This Public Bill originated in the Legislative Assembly, and, having this day passed, is now ready for presentation to the Legislative Council for its concurrence.

ALLAN PICKERING, Clerk of the Legislative Assembly.

Legislative Assembly Chamber, Sydney, 31 October, 1957.

New South Wales



ANNO SEXTO

ELIZABETHÆ II REGINÆ

Act No. , 1957.

An Act to provide for the vesting in The National Trust of Australia (New South Wales) of certain lands and other property vested in the trustees of the Tenterfield School of Arts; to define the powers, authorities, duties and functions of The National Trust of Australia (New South Wales) in respect of the same; to empower the Trustees of the Sir Henry Parkes War Memorial Appeal to transfer to The National Trust of Australia (New South Wales) the moneys subscribed to the said Appeal; and for purposes connected therewith.

WHEREAS

THEREAS by means of divers public subscriptions Preamble. and appeals certain sums of money have from time to time been raised for the purpose of the Sir Henry Parkes War Memorial Appeal; And whereas it is the 5 intention of the Committee of the Sir Henry Parkes War Memorial Appeal to apply the money hereinbefore mentioned towards the establishment of a Sir Henry Parkes National (War) Memorial Museum and Library in the Tenterfield School of Arts under the control of The 10 National Trust of Australia (New South Wales); And whereas the Trustees and members of the Tenterfield School of Arts have by two meetings convened by . advertisements in a newspaper circulating in the district, expressed their approval of the transfer of the Tenter-15 field School of Arts to The National Trust of Australia (New South Wales); And whereas The National Trust of Australia (New South Wales) has by resolution expressed a desire and willingness to receive control and maintain the Tenterfield School of Arts as a community 20 centre, museum and library as a memorial to the late Sir Henry Parkes; And whereas it is expedient to define the purposes for which the Tenterfield School of Arts may be used: BE it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of 25 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 "Sir Henry Parkes Short title. National (War) Memorial Museum and Library Act, 30 1957".
 - 2. In this Act unless the context or subject matter Interpreotherwise indicates or requires—
 - "National Trust" means The National Trust of Australia (New South Wales), a company incorporated under the Companies Act, 1936, as amended by subsequent Acts.

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"The

"The trust property" means the property and assets set out in the Schedule to this Act and includes any property, money or assets acquired or to be acquired by the National Trust in pursuance of this Act in addition to or in substitution therefor.

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- 3. The trust property referred to in the Schedule to Vesting this Act is hereby transferred to and vested in the of trust National Trust subject nevertheless to any mortgage,

 10 charge or lien affecting the same.
 - 4. (1) The Trustees of the Sir Henry Parkes War The Sir Memorial Appeal are hereby authorised and empowered Henry Parkes to transfer to the National Trust the whole of the moneys War subscribed to the said Appeal.
- (2) The National Trust shall apply the moneys so transferred to the following purposes:—
 - (a) the renovation and maintenance of the Tenterfield School of Arts as a national memorial to the late Sir Henry Parkes;
- (b) the establishment within the Tenterfield School of Arts of a museum and library containing a collection of documents, pictures, letters and books and other articles associated with the late Sir Henry Parkes and his contemporaries;
- 25 (c) the appointment of a curator to take over, safeguard and enlarge the said collection and to assist students in connection with matters appertaining to, and encourage visits to, the memorial.

- 5. The National Trust shall operate, control, manage, Use of maintain, develop and expand the trust property for the property. purposes of a community centre, museum and library as a national memorial to the late Sir Henry Parkes—
- 5 (a) in accordance with the objects of the National Trust;
- (b) to the extent of the income and assets of the trust property and of any property, money or assets acquired or to be acquired after the commencement of this Act by the National Trust for purposes connected with the said memorial; and
- (c) so far as is practicable, consistent with the purposes for which the trust property was used immediately before the commencement of this Act.
- 6. (1) The National Trust shall not, without the sale of consent of the Governor, sell, mortgage or otherwise trust dispose of the trust property, or any part of the trust property. 20 property, referred to in paragraph (a) of the Schedule to this Act.
 - (2) The National Trust may sell, mortgage or otherwise dispose of—
- (a) any of the assets referred to in paragraph (b) of the Schedule to this Act; and
 - (b) any property or assets acquired or to be acquired after the commencement of this Act by the National Trust for purposes connected with the national memorial to the late Sir Henry Parkes;

and if the National Trust think fit purchase or otherwise acquire other property or assets in substitution therefor.

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No sale, mortgage or disposal shall be made under this subsection—

- (i) unless the property or assets so sold, mortgaged or disposed of are not required for or in connection with the operation, control, management, maintenance, development and expansion of the national memorial to the late Sir Henry Parkes, and
- (ii) in the case of real property without the consent of the Governor.

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- 7. The National Trust may appoint a Management Appoint-Committee which, subject to the direction and control of Manage the National Trust and any by-laws made by the National Ment Trust, shall for and on behalf of the National Trust have Committee.

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- 8. The National Trust shall have power to build on Power to any vacant land forming part of the trust property and repair, 20 may repair, alter, add to, pull down, rebuild or renew any buildings or structures in or upon any land forming part of the trust property and for such purposes may use any moneys under its control and which may be applied for purposes connected with the national 25 memorial to the late Sir Henry Parkes.
- 9. (1) The National Trust may insure against loss or Power to damage, whether by fire or otherwise, any insurable insure. property forming part of the trust property or granted on loan to the National Trust for purposes connected with 30 the trust property and against any risk or liability against which it would be prudent for a person to insure if he were acting for himself.

(2)

- (2) The insurance may be for any amount, provided that, together with the amount of any insurance already on foot, the total shall not exceed the insurable value or liability.
- 5 (3) The premiums may be paid by the National Trust out of the income derived from the trust property.
- 10. (1) The National Trust may, out of the moneys Application receivable in respect of any insurance policy, rebuild, of insurance reinstate, replace or repair any property lost or money.

 10 damaged.
 - (2) Any moneys receivable in respect of any insurance policy not so expended shall form part of the trust property and be held by the National Trust accordingly.
- 15 11. The National Trust may receive moneys and other Power to assets real or personal by way of collections, gifts, receive donations, bequests or devises for the purposes of this Act and etc. upon the receipt by the National Trust of any such moneys or other assets the same shall form 20 part of the trust property and be held by the National Trust accordingly.
 - 12. (1) The National Trust may make by-laws, not By-laws. inconsistent with this Act, for and with respect to—
 - (a) the care, control and management of the trust property;
 - (b) the constitution of a Management Committee;

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- (c) the meetings of the Management Committee and the proceedings thereat;
- (d) the appointment of an executive and other officers of the Management Committee;
 - (e) the co-opting of persons as members of the Management Committee and the appointment of sub-committees of the Management Committee;

(f)

- (f) the powers, authorities, duties and functions of the Management Committee, officers thereof, persons co-opted as members thereof and subcommittees thereof.
- (2) A printed copy of any such by-laws signed by the National Trust and certified by it as being correct shall be received in all courts of law or equity as conclusive evidence of such by-laws and of the same having been duly made under the authority of this Act.
- 13. Whenever any moneys are paid by the National Receipt of Trust under or by virtue of this Act to any body, cor- secretary, poration or institution the receipt of the secretary or sufficient treasurer for the time being of such body, corporation or discharge to the institution shall be a sufficient discharge to the National National

15 Trust which shall not be bound to enquire or see to the application thereof.

14. Nothing in this Act contained or that may be done Preservaunder this Act shall be deemed prejudicially to affect or tion of rights.

- deprive any person of any right whatsoever which 20 immediately before the commencement of this Act he had arising out of contract or tort or otherwise and any such right which may immediately before such commencement have been enforceable against the then Trustees of the Tenterfield School of Arts may to the extent of the
- 25 trust property vested in the National Trust under section three of this Act be enforced against the National Trust.
 - 15. Any rights, including choses in action, arising out vesting of contract, tort or otherwise in any wise relating to the of rights. trust property vested in the National Trust under section
- 30 three of this Act which were immediately before the commencement of this Act vested in the then Trustees of the Tenterfield School of Arts are hereby vested in the National Trust and may be exercised by the National Trust.

SCHEDULE.

SCHEDULE.

Sec. 3.

(a) All that piece or parcel of land comprised in Certificate of Title Volume 5533, Folio 23, situated in the Municipality of Tenterfield, and County of Clive, containing one rood, thirty-three and 5 three-quarter perches, or thereabouts, being Lots 1 and 10 in the D.P. No. 18800 and being part of Allotment 9, Section 11, originally granted to Thomas Connelly by Crown Grant dated 25th day of January, 1859, and also part of Allotment 10 of Section 11 originally granted to Edward Irby, Charles Alfred Lee, William Basset 10 Christian, Edward Reeves Whereat and Thomas Peberdy by Crown Grant dated the 10th day of August, 1874, Volume 459, Folio 204, upon which land is erected the building known as the Tenterfield School of Arts.

(b) All the furniture and fittings belonging to the Trustees of the 15 Tenterfield School of Arts and installed in the said Tenterfield School of Arts and all other assets of any kind whatsoever including books, pictures and works of art held by the said Trustees.

A BILL

To provide for the vesting in The National Trust of Australia (New South Wales) of certain lands and other property vested in the trustees of the Tenterfield School of Arts; to define the powers, authorities, duties and functions of The National Trust of Australia (New South Wales) in respect of the same; to empower the Trustees of the Sir Henry Parkes War Memorial Appeal to transfer to The National Trust of Australia (New South Wales) the moneys subscribed to the said Appeal; and for purposes connected therewith.

[Mr. Heffron;—23 October, 1957.]

THEREAS by means of divers public subscriptions and appeals certain sums of money have from time to time been raised for the purpose of the Sir Henry Parkes War Memorial Appeal; And whereas it is the 5 intention of the Committee of the Sir Henry Parkes War Memorial Appeal to apply the money hereinbefore mentioned towards the establishment of a Sir Henry Parkes National (War) Memorial Museum and Library in the Tenterfield School of Arts under the control of The 10 National Trust of Australia (New South Wales); And whereas the Trustees and members of the Tenterfield School of Arts have by two meetings convened by advertisements in a newspaper circulating in the district, expressed their approval of the transfer of the Tenter-15 field School of Arts to The National Trust of Australia (New South Wales); And whereas The National Trust of Australia (New South Wales) has by resolution expressed a desire and willingness to receive control and maintain the Tenterfield School of Arts as a community 20 centre, museum and library as a memorial to the late Sir Henry Parkes; And whereas it is expedient to define the purposes for which the Tenterfield School of Arts may be used: BE it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of 25 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 "Sir Henry Parkes short title. National (War) Memorial Museum and Library Act, 30 1957".
 - 2. In this Act unless the context or subject matter Interpreotherwise indicates or requires—
- "National Trust" means The National Trust of Australia (New South Wales), a company incorporated under the Companies Act, 1936, as amended by subsequent Acts.

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"The trust property" means the property and assets set out in the Schedule to this Act and includes any property, money or assets acquired or to be acquired by the National Trust in pursuance of this Act in addition to or in substitution therefor.

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- 3. The trust property referred to in the Schedule to Vesting this Act is hereby transferred to and vested in the of trust National Trust subject nevertheless to any mortgage, 10 charge or lien affecting the same.
 - 4. (1) The Trustees of the Sir Henry Parkes War The Sir Memorial Appeal are hereby authorised and empowered Parkes to transfer to the National Trust the whole of the moneys War Memorial subscribed to the said Appeal.
- (2) The National Trust shall apply the moneys so transferred to the following purposes:—
 - (a) the renovation and maintenance of the Tenterfield School of Arts as a national memorial to the late Sir Henry Parkes;
- 20 (b) the establishment within the Tenterfield School of Arts of a museum and library containing a collection of documents, pictures, letters and books and other articles associated with the late Sir Henry Parkes and his contemporaries;
- 25 (c) the appointment of a curator to take over, safeguard and enlarge the said collection and to assist students in connection with matters appertaining to, and encourage visits to, the memorial.

- 5. The National Trust shall operate, control, manage, Use of maintain, develop and expand the trust property for the trust purposes of a community centre, museum and library as a national memorial to the late Sir Henry Parkes—
- 5 (a) in accordance with the objects of the National Trust;
 - (b) to the extent of the income and assets of the trust property and of any property, money or assets acquired or to be acquired after the commencement of this Act by the National Trust for purposes connected with the said memorial; and

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- (c) so far as is practicable, consistent with the purposes for which the trust property was used immediately before the commencement of this Act.
- 6. (1) The National Trust shall not, without the sale of consent of the Governor, sell, mortgage or otherwise trust dispose of the trust property, or any part of the trust property. 20 property, referred to in paragraph (a) of the Schedule to this Act.
 - (2) The National Trust may sell, mortgage or otherwise dispose of—
- (a) any of the assets referred to in paragraph (b) of the Schedule to this Act; and
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and if the National Trust think fit purchase or otherwise acquire other property or assets in substitution therefor.

No sale, mortgage or disposal shall be made under this subsection—

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- 7. The National Trust may appoint a Management Appoint-Committee which, subject to the direction and control of ment of the National Trust and any by-laws made by the National ment Trust, shall for and on behalf of the National Trust have Committee.

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- 8. The National Trust shall have power to build on Power to any vacant land forming part of the trust property and repair, 20 may repair, alter, add to, pull down, rebuild or renew any buildings or structures in or upon any land forming part of the trust property and for such purposes may use any moneys under its control and which may be applied for purposes connected with the national 25 memorial to the late Sir Henry Parkes.
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- (2) The insurance may be for any amount, provided that, together with the amount of any insurance already on foot, the total shall not exceed the insurable value or liability.
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- 10. (1) The National Trust may, out of the moneys Application receivable in respect of any insurance policy, rebuild, of reinstate, replace or repair any property lost or money.

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- 11. The National Trust may receive moneys and other Power to assets real or personal by way of collections, gifts, donations, bequests or devises for the purposes of this Act and etc. upon the receipt by the National Trust of any such moneys or other assets the same shall form
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 - 12. (1) The National Trust may make by-laws, not By-laws. inconsistent with this Act, for and with respect to—
- (a) the care, control and management of the trust property;
 - (b) the constitution of a Management Committee;
 - (c) the meetings of the Management Committee and the proceedings thereat;
- (d) the appointment of an executive and other officers of the Management Committee;
 - (e) the co-opting of persons as members of the Management Committee and the appointment of sub-committees of the Management Committee;

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- (f) the powers, authorities, duties and functions of the Management Committee, officers thereof, persons co-opted as members thereof and subcommittees thereof.
- (2) A printed copy of any such by-laws signed by the National Trust and certified by it as being correct shall be received in all courts of law or equity as conclusive evidence of such by-laws and of the same having been duly made under the authority of this Act.
- 13. Whenever any moneys are paid by the National Receipt of Trust under or by virtue of this Act to any body, cor- secretary, poration or institution the receipt of the secretary or sufficient treasurer for the time being of such body, corporation or discharge institution shall be a sufficient discharge to the National National

- 15 Trust which shall not be bound to enquire or see to the application thereof.
- 14. Nothing in this Act contained or that may be done Preservaunder this Act shall be deemed prejudicially to affect or tion of deprive any person of any right whatsoever which 20 immediately before the commencement of this Act he
- had arising out of contract or tort or otherwise and any such right which may immediately before such commencement have been enforceable against the then Trustees of the Tenterfield School of Arts may to the extent of the
- 25 trust property vested in the National Trust under section three of this Act be enforced against the National Trust.
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SCHEDULE.

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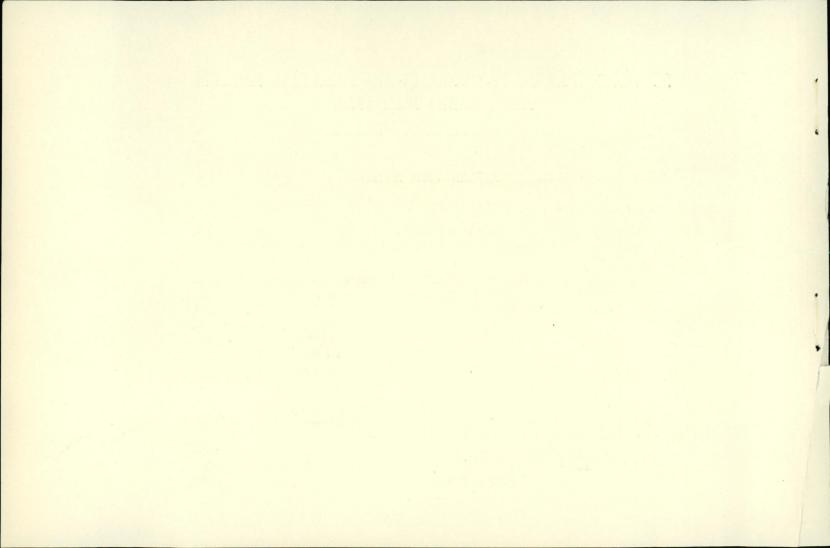
- (a) All that piece or parcel of land comprised in Certificate of Title Volume 5533, Folio 23, situated in the Municipality of Tenterfield, and County of Clive, containing one rood, thirty-three and 5 three-quarter perches, or thereabouts, being Lots 1 and 10 in the D.P. No. 18800 and being part of Allotment 9, Section 11, originally granted to Thomas Connelly by Crown Grant dated 25th day of January, 1859, and also part of Allotment 10 of Section 11 originally granted to Edward Irley, Charles Alfred Lee, William Basset 10 Christian, Edward Reeves Whereat and Thomas Peberdy by Crown Grant dated the 10th day of August, 1874, Volume 459, Folio 204, upon which land is erected the building known as the Tenterfield School of Arts.
- (b) All the furniture and fittings belonging to the Trustees of the 15 Tenterfield School of Arts and installed in the said Tenterfield School of Arts and all other assets of any kind whatsoever including books, pictures and works of art held by the said Trustees.

SIR HENRY PARKES NATIONAL (WAR) MEMORIAL MUSEUM AND LIBRARY BILL, 1957.

EXPLANATORY NOTE.

THE objects of this Bill are-

- (a) to vest in the National Trust of Australia (New South Wales) the Tenterfield School of Arts and other assets held by the Trustees of the Tenterfield School of Arts;
- (b) to empower the Trustees of the Sir Henry Parkes War Memorial Appeal to transfer to the National Trust of Australia (New South Wales) all moneys subscribed to that Appeal and to require the National Trust of Australia (New South Wales) to apply the moneys so transferred to purposes for which the Appeal was launched;
- (c) to require the National Trust of Australia (New South Wales) to control, manage and develop the Tenterfield School of Arts for the purposes of a community centre, museum and library as a national memorial to the late Sir Henry Parkes;
- (d) to provide for the appointment of a Management Committee and to define its powers, authorities, duties and functions.



No. , 1957.

A BILL

To provide for the vesting in The National Trust of Australia (New South Wales) of certain lands and other property vested in the trustees of the Tenterfield School of Arts; to define the powers, authorities, duties and functions of The National Trust of Australia (New South Wales) in respect of the same; to empower the Trustees of the Sir Henry Parkes War Memorial Appeal to transfer to The National Trust of Australia (New South Wales) the moneys subscribed to the said Appeal; and for purposes connected therewith.

[Mr. Heffron;—23 October, 1957.]

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- (f) the powers, authorities, duties and functions of the Management Committee, officers thereof, persons co-opted as members thereof and subcommittees thereof.
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(a) All that piece or parcel of land comprised in Certificate of Title Volume 5533, Folio 23, situated in the Municipality of Tenterfield, and County of Clive, containing one rood, thirty-three and 5 three-quarter perches, or thereabouts, being Lots 1 and 10 in the D.P. No. 18800 and being part of Allotment 9, Section 11, originally granted to Thomas Connelly by Crown Grant dated 25th day of January, 1859, and also part of Allotment 10 of Section 11 originally granted to Edward Irley, Charles Alfred Lee, William Basset 10 Christian, Edward Reeves Whereat and Thomas Peberdy by Crown Grant dated the 10th day of August, 1874, Volume 459, Folio 204, upon which land is erected the building known as the Tenterfield School of Arts.

(b) All the furniture and fittings belonging to the Trustees of the 15 Tenterfield School of Arts and installed in the said Tenterfield School of Arts and all other assets of any kind whatsoever including books, pictures and works of art held by the said Trustees.

Sydney: A. H. Pettifer, Government Printer-1957.

New South Wales



ANNO SEXTO

ELIZABETHÆ II REGINÆ

Act No. 47, 1957.

An Act to provide for the vesting in The National Trust of Australia (New South Wales) of certain lands and other property vested in the trustees of the Tenterfield School of Arts; to define the powers, authorities, duties and functions of The National Trust of Australia (New South Wales) in respect of the same; to empower the Trustees of the Sir Henry Parkes War Memorial Appeal to transfer to The National Trust of Australia (New South Wales) the moneys subscribed to the said Appeal; and for purposes connected therewith. [Assented to, 28th November, 1957. WHEREAS 9659 $\lceil 4d. \rceil$

Preamble.

WHEREAS by means of divers public subscriptions and appeals certain sums of money have from time to time been raised for the purpose of the Sir Henry Parkes War Memorial Appeal; And whereas it is the intention of the Committee of the Sir Henry Parkes War Memorial Appeal to apply the money hereinbefore mentioned towards the establishment of a Sir Henry Parkes National (War) Memorial Museum and Library in the Tenterfield School of Arts under the control of The National Trust of Australia (New South Wales); And whereas the Trustees and members of the Tenterfield School of Arts have by two meetings convened by advertisements in a newspaper circulating in the district, expressed their approval of the transfer of the Tenterfield School of Arts to The National Trust of Australia (New South Wales): And whereas The National Trust of Australia (New South Wales) has by resolution expressed a desire and willingness to receive control and maintain the Tenterfield School of Arts as a community centre, museum and library as a memorial to the late Sir Henry Parkes: And whereas it is expedient to define the purposes for which the Tenterfield School of Arts may be used: BE it therefore enacted by the Queen'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:-

Short title.

1. This Act may be cited as the "Sir Henry Parkes National (War) Memorial Museum and Library Act, 1957".

Interpre-

- 2. In this Act unless the context or subject matter otherwise indicates or requires—
 - "National Trust" means The National Trust of Australia (New South Wales), a company incorporated under the Companies Act, 1936, as amended by subsequent Acts.

"The

- "The trust property" means the property and assets set out in the Schedule to this Act and includes any property, money or assets acquired or to be acquired by the National Trust in pursuance of this Act in addition to or in substitution therefor.
- 3. The trust property referred to in the Schedule to Vesting this Act is hereby transferred to and vested in the of trust property. National Trust subject nevertheless to any mortgage, charge or lien affecting the same.
- 4. (1) The Trustees of the Sir Henry Parkes War The Sir Memorial Appeal are hereby authorised and empowered Parkes to transfer to the National Trust the whole of the moneys War Memorial subscribed to the said Appeal.
- (2) The National Trust shall apply the moneys so transferred to the following purposes:—
 - (a) the renovation and maintenance of the Tenterfield School of Arts as a national memorial to the late Sir Henry Parkes;
 - (b) the establishment within the Tenterfield School of Arts of a museum and library containing a collection of documents, pictures, letters and books and other articles associated with the late Sir Henry Parkes and his contemporaries;
 - (c) the appointment of a curator to take over, safeguard and enlarge the said collection and to assist students in connection with matters appertaining to, and encourage visits to, the memorial.

Use of trust property.

- 5. The National Trust shall operate, control, manage, maintain, develop and expand the trust property for the purposes of a community centre, museum and library as a national memorial to the late Sir Henry Parkes—
 - (a) in accordance with the objects of the National Trust;
 - (b) to the extent of the income and assets of the trust property and of any property, money or assets acquired or to be acquired after the commencement of this Act by the National Trust for purposes connected with the said memorial; and
- (c) so far as is practicable, consistent with the purposes for which the trust property was used immediately before the commencement of this Act.

Sale of trust property.

- 6. (1) The National Trust shall not, without the consent of the Governor, sell, mortgage or otherwise dispose of the trust property, or any part of the trust property, referred to in paragraph (a) of the Schedule to this Act.
- (2) The National Trust may sell, mortgage or otherwise dispose of—
 - (a) any of the assets referred to in paragraph (b) of the Schedule to this Act; and
 - (b) any property or assets acquired or to be acquired after the commencement of this Act by the National Trust for purposes connected with the national memorial to the late Sir Henry Parkes:

and if the National Trust think fit purchase or otherwise acquire other property or assets in substitution therefor.

No sale, mortgage or disposal shall be made under this subsection—

- (i) unless the property or assets so sold, mortgaged or disposed of are not required for or in connection with the operation, control, management, maintenance, development and expansion of the national memorial to the late Sir Henry Parkes, and
- (ii) in the case of real property without the consent of the Governor.
- 7. The National Trust may appoint a Management Appoint-Committee which, subject to the direction and control of ment of the National Trust and any by-laws made by the National ment Trust, shall for and on behalf of the National Trust have Committee. the operation, control, management, maintenance, development and expansion of the national memorial to the late Sir Henry Parkes.
- 8. The National Trust shall have power to build on Power to any vacant land forming part of the trust property and repair, may repair, alter, add to, pull down, rebuild or renew any buildings or structures in or upon any land forming part of the trust property and for such purposes may use any moneys under its control and which may be applied for purposes connected with the national memorial to the late Sir Henry Parkes.
- 9. (1) The National Trust may insure against loss or Power to damage, whether by fire or otherwise, any insurable insure. property forming part of the trust property or granted on loan to the National Trust for purposes connected with the trust property and against any risk or liability against which it would be prudent for a person to insure if he were acting for himself.

- (2) The insurance may be for any amount, provided that, together with the amount of any insurance already on foot, the total shall not exceed the insurable value or liability.
- (3) The premiums may be paid by the National Trust out of the income derived from the trust property.

Application of insurance money.

- 10. (1) The National Trust may, out of the moneys receivable in respect of any insurance policy, rebuild, reinstate, replace or repair any property lost or damaged.
- (2) Any moneys receivable in respect of any insurance policy not so expended shall form part of the trust property and be held by the National Trust accordingly.

Power to receive donations, etc.

11. The National Trust may receive moneys and other assets real or personal by way of collections, gifts, bequests or devises for the purposes of this Act and upon the receipt by the National Trust of any such moneys or other assets the same shall form part of the trust property and be held by the National Trust accordingly.

By-laws,

- 12. (1) The National Trust may make by-laws, not inconsistent with this Act, for and with respect to—
 - (a) the care, control and management of the trust property;
 - (b) the constitution of a Management Committee;
 - (c) the meetings of the Management Committee and the proceedings thereat;
 - (d) the appointment of an executive and other officers of the Management Committee;
 - (e) the co-opting of persons as members of the Management Committee and the appointment of sub-committees of the Management Committee;

- (f) the powers, authorities, duties and functions of the Management Committee, officers thereof, persons co-opted as members thereof and subcommittees thereof.
- (2) A printed copy of any such by-laws signed by the National Trust and certified by it as being correct shall be received in all courts of law or equity as conclusive evidence of such by-laws and of the same having been duly made under the authority of this Act.
- 13. Whenever any moneys are paid by the National Receipt of Trust under or by virtue of this Act to any body, corgete, poration or institution the receipt of the secretary or sufficient treasurer for the time being of such body, corporation or discharge institution shall be a sufficient discharge to the National National Trust which shall not be bound to enquire or see to the application thereof.
- 14. Nothing in this Act contained or that may be done Preservaunder this Act shall be deemed prejudicially to affect or tion of
 deprive any person of any right whatsoever which
 immediately before the commencement of this Act he
 had arising out of contract or tort or otherwise and any
 such right which may immediately before such commencement have been enforceable against the then Trustees of
 the Tenterfield School of Arts may to the extent of the
 trust property vested in the National Trust under section
 three of this Act be enforced against the National Trust.
- 15. Any rights, including choses in action, arising out vesting of contract, tort or otherwise in any wise relating to the of rights. trust property vested in the National Trust under section three of this Act which were immediately before the commencement of this Act vested in the then Trustees of the Tenterfield School of Arts are hereby vested in the National Trust and may be exercised by the National Trust.

SCHEDULE.

Sec. 3.

SCHEDULE.

- (a) All that piece or parcel of land comprised in Certificate of Title Volume 5533, Folio 23, situated in the Municipality of Tenterfield, and County of Clive, containing one rood, thirty-three and three-quarter perches, or thereabouts, being Lots 1 and 10 in the D.P. No. 18800 and being part of Allotment 9, Section 11, originally granted to Thomas Connelly by Crown Grant dated 25th day of January, 1859, and also part of Allotment 10 of Section 11 originally granted to Edward Irby, Charles Alfred Lee, William Basset Christian, Edward Reeves Whereat and Thomas Peberdy by Crown Grant dated the 10th day of August, 1874, Volume 459, Folio 204, upon which land is erected the building known as the Tenterfield School of Arts.
- (b) All the furniture and fittings belonging to the Trustees of the Tenterfield School of Arts and installed in the said Tenterfield School of Arts and all other assets of any kind whatsoever including books, pictures and works of art held by the said Trustees.

By Authority:

A. H. PETTIFER, Government Printer, Sydney, 1957.

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.

ALLAN PICKERING, Clerk of the Legislative Assembly.

Legislative Assembly Chamber, Sydney, 20 November, 1957.

New South Wales



ANNO SEXTO

ELIZABETHÆ II REGINÆ

Act No. 47, 1957.

An Act to provide for the vesting in The National Trust of Australia (New South Wales) of certain lands and other property vested in the trustees of the Tenterfield School of Arts; to define the powers, authorities, duties and functions of The National Trust of Australia (New South Wales) in respect of the same; to empower the Trustees of the Sir Henry Parkes War Memorial Appeal to transfer to The National Trust of Australia (New South Wales) the moneys subscribed to the said Appeal; and for purposes connected therewith. [Assented to, 28th November, 1957.]

WHEREAS

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

G. BOOTH,

Chairman of Committees of the Legislative Assembly.

Preamble.

WHEREAS by means of divers public subscriptions and appeals certain sums of money have from time to time been raised for the purpose of the Sir Henry Parkes War Memorial Appeal; And whereas it is the intention of the Committee of the Sir Henry Parkes War Memorial Appeal to apply the money hereinbefore mentioned towards the establishment of a Sir Henry Parkes National (War) Memorial Museum and Library in the Tenterfield School of Arts under the control of The National Trust of Australia (New South Wales); And whereas the Trustees and members of the Tenterfield School of Arts have by two meetings convened by advertisements in a newspaper circulating in the district, expressed their approval of the transfer of the Tenterfield School of Arts to The National Trust of Australia (New South Wales); And whereas The National Trust of Australia (New South Wales) has by resolution expressed a desire and willingness to receive control and maintain the Tenterfield School of Arts as a community centre, museum and library as a memorial to the late Sir Henry Parkes; And whereas it is expedient to define the purposes for which the Tenterfield School of Arts may be used: BE it therefore enacted by the Queen'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:-

Short title.

1. This Act may be cited as the "Sir Henry Parkes National (War) Memorial Museum and Library Act, 1957".

Interpretation.

- 2. In this Act unless the context or subject matter otherwise indicates or requires—
 - "National Trust" means The National Trust of Australia (New South Wales), a company incorporated under the Companies Act, 1936, as amended by subsequent Acts.

"The

- "The trust property" means the property and assets set out in the Schedule to this Act and includes any property, money or assets acquired or to be acquired by the National Trust in pursuance of this Act in addition to or in substitution therefor.
- 3. The trust property referred to in the Schedule to Vesting this Act is hereby transferred to and vested in the property. National Trust subject nevertheless to any mortgage, charge or lien affecting the same.
- 4. (1) The Trustees of the Sir Henry Parkes War The Sir Memorial Appeal are hereby authorised and empowered Parkes to transfer to the National Trust the whole of the moneys War Memorial subscribed to the said Appeal.
- (2) The National Trust shall apply the moneys so transferred to the following purposes:—
 - (a) the renovation and maintenance of the Tenterfield School of Arts as a national memorial to the late Sir Henry Parkes;
 - (b) the establishment within the Tenterfield School of Arts of a museum and library containing a collection of documents, pictures, letters and books and other articles associated with the late Sir Henry Parkes and his contemporaries;
 - (c) the appointment of a curator to take over, safeguard and enlarge the said collection and to assist students in connection with matters appertaining to, and encourage visits to, the memorial.

Use of trust property.

- 5. The National Trust shall operate, control, manage, maintain, develop and expand the trust property for the purposes of a community centre, museum and library as a national memorial to the late Sir Henry Parkes—
 - (a) in accordance with the objects of the National Trust:
 - (b) to the extent of the income and assets of the trust property and of any property, money or assets acquired or to be acquired after the commencement of this Act by the National Trust for purposes connected with the said memorial; and
 - (c) so far as is practicable, consistent with the purposes for which the trust property was used immediately before the commencement of this Act.

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- 6. (1) The National Trust shall not, without the consent of the Governor, sell, mortgage or otherwise dispose of the trust property, or any part of the trust property, referred to in paragraph (a) of the Schedule to this Act.
- (2) The National Trust may sell, mortgage or otherwise dispose of—
 - (a) any of the assets referred to in paragraph (b) of the Schedule to this Act; and
 - (b) any property or assets acquired or to be acquired after the commencement of this Act by the National Trust for purposes connected with the national memorial to the late Sir Henry Parkes;

and if the National Trust think fit purchase or otherwise acquire other property or assets in substitution therefor.

No sale, mortgage or disposal shall be made under this subsection—

- (i) unless the property or assets so sold, mortgaged or disposed of are not required for or in connection with the operation, control, management, maintenance, development and expansion of the national memorial to the late Sir Henry Parkes, and
- (ii) in the case of real property without the consent of the Governor.
- 7. The National Trust may appoint a Management Appoint-Committee which, subject to the direction and control of Management National Trust and any by-laws made by the National Management Trust, shall for and on behalf of the National Trust have Committee. the operation, control, management, maintenance, development and expansion of the national memorial to the late Sir Henry Parkes.
- 8. The National Trust shall have power to build on Power to any vacant land forming part of the trust property and repair, may repair, alter, add to, pull down, rebuild or renew any buildings or structures in or upon any land forming part of the trust property and for such purposes may use any moneys under its control and which may be applied for purposes connected with the national memorial to the late Sir Henry Parkes.
- 9. (1) The National Trust may insure against loss or Power to damage, whether by fire or otherwise, any insurable insure. property forming part of the trust property or granted on loan to the National Trust for purposes connected with the trust property and against any risk or liability against which it would be prudent for a person to insure if he were acting for himself.

- (2) The insurance may be for any amount, provided that, together with the amount of any insurance already on foot, the total shall not exceed the insurable value or liability.
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Application of insurance money.

- 10. (1) The National Trust may, out of the moneys receivable in respect of any insurance policy, rebuild, reinstate, replace or repair any property lost or damaged.
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Power to receive donations, etc.

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- 12. (1) The National Trust may make by-laws, not inconsistent with this Act, for and with respect to—
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 - (b) the constitution of a Management Committee;
 - (c) the meetings of the Management Committee and the proceedings thereat;
 - (d) the appointment of an executive and other officers of the Management Committee;
 - (e) the co-opting of persons as members of the Management Committee and the appointment of sub-committees of the Management Committee;

(f)

- (f) the powers, authorities, duties and functions of the Management Committee, officers thereof, persons co-opted as members thereof and subcommittees thereof.
- (2) A printed copy of any such by-laws signed by the National Trust and certified by it as being correct shall be received in all courts of law or equity as conclusive evidence of such by-laws and of the same having been duly made under the authority of this Act.
- 13. Whenever any moneys are paid by the National Receipt of Trust under or by virtue of this Act to any body, cor- secretary, etc., poration or institution the receipt of the secretary or sufficient treasurer for the time being of such body, corporation or discharge institution shall be a sufficient discharge to the National National Trust which shall not be bound to enquire or see to the application thereof.

- 14. Nothing in this Act contained or that may be done Preservaunder this Act shall be deemed prejudicially to affect or tion of deprive any person of any right whatsoever which immediately before the commencement of this Act he had arising out of contract or tort or otherwise and any such right which may immediately before such commencement have been enforceable against the then Trustees of the Tenterfield School of Arts may to the extent of the trust property vested in the National Trust under section three of this Act be enforced against the National Trust.
- 15. Any rights, including choses in action, arising out vesting of contract, tort or otherwise in any wise relating to the of rights. trust property vested in the National Trust under section three of this Act which were immediately before the commencement of this Act vested in the then Trustees of the Tenterfield School of Arts are hereby vested in the National Trust and may be exercised by the National Trust.

SCHEDULE.

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- (b) All the furniture and fittings belonging to the Trustees of the Tenterfield School of Arts and installed in the said Tenterfield School of Arts and all other assets of any kind whatsoever including books, pictures and works of art held by the said Trustees.

In the name and on behalf of Her Majesty I assent to this Act.

E. W. WOODWARD,

Governor.

Government House, Sydney, 28th November, 1957.