

No. , 1935.

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## A BILL

To exempt lands of any Mechanics Institute, School of Arts, or other institution for public instruction or amusement, from being taken in satisfaction of any debt or liability of the institution, under process or constraint of law; to amend the Trustees of Schools of Arts Enabling Act, 1902, and certain other Acts; and for purposes connected therewith.

[MR. DRUMMOND;—19 *September*, 1935.]

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**B**E 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  
5 the same, as follows :—

**1.** (1) This Act may be cited as the "Trustees of **Short title.**  
Schools of Arts Enabling (Amendment) Act, 1935,"  
and shall be read and construed with the Trustees of  
Schools of Arts Enabling Act, 1902, in this Act  
10 referred to as the Principal Act.

(2) The Principal Act, as amended by this Act, may be cited as the Trustees of Schools of Arts Enabling Act, 1902-1935.

Amendment of  
Act No. 68,  
1902.

New s. 5A.

Meeting of  
residents.

**2.** The Principal Act is amended—

- (a) by inserting next after section five the following new section:— **5**

5A. (1) Where an institution from any cause has ceased to function and has no members, the Minister may direct that a public meeting of residents in the district in which the institution is situated be convened in the manner provided in section five for the convening of meetings of members, and for the purposes of that section residents present at such meetings shall be deemed to be members. **10**  
**15**

(2) If at least ten of the residents in the district do not attend any public meeting convened in accordance with a direction of the Minister under subsection one of this section (whether such meeting was convened for the purpose of considering the desirability of a sale, lease or mortgage of any lands, or for the purpose of confirming a resolution passed at an earlier meeting to the effect that it was desirable to sell, lease or mortgage any lands) the trustees may nevertheless make the application referred to in section six of this Act, and shall, in addition to the statement referred to in such section, furnish evidence to the satisfaction of the Minister that the meeting was duly convened and that the attendance at the meeting did not comprise at least ten of the residents in the district. **20**  
**25**  
**30**

Sec. 8.  
(Sale, lease,  
and  
mortgage.)

- (b) by omitting from subsection one of section eight the words "and after" and by inserting in lieu thereof the words "or after the trustees have satisfied the Minister of the facts referred to in subsection two of section 5A of this Act, and, in either case, after"; **35**

(c)

(c) by inserting next after section twelve the following new section:—

5 12A. (1) The trustees may apply to the Minister on a full statement of the facts relating to any proposed contract (not being a contract of sale, lease, or mortgage) whereby any debt or liability may be incurred by them on behalf of the institution for his consent in writing to such contract.

**Application  
for consent  
of Minister  
to contracts.**

10 (2) The Minister may in any such case give or withhold his consent.

(d) by inserting next after section fourteen the following new section:—

15 15. (1) Lands of an institution shall not be seized or sold under any writ of execution, or in any other way be taken under process or constraint of law for the satisfaction of any debt or liability of the institution.

**Lands of  
institution  
not to be  
taken in  
satisfaction  
of debts or  
liabilities.**

20 (2) This section shall not affect the rights, powers, or remedies of any purchaser, lessee, or mortgagee or of their legal representatives or assigns under or by virtue of a sale, lease, or mortgage made by the trustees of an institution in accordance with the provisions of this Act.

25 (3) The provisions of subsection one of this section shall not extend to the seizure or sale of any lands of an institution under any writ of execution issued upon a judgment in respect of any contract consented to by the Minister in pursuance of this Act; nor to the taking in any other way of any such land under any other process or constraint of law in proceedings upon any such contract.

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(4) The committee on the part of the American Medical Association

has been instructed to advise the American Medical Association

of the results of its investigations and to report thereon

to the American Medical Association at its next annual meeting

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