.** The council shall have the custody of the common seal of the corporation and power to use the same in or about the affairs and business of the corporation and for the execution of any of the instruments aforesaid, and may under such seal authorise any person
15 without such seal to execute any deed or instrument and do such other matter as may be required to be done on behalf of the corporation, but it shall not be necessary to use the said seal in respect of the ordinary business of the corporation nor for the appointment of any secretary
20 or other officer.

Custody and use of common seal.

15. The president or any vice-president or the secretary or either one of the secretaries may represent the corporation in all legal and equitable proceedings, and may for and on behalf of the corporation make such
25 affidavits and do such acts and sign such documents as are or may be required to be done by the plaintiff or complainant or defendant respectively in any proceeding to which the corporation may be a party.

President, vice-president, or secretary may represent corporation for certain purposes.

16. Such of the persons as shall for the time being
30 hold the positions hereinafter mentioned, and who shall be willing to act, shall be the trustees of the corporation, namely:—

Trustees.

The Premier of the State.
The Leader of the Opposition.
35 The Lord Mayor of Sydney.
The Deputy-Governor of the Commonwealth Bank of Australia.
The General Manager of the Bank of New South Wales.
40 The General Manager of the Commercial Banking Company of Sydney, Limited. The

Returned Sailors and Soldiers Imperial League of Australia (New South Wales Branch) Incorporation.

- The General Manager of the Australian Mutual Provident Society.
- The Managing Director of the Mutual Life and Citizens' Insurance Society, Limited.
- 5 The President of the New South Wales Branch of the League.
- Three other persons (who may also be members of the council) to be nominated annually by the council.
- 10 **17.** The trustees shall have full power to prescribe Powers of trustees.
the times, places, quorum, and conduct of their own meetings, the modes of signing or endorsing cheques, receipts, and other vouchers, and the method of operating upon any banking account of the trustees.
- 15 **18.** (1) The sums mentioned in the preamble to this Act shall within one month after the commencement thereof be paid over to the trustees, and the receipt of three of the trustees shall be a valid receipt and discharge for the moneys so paid over. Capital moneys to be paid to trustees.
- 20 (2) Any other property belonging to the branch at the commencement of this Act, or to which it is then entitled, is hereby transferred to and vested in the council on trust for the corporation.
- 25 **19.** (1) The trustees shall hold the said sums and all further sums that may hereafter be given to or raised by the corporation upon trust to apply the same as the council, with the approval of a majority of the trustees, shall think proper, in the erection, purchase, or lease of a suitable memorial building, or the purchase or lease of Application of capital moneys.
30 land for the erection thereon of such building, and in the equipment, upkeep, maintenance, and management thereof, or otherwise for the purpose of carrying out the objects of the corporation.
- 35 (2) Any moneys held by the trustees may be invested in any State or Federal stocks, funds, or securities Investment of moneys.
or in any State or Federal savings bank, or upon mortgage for any term not exceeding seven years over freehold lands in Australia, or upon fixed deposit with any bank.

Returned Sailors and Soldiers Imperial League of Australia (New South Wales Branch) Incorporation.

(3) Pending the acquisition or erection as aforesaid of a suitable memorial building, or of land for that purpose and the erection thereon of such building, the trustees may, if they think fit, pay over the whole or any part of the income to be derived from the before-mentioned sum or further sums to the corporation, provided such corporation continues to exist and has not less than one thousand members; and any accumulation of income may be used for any of the purposes of the corporation.

20. (1) It shall be lawful for the council from time to time to make by-laws and rules under this Act for the management of the affairs of the corporation and for carrying out the provisions of this Act.

(2) All by-laws and rules as made shall—

(i) be published in the Gazette;

(ii) take effect from the date of publication, or from a later date to be specified in such by-laws and rules; and

(iii) shall be laid before both Houses of Parliament within fourteen days after publication, if Parliament is in session, and if not, then within fourteen 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 by-law or rule, such by-law or rule shall thereupon cease to have effect.

(3) Until such by-laws and rules have been made, the rules and regulations of the said branch in force immediately before the commencement of this Act shall, except where inconsistent with this Act and except so far as altered or repealed by any by-laws and rules made under this Act, continue binding on the members of the corporation.

21. A printed copy of any such rules and regulations or of such by-laws and rules sealed with the seal of the

nt of
income.

By-laws and
rules.

Copy of by-
laws, &c., to
be evidence.

the

Returned Sailors and Soldiers Imperial League of Australia (New South Wales Branch) Incorporation.

the corporation and purporting to be certified by the secretary for the time being as being correct, shall be received in all courts as conclusive evidence of such rules and regulations or of such by-laws and rules, and of the same having been given effect to by or duly made under the authority of this Act.

22. Any returned sailor, soldier, or nurse shall, so long as he or she observes the by-laws and rules, have the right to enter and use such parts of the memorial building as are set apart for general purposes, whether he or she is or is not a member of the corporation, and the by-laws and rules shall expressly so provide.

Right of returned sailor, &c., to use certain parts of memorial building, whether a member or not.

23. The corporation shall not take up or become identified with any political or religious question or movement, nor shall any member engage in political or religious propaganda within the memorial building, and the by-laws and rules shall expressly so provide.

Corporation not to take up political or religious questions.

24. The members of the council and the trustees for the time being shall be respectively charged only for such moneys, stocks, funds, shares and securities as they shall respectively actually receive, notwithstanding their respectively signing any receipt for the sake of conformity, and shall be answerable and accountable only for their own acts, receipts, neglects, or defaults, and not for those of each other, nor for any banker, broker, or other person with whom any trust moneys or securities may be deposited, nor for the insufficiency or deficiency of any stocks, funds, or securities, nor for any other loss, unless the same shall happen through their own wilful default respectively.

Each member of council, &c., to be liable only for his own acts, &c.

25. The accounts of the corporation are hereby included in Schedule Two to the Trustees Audit Act, 1912.

Trustees Audit Act, 1912.

26. The council may appoint a day in each year, and the same is hereby set aside as a day for an appeal for funds for the purpose of carrying on the work of the corporation, and it shall be lawful to collect funds from the public on that day for such purpose, and the funds so collected from time to time shall be credited to the capital or income of the corporation or divided between capital and income in such proportions as the trustees for the time being may decide.

Day to be set aside for public appeal for funds.

Returned Sailors and Soldiers Imperial League of Australia (New South Wales Branch) Incorporation.

27. In the event of the funds and property of the corporation being insufficient to meet its engagements no member thereof shall be individually liable for the same except to the extent of any moneys owing by him to the corporation. Liability of members.

Sydney : William Applegate Gullick, Government Printer.—1919.

[10d.]