

## TOURIST INDUSTRY DEVELOPMENT BILL, 1975

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### EXPLANATORY NOTE

THE objects of this Bill are—

- (a) to constitute a Tourist Industry Development Advisory Committee and to define its duties and functions;
- (b) for the purpose of developing, promoting and stimulating the tourist industry, to constitute the Minister as a corporation sole with the corporate name "Minister for Tourism";
- (c) to establish certain Funds and to provide for the expenditure by the corporation of the money therein;
- (d) to enable the corporation to borrow money;
- (e) to authorise the corporation to make certain loans and grants and to enter into guarantees;
- (f) to enable the corporation to acquire plant, machinery and equipment and make it available for the development of the tourist industry;
- (g) to authorise the corporation to enter into agreements for the carrying out of certain works;
- (h) to provide for the compulsory acquisition of land for the purposes of the corporation;
- (i) to authorise the corporation to dispose of surplus land;
- (j) with certain exceptions, to impose on persons who occupy and pay for sleeping accommodation for a period of less than four weeks a levy of 2½% on the charge for the accommodation;
- (k) to provide for the collection of the levy;
- (l) to require the registration of premises and establishments that provide accommodation in respect of which the levy is payable;
- (m) to keep confidential any information acquired for the purposes of the levy;
- (n) to confer on the councils of cities, municipalities and shires certain powers with respect to the development of the tourist industry;
- (o) to provide for Government guarantees with respect to the development of the tourist industry;
- (p) to provide for consequential and ancillary matters.



No. , 1975.

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## A BILL

To provide for the development of the tourist industry; to constitute a Tourist Industry Development Advisory Committee and to confer and impose on it certain duties and functions; to constitute the Minister as a corporation sole with certain powers, authorities, duties and functions; to impose a certain levy and to provide for its collection and disbursement; to amend the Local Government Act, 1919, the Government Guarantees Act, 1934, the Capital Debt Charges Act, 1957, and the State Development and Country Industries Assistance Act, 1966; and for purposes connected therewith.

[SIR CHARLES CUTLER—18 *March*, 1975.]

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*Tourist Industry Development.*

**B**E it 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  
5 follows:—

**PART I.**

**PRELIMINARY.**

**1.** This Act may be cited as the "Tourist Industry Short title.  
Development Act, 1975".

**10 2.** (1) This Part commences on the date of assent to this **Commence-**  
Act. **ment.**

(2) Except as provided in subsection (1), the several  
provisions of this Act shall commence on such day or days as  
may be appointed by the Governor in respect thereof and as  
**15** may be notified by proclamation published in the Gazette.

**3.** This Act is divided as follows :—

**Division  
of Act.**

**PART I.—PRELIMINARY—ss. 1–4.**

**PART II.—TOURIST INDUSTRY DEVELOPMENT  
ADVISORY COMMITTEE—ss. 5–9.**

**20 PART III.—TOURIST INDUSTRY DEVELOPMENT—ss.  
10–27.**

**PART IV.—ACQUISITION OF LAND—ss. 28–34.**

**PART V.—TOURIST LEVY—ss. 35–42.**

**PART VI.—GENERAL—ss. 43–46.**

**25 PART VII.—AMENDMENTS TO CERTAIN ACTS—ss.  
47–50.**

**4.** In this Act, except in so far as the context or subject- **Interpre-**  
matter otherwise indicates or requires— **tation.**

"area" has the same meaning as it has in the Local  
Government Act, 1919;

"Committee"

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*Tourist Industry Development.*

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“Committee” means the Tourist Industry Development Advisory Committee;

“corporation” means the corporation constituted by section 10;

5 “council” has the same meaning as it has in the Local Government Act, 1919;

“Director” means the person for the time being holding or acting in the office of Director of Tourism under the Public Service Act, 1902;

10 “region” means—

(a) a region established under the Regional Organisation Act, 1972; and

(b) a part of the State that—

15 (i) is not within a region referred to in paragraph (a); and

(ii) is declared by the Minister, by order published in the Gazette, to be a region for the purposes of this Act;

“regulations” means regulations under this Act.

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**PART II.**

**TOURIST INDUSTRY DEVELOPMENT ADVISORY COMMITTEE.**

**5.** (1) The Minister shall constitute a Tourist Industry Development Advisory Committee consisting of— Constitution of Committee.

25 (a) an officer or employee within the meaning of the Public Service Act, 1902;

(b) a person who, in the opinion of the Minister, is engaged in the business of providing accommodation for travellers and others; and

(c)

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*Tourist Industry Development.*

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(c) three other persons, of whom two shall be persons associated with, or engaged in, the tourist industry, and shall appoint one of the members of the Committee to be its chairman.

5 (2) Subject to this Act, the term of office of a member of the Committee is five years and he is, if otherwise qualified, eligible for re-appointment.

(3) On the occurrence of a vacancy in the office of a member of the Committee (not being a vacancy caused by 10 the expiration of a term of office) the Minister may appoint a person to the vacant office so that the Committee is constituted in accordance with subsection (1) and a person so appointed holds office for the residue of the term of office of his predecessor.

15 (4) A person who is of or above the age of seventy years is not eligible for appointment as a member of the Committee.

(5) The office of a member of the Committee is not, for the purposes of any Act, an office or place of profit under 20 the Crown.

(6) A member of the Committee shall be deemed to have vacated his office as such a member if he—

(a) dies;

25 (b) resigns his office by writing under his hand addressed to the Minister, and the Minister accepts the resignation;

30 (c) becomes a bankrupt, applies to take the benefit of any law for the relief of bankrupt or insolvent debtors, compounds with his creditors or makes any assignment of his estate for their benefit;

35 (d) becomes a temporary patient, a continued treatment patient, a protected person or an incapable person within the meaning of the Mental Health Act, 1958, or a person under detention under Part VII of that Act;

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*Tourist Industry Development.*

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- 5 (e) is convicted in New South Wales of a felony or of a misdemeanour which is punishable by imprisonment for twelve months or upwards, or if he is convicted outside New South Wales of an offence which, if committed in New South Wales would be a felony or a misdemeanour so punishable;
- (f) is removed from office by the Minister;
- (g) attains the age of seventy years;
- 10 (h) is absent from four consecutive meetings of the Committee of which reasonable notice has been given to him personally or by post, except on leave granted by the Committee, unless he is, not later than four weeks after the last of those meetings, excused by the Committee for his absence from those meetings; or
- 15 (i) is the member appointed pursuant to subsection (1) (a) or (b) and ceases to hold the qualification by virtue of which he was appointed.

20 (7) The Minister may, for any cause which to him seems sufficient, remove a member of the Committee from office.

6. (1) The procedure for the calling of meetings of the Committee and for the conduct of business at those meetings shall, subject to this Act and the regulations, be as determined  
25 by the Committee. Proceedings  
of  
Committee.

(2) The chairman shall preside at a meeting of the Committee at which he is present but, if he is absent from a meeting, a person elected by the members for the purpose shall preside at the meeting and shall have the powers of the  
30 chairman.

(3) Three members of the Committee constitute a quorum and a decision supported by a majority of votes at a meeting of the Committee at which a quorum is present is the decision of the Committee.

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*Tourist Industry Development.*

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(4) Where the voting at a meeting of the Committee at which a quorum is present is equal, the chairman is entitled to a second or casting vote.

5 7. A member of the Committee is entitled to receive such expenses, fees and allowances for attending meetings and transacting the business of the Committee as the Minister determines. Remuneration of members.

8. (1) The Committee may and, if directed so to do by the Minister, shall— Powers and functions of Committee.

10 (a) submit to the Minister during the months of March, June, September and December in each year a schedule of projects that it recommends for the development of the tourist industry in the State together with such information in relation to each such project as the Minister may direct and any other information that it considers to be relevant;

15 (b) conduct any inquiry necessary for the purpose of preparing that schedule;

20 (c) inquire into and report to the Minister upon any matter relating to the development of the tourist industry in the State or any part of the State.

(2) The Committee shall—

25 (a) in relation to any project that it is considering for inclusion in the schedule referred to in subsection (1) (a); or

(b) for the purposes of an inquiry referred to in subsection (1) (b) or (1) (c),

30 obtain the views of such persons or bodies of persons as the Minister may, generally or in a particular case, direct and the views of such other persons or bodies of persons as it thinks fit.

(3)



*Tourist Industry Development.*

5 (3) The Committee shall, if directed by the Minister so to do, inquire into, and report to the Minister upon, the conduct of any enterprise carried on by a person to whom the corporation has made a loan or grant which has not been repaid or who is the principal debtor under a guarantee by the corporation from which the corporation has not been released.

10 9. For the purpose of exercising and performing the powers, authorities, duties and functions conferred or imposed on the Committee, the Committee may—

(a) with the approval of the Minister administering a Department of the Government, and on such terms as may be arranged, make use of any of the officers or employees within that Department; or

15 (b) with the approval of a body constituted by an Act for public purposes, make use of any of the officers or employees employed by or for the purposes of that body.

Committee may utilise services of certain officers and employees.

**PART III.**

20 **TOURIST INDUSTRY DEVELOPMENT.**

10. (1) The Minister is, for the purpose of developing, promoting and stimulating the tourist industry in the State, hereby incorporated as a corporation sole with the corporate name "Minister for Tourism".

Minister to be corporation sole.

25 (2) The corporation—

(a) has perpetual succession;

(b) shall have an official seal;

(c) may take proceedings, and be proceeded against, in its corporate name;

(d)

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*Tourist Industry Development.*

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- (d) may, subject to this Act, purchase, exchange, take on lease, hold, dispose of by way of lease or sale, and otherwise deal with, property;
- 5 (e) may do and suffer all other things that corporations may, by law, do and suffer and that are necessary for or incidental to the purposes for which it is constituted; and
- (f) is, for the purpose of any Act, a statutory body representing the Crown.
- 10 (3) The seal of the corporation shall not be affixed to any instrument or writing except in the presence of the Minister or his delegate and the fact and date of the seal being so affixed shall be attested by the signature of the Minister or his delegate, as the case may be.
- 15 (4) All courts and persons acting judicially—
- (a) shall take judicial notice of the official seal of the corporation that has been affixed to an instrument or writing; and
- 20 (b) shall, until the contrary is proved, presume that the seal was properly affixed.
- 25 11. (1) Subject to this section, the corporation may, by instrument in writing, delegate to the holder of a prescribed office the exercise or performance of such of the powers (other than this power of delegation) authorities, duties and functions conferred or imposed upon the corporation by or under this Act as may be prescribed in relation to the holder of that office and may in like manner revoke any such delegation wholly or in part.
- 30 (2) A power, authority, duty or function the exercise or performance of which has been delegated under this section to the holder of a prescribed office may, while the delegation remains unrevoked, be exercised or performed from time to time in accordance with the terms of the delegation by the person for the time being holding or acting in that office.
- (3)

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*Tourist Industry Development.*

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(3) A delegation made under this section may be made subject to such conditions or such limitations as to the exercise or performance of any of the prescribed powers, authorities, duties or functions delegated, or as to time or  
5 circumstances, as are specified in the instrument of delegation.

(4) Where a prescribed power, authority, duty or function is exercised or performed by the holder of a prescribed office in relation to whom that power, authority, duty or function is prescribed and the exercise or performance  
10 of the power, authority, duty or function is evidenced in writing signed by the holder of, or person for the time being acting in, that office in his own name on behalf of the corporation, the power, authority, duty or function shall be  
15 deemed to have been exercised or performed by the corporation, whether or not an instrument delegating the exercise or performance of the power, authority, duty or function to the holder of that office was in force when the power, authority, duty or function was exercised or performed and  
20 whether or not any conditions or limitations referred to in subsection (3) were observed by the person exercising or performing the power, authority, duty or function.

(5) Notwithstanding a delegation made under this section, the corporation may continue to exercise and perform the power, authority, duty or function delegated.

25 (6) A regulation relating to the powers, authorities, duties or functions that may be delegated to the holder of a prescribed office may describe any such power, authority, duty or function in general or particular terms and may so describe  
30 the power, authority, duty or function that its exercise or performance by the holder of the prescribed office in relation to whom it is prescribed shall be subject to such limitations or conditions as may be specified in the regulation.

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*Tourist Industry Development.*

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**12.** (1) There shall be established in the Special Deposits Account in the Treasury a Tourist Industry Development Fund (in this section referred to as "the Fund") into which shall be paid—

Tourist  
Industry  
Develop-  
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Fund.

- 5 (a) \$1,250,000 from the Country Industries Assistance Fund in the Special Deposits Account at the Treasury;
- (b) money appropriated by Parliament for the purposes of the Fund;
- 10 (c) principal money repaid in respect of loans referred to in subsection (2) (d); and
- (d) the proceeds of any transaction affecting real or personal property acquired with money from the Fund.
- 15 (2) Money in the Fund may be expended by the corporation for the purpose of—
- (a) discharging such commitments of the Country Industries Assistance Fund with respect to the tourist industry as were outstanding immediately before the payment into the Fund of the amount referred to in subsection (1) (a);
- 20 (b) paying such of the expenses of administering this Part as relate to the collection and expenditure of money in the Fund;
- 25 (c) promoting and assisting the development of the tourist industry in the State;
- (d) making grants or loans in aid of projects for developing the tourist industry in the State;
- 30 (e) repaying money borrowed under this Part, paying interest on money so borrowed and paying the expenses of the corporation in borrowing money under this Part;
- (f) discharging any liability of the corporation under a guarantee given pursuant to this Part;

(g)

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*Tourist Industry Development.*

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- (g) acquiring land under Part IV; and
- (h) making any other payments that the corporation is, by or under this Act, required or authorised to make from the Fund.

5           (3) The corporation shall, at such times as the Treasurer directs, pay to the Treasurer such part as the Treasurer specifies, when giving the direction, of money paid as interest on any transaction referred to in subsection (1) (d) or on loans made under subsection (2) (d).

10   **13.** (1) The corporation shall cause to be established a <sup>Bank</sup> bank account into which shall be paid— <sup>account.</sup>

- (a) payments made under section 36 (2) and (3);
- (b) principal money repaid in respect of a loan referred to in subsection (2) (d);
- 15   (c) money paid as interest on a loan referred to in subsection (2) (d);
- (d) the proceeds of any transaction affecting land acquired by the expenditure of money under subsection (2);
- 20   (e) money borrowed under this Part;
- (f) money paid by the council of an area pursuant to an agreement under section 21 (1) (e).

(2) Money credited to the bank account referred to in subsection (1) may be expended by the corporation for  
25 the purpose of—

- (a) meeting such of the expenses of the administration of this Act as relate to—
  - (i) the collection and expenditure of amounts paid under section 36 (2) and (3);
  - 30   (ii) the borrowing or lending of money by the corporation and the repayment of that money by or to the corporation;

(b)

*Tourist Industry Development.*

- (b) paying the expenses of the corporation in borrowing money under this Part and money payable by the corporation under the Capital Debt Charges Act, 1957;
- 5 (c) promoting and assisting in any way the development of the tourist industry in the State;
- (d) making grants or loans in aid of projects for developing the tourist industry in the State;
- 10 (e) discharging any liability of the corporation under a guarantee given by the corporation;
- (f) acquiring land; and
- (g) making any other payments that the corporation is, by or under this Act, required or authorised to make.

15 (3) In expending amounts under subsection (2), the corporation shall ensure that an amount is expended in each region that is not less than the amounts paid under section 36 (2) or (3) in respect of accommodation within the region.

20 **14.** The corporation may from time to time with the concurrence of the Treasurer and the approval of the Governor borrow money— Purposes for which money may be borrowed.

- (a) for the purpose of exercising or performing the powers, authorities, duties and functions of the corporation;
- 25 (b) to renew loans; or
- (c) to discharge, or partially discharge, any indebtedness of the corporation.

**15.** (1) The corporation shall establish a reserve for loan repayment fund in respect of each loan or renewal loan raised Reserve for loan repayment. by the corporation.

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*Tourist Industry Development.*

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(2) The corporation shall during each year transfer to each such fund from the Tourist Industry Development Fund and the bank account established under section 13 (1) a sum not less than the sum that the corporation in the application for approval of the loan specified as the sum proposed to be so transferred.

(3) Where any land or property which has been acquired with loan money is sold before the loan has been wholly repaid, the net proceeds of the sale shall be added to the reserve for loan repayment in the appropriate fund or paid directly to the lender.

(4) Money held as reserve for loan repayment may be invested in Government securities of the Commonwealth or of the State or in debentures, bonds, inscribed stock or other prescribed securities, in any loan of the corporation, or in any securities guaranteed by the Government of the State, or in such other securities as the Governor may approve or as may be prescribed, in each case at their current market price.

(5) Any interest or profits realised on investments under subsection (4) shall be added to and form part of the reserve for loan repayment fund from which the investments were made.

(6) All moneys paid into the reserve for loan repayment fund in respect of any loan or renewal loan may be applied in or towards repayment of any other loan or renewal loan but may not be applied for any other purpose until the loan or renewal loan in respect of which the fund has been established has been repaid.

(7)

*Tourist Industry Development.*

(7) Where the corporation decides to cancel debentures, bonds, inscribed stock or other prescribed securities of the corporation purchased from the reserve for repayment of the loan for which they were issued, then, in addition to the sum otherwise payable to the reserve for loan repayment in respect of that loan, the corporation shall, subject to any agreement whereby the corporation undertakes to pay interest at a higher rate to that reserve, pay to that reserve interest at the rate of four and one-half per centum per annum on the face value of the cancelled securities from the date of their cancellation until the maturity of the loan.

(8) If, after a loan has been repaid, there remains in the reserve for repayment of that loan any balance, that balance shall be paid to the credit of the bank account established under section 13 (1).

(9) A reserve for loan repayment shall not be subject to seizure in satisfaction of any debt other than the loan in respect of which the reserve was created.

(10) This section does not apply to a loan to be repaid by instalments at intervals of one year or less.

**16.** (1) For securing repayment of the principal and interest on any money borrowed the corporation may, as provided by the regulations, issue debentures, bonds, inscribed stock or other prescribed securities. <sup>Debentures, etc.</sup>

**25** (2) A debenture or bond issued under subsection (1) and any coupon originally annexed to the debenture or bond, whether separated therefrom or not, is transferable by simple delivery.

(3) Inscribed stock is transferable in the books of the corporation in accordance with the regulations.

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*Tourist Industry Development.*

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5 (4) Debentures, bonds, inscribed stock or prescribed securities issued under this Act shall both as regards the issue and transfer thereof for full consideration or money or money's worth be deemed to be included in the general exemptions from stamp duty under Part III of the Stamp Duties Act, 1920, contained in the Second Schedule to that Act.

(5) The regulations may provide for the exemption from stamp duty of any other prescribed security.

10 (6) The holder of a coupon originally annexed to a debenture or bond, whether separated therefrom or not, is entitled to receive payment from the corporation of the interest specified in the coupon upon the presentation of the coupon on or after the date when, and at the place where, the interest is payable.

15 (7) The due repayment of the debentures, bonds, stock and the interest thereon and of any loan in respect of which any other prescribed security is issued and the interest thereon is a charge upon the bank account established under section 13 (1) and is hereby guaranteed by the Government.

20 (8) A liability arising from the guarantee under subsection (7) is payable out of moneys provided by Parliament.

25 (9) The charge created by subsection (7) does not prejudice or affect the power of the corporation to sell or convey any property vested in the corporation free of the charge.

30 17. (1) A trustee, unless expressly forbidden by the instrument (if any) creating the trust, may invest any trust money in his hands in stock inscribed by the corporation, and the investment shall be deemed to be an investment authorised by the Trustee Act, 1925. Trustees.

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*Tourist Industry Development.*

(2) A debenture issued or stock inscribed by the corporation is a lawful investment for any money which any company, council or body corporate incorporated by an Act is authorised or directed to invest in addition to any other investment expressly provided for the investment of that money.

(3) No notice of any trust expressed, implied or constructive, is receivable by the corporation or by any person engaged in the administration or execution of this Act in relation to any debenture or coupon issued or stock inscribed by the corporation.

**18.** (1) Where a debenture or bond issued by the corporation is lost or destroyed or defaced before it has been paid, the corporation may, subject to this section, issue a new debenture or bond instead.

(2) A new debenture or bond issued under subsection (1) with interest coupon annexed shall bear the same date, number, principal sum, and rate of interest as the lost, destroyed or defaced debenture or bond.

(3) Where a debenture or bond issued by the corporation is lost or destroyed a new debenture or bond shall not be issued unless and until—

- (a) it has been established to the satisfaction of the Supreme Court that the debenture has been lost or destroyed before it has been paid off;
- (b) such advertisements as the Court may direct have been published;
- (c) six months have elapsed since the publication of the last such advertisement; and
- (d) sufficient security has been given to the corporation to indemnify the corporation against any double payment if the missing debenture or bond is at any time presented for payment.

(4)

*Tourist Industry Development.*

(4) Where a debenture or bond is defaced a new debenture or bond shall not be issued unless and until the defaced debenture or bond is lodged with the corporation for cancellation.

5 (5) This section applies to a lost, destroyed, or defaced coupon in the same way as it applies to a lost, destroyed or defaced debenture.

10 **19.** (1) A person lending money to the corporation is not bound to inquire into the application of the money lent or be in any way responsible for the non-application or misapplication of that money. Protection of investments.

(2) A notification in the Gazette to the effect that the Governor has approved a specified borrowing by the corporation is, in favour of a lender and of any holder of a security given by the corporation, conclusive evidence—

- (a) that all conditions precedent to the borrowing have been complied with; and
- 20 (b) where the notification relates to a borrowing by the corporation in a place outside the State and in a particular currency—that the Governor has approved the borrowing in the country and in the currency specified in the notification.

25 **20.** All debentures, bonds, stock or other securities which are secured upon the bank account established under section 13 (1) rank equally without any preference one above another by reason of priority of date or otherwise. Debentures and bonds to rank equally.

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*Tourist Industry Development.*

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**21.** (1) The corporation may—

General powers of corporation to make loans and grants and to execute guarantees.

- (a) make a loan or grant for the purpose of developing the tourist industry in the State;
- 5 (b) lend money to provide a dwelling house for a person employed in or about a project for developing the tourist industry in the State;
- 10 (c) subject to section 22, execute a guarantee, either alone or jointly with some other person, in favour of a bank or other person (not being a co-operative society registered under the Co-operation Act, 1923) for the repayment of any money expended or to be expended on—
- 15 (i) the acquisition of land, or land and buildings;
- (ii) the construction, improvement or alteration of buildings; or
- (iii) the acquisition of plant, machinery or equipment,
- 20 used or to be used for the conduct of a project for developing the tourist industry in the State;
- (d) subject to section 22, execute a guarantee, either alone or jointly with some other person, for the payment of the whole or part of the rent of a building used or to be used for developing the tourist industry in the State; or
- 25 (e) enter into an agreement with a council for the repayment by that council to the corporation of part of any money paid by the corporation under any guarantee executed by the corporation under paragraph (c) or (d).
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*Tourist Industry Development.*

5 (2) The corporation may refer to the Committee for inquiry and report any application for a grant, loan or guarantee and, where such a reference is made, the corporation shall take into consideration the report of the Committee before deciding whether to approve or refuse the application.

(3) Subject to section 26, the corporation may, in making a grant or a loan, or in agreeing to enter into a guarantee, impose such conditions as, in the opinion of the corporation, are appropriate.

10 (4) Notwithstanding anything in this Act, the powers of the corporation under this section or any other provision of this Act shall not be exercised in a manner that assists in the construction, maintenance or alteration of any premises or establishment in which accommodation is, or is to be, provided  
15 for a charge (premises referred to in subsection (1) (b) and section 24 (1) (c) excepted).

20 **22.** (1) A guarantee executed by the corporation is not enforceable against the corporation until the creditor has exercised all his rights and remedies under all other securities held by or for him in respect of the debt guaranteed.

General provisions relating to guarantees by corporation.

(2) The corporation may, as a condition of a guarantee, require the creditor to obtain, take and hold, or retain and hold, such securities for the payment of the principal debt and interest thereon as the corporation requires.

25 (3) The corporation may execute a guarantee notwithstanding that it includes any interest (including compound interest) charges and expenses chargeable by the creditor against the principal debtor and the expenses of enforcing or obtaining or endeavouring to enforce or obtain payment of  
30 the debt guaranteed, that interest and those charges and expenses.

(4) Where the corporation executes a guarantee, any assignment or encumbrance of the guarantee by the creditor without the consent of the corporation has no force or effect.

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*Tourist Industry Development.*

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(5) The corporation shall not—

(a) execute a guarantee referred to in section 21 (1) (c) if the amount guaranteed would exceed ninety per centum of—

5 (i) the estimated value, ascertained as directed by the corporation, of the land, or the land and buildings;

10 (ii) the estimated cost, so ascertained, of the works of construction, improvement or alteration; or

(iii) the estimated value, so ascertained, of the plant, machinery or equipment,

as the case may be; or

15 (b) execute a guarantee referred to in section 21 (1) (c) or (d) if the amount guaranteed would, together with the amounts of all other guarantees executed by the corporation and then in force, or agreed to by the corporation but not then executed, exceed  
20 such amount as may be determined from time to time by the Treasurer and notified to the corporation.

(6) The execution by the corporation of a guarantee referred to in this section is, in favour of the creditor, conclusive evidence that the requirements of this section with  
25 respect to the guarantee have been complied with.

23. The corporation may purchase, lease or exchange, or otherwise acquire, plant, machinery or equipment for the purpose of making it available, on such terms and subject to such conditions as are determined by the corporation, for use  
30 in the development of the tourist industry in the State. Powers of corporation with respect to plant, machinery and equipment.

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*Tourist Industry Development.*

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**24.** (1) The corporation may enter into, and give effect to, an agreement with a council to make to the council a grant or loan for the purpose of—

Corporation  
may enter  
into  
certain  
agreements.

- 5 (a) erecting on land vested in the council any building required for the development of the tourist industry in the State;
- (b) altering or extending a building erected on land vested in the council to make it suitable for the development of the tourist industry in the State;
- 10 (c) erecting, on land vested in the council, dwelling houses for occupation by persons employed, or to be employed, on or about a project for the development of the tourist industry in the State;
- 15 (d) improving any land vested in the council to make it suitable for use as a site for a project for the development of the tourist industry in the State; or
- (e) acquiring land for a purpose referred to in paragraph (a), (b), (c) or (d).

20 (2) The corporation may enter into, and give effect to, an agreement with a council for the construction, on land vested in the corporation or the council, or in the corporation and the council, of buildings suitable for developing the tourist industry in the State and the sale, lease or exchange of any such land and buildings.

25 (3) This section does not apply to or in respect of land that is a public road, a public reserve or land held in trust.

*Tourist Industry Development.*

25. (1) The corporation may enter into an agreement with any person with respect to the construction or improvement of roads, works for the supply of water, gas or electricity, or sewerage or drainage works, or other works, whether of the same or of a different kind, to serve any project for the development of the tourist industry in the State or any dwelling houses erected or to be erected for occupation by persons employed or to be employed on or about any such project.

Power of corporation to enter into agreement for the provision of services.

(2) An agreement under this section may provide for—

(a) the whole, or any specified part, of the cost of the roads or other works to be paid by the corporation; or

(b) a loan to be made by the corporation to meet the whole, or any specified part, of the cost of the roads or other works.

(3) An agreement referred to in subsection (2) (b) shall not be entered into unless the Treasurer has approved of the purpose for which the loan is to be made.

26. (1) A loan made by the corporation shall be at the rate of interest for the time being fixed by the Treasurer generally for the purposes of this Part or, if the Treasurer so approves, at such rate of interest as may be fixed by him in respect of that loan, or without interest.

Rate of interest on loans, and rental, etc., on leases by corporation.

(2) The rental or other consideration to be received by the corporation in respect of a lease of real or personal property acquired for the purposes of this Part shall be fixed by the corporation so as to produce an amount not less than such percentage as the Treasurer may direct, in respect of that lease, or of leases of the class to which that lease belongs, of the value of the real or personal property leased.

27.



*Tourist Industry Development.*

27. The corporation may, for the purpose of exercising or performing any power, authority, duty or function of the corporation, enter into an agreement or arrangement with the Rural Bank of New South Wales under section 23A of the Government Savings Bank Act, 1906.

Agreements or arrangements between the corporation and the Rural Bank.

PART IV.

ACQUISITION OF LAND.

28. The corporation may, for the purpose of providing a site for a project for the development of the tourist industry in the State or a site that, in the opinion of the corporation, is likely to be required for such a purpose, acquire land, including land previously appropriated or resumed for any purpose, by lease, purchase or exchange or by resumption or appropriation in accordance with this Part.

Corporation may acquire land.

29. (1) For the purposes of section 28 the Governor may under the Public Works Act, 1912, resume any land, and appropriate any land vested in Her Majesty, or in any person in trust for Her Majesty.

Resumption.

(2) A resumption or appropriation under subsection (1) shall be deemed to be for an authorised work, and the corporation shall be deemed to be the Constructing Authority.

(3) Sections 34, 35, 36 and 37 of the Public Works Act, 1912, do not, but section 38 of that Act does, apply in respect of the expenditure on any works constructed under this Act.

*Tourist Industry Development.*

5 **30.** The corporation may cause a plan to be made of any Subdivision.  
land acquired by the corporation under this Part showing the  
proposed roads and reserves for public recreation or other  
public purposes, and the land to be set apart as sites for  
buildings or works.

**31.** (1) The corporation may—

Power of the  
corporation  
to make  
roads, etc.

10 (a) cause any work to be done on or in relation to any  
land acquired by the corporation under this Part  
for the purpose of improving it to make it suitable  
to be used as a site for a project for the develop-  
ment of the tourist industry in the State or for a  
dwelling house for occupation by a person  
employed or to be employed on or about any such  
project;

15 (b) dedicate by notification in the Gazette any such  
land as a reserve for public recreation or for other  
public purposes, and fence, plant and improve any  
such reserve, and by notification in the Gazette vest  
20 the reserve in the council of the area in which it is  
situated or in trustees; and

(c) set apart any such land as sites for buildings or  
works or for local government purposes.

25 (2) Where any reserve is vested under this section,  
the provisions of the Crown Lands Consolidation Act, 1913,  
apply to and in respect of the reserve in the same way as they  
apply to and in respect of land dedicated and vested under  
that Act.

*Tourist Industry Development.*

32. For the purposes of section 81 of the Public Works Act, 1912, the corporation shall be deemed to be a Constructing Authority.

Corporation to be Constructing Authority for purposes of section 81 of Public Works Act, 1912.

33. (1) The corporation may cause to be erected, on land acquired by the corporation under this Part for the purpose referred to in section 28 buildings suitable for the development of the tourist industry in the State.

Corporation may erect, alter or extend buildings for tourist industry projects.

(2) The corporation may cause any building erected on land acquired by the corporation under this Part for the purpose referred to in section 28 to be altered or extended to make it suitable for the development of the tourist industry in the State.

34. (1) Notwithstanding section 10 (1), the corporation may, in such manner and subject to such terms and conditions as in the opinion of the corporation are appropriate, sell, lease, exchange or otherwise deal with or dispose of any real or personal property that has been acquired by the corporation under this Part and grant easements or rights-of-way over any land or any part thereof that has been so acquired by the corporation.

Disposal of land by the corporation.

(2) Any moneys received by the corporation in respect of any transaction that is entered into by the corporation under subsection (1) and that relates to any land acquired by the corporation for the purpose referred to in section 28 shall be disposed of as provided by section 12 (1) (d) or 13 (1) (d), as the case may require.

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*Tourist Industry Development.*

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PART V.

TOURIST LEVY.

35. (1) In this Part, except to the extent that the context <sup>Interpre-</sup>  
or subject-matter otherwise indicates or requires, "accom- <sup>tation.</sup>  
5 modation" means accommodation in a house, a flat within  
the meaning of Part XI of the Local Government Act, 1919,  
a lot within the meaning of the Strata Titles Act, 1973, a  
room or suite of rooms, or a fixed or movable structure, for  
the occupancy of which a charge is made, being a house, flat,  
10 lot, room, suite or structure in which there is at least one bed  
or at least one article of furniture that is and is intended to be,  
convertible into and used as a bed, but does not include—

(a) accommodation in—

- 15 (i) an incorporated hospital or separate  
institution within the meaning of the Public  
Hospitals Act, 1929;
- (ii) an authorised hospital within the meaning  
of the Mental Health Act, 1958;
- 20 (iii) a private hospital or nursing home licensed  
under the Private Hospitals Act, 1908; or
- (iv) an institution licensed under the Inebriates  
Act, 1912;

25 (b) accommodation on land that, pursuant to section  
132 of the Local Government Act, 1919, is not  
ratable land;

(c)

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*Tourist Industry Development.*

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- (c) accommodation in a boat or a moving vehicle ;
- 5 (d) accommodation in respect of which the total charge for occupancy by the same persons (exclusive of any charge for the provision of any meals or other services) divided by the number of days during which they occupied the accommodation, does not exceed the prescribed amount ; or
- 10 (e) accommodation that is prescribed by the regulations, either generally or in a particular case, as not being accommodation for the purposes of this Part.

(2) For the purposes of this Part, a person who has a present right to occupy any accommodation shall be deemed to be in occupation of the accommodation.

15 **36.** (1) Where a person vacates any accommodation after occupying it for a continuous period of less than four weeks he shall, except to the extent that he has already done so, pay on demand to the person to whom the charge for the accommodation is paid or payable, a levy of an additional amount being—

20 (a) where part of that period of occupancy was a period before the commencement of this Part—an amount equal to two and one-half per centum of such part of the charge for the period of the occupancy, calculated proportionately on a daily basis, as is

25 attributable to the period of occupancy that succeeded that commencement ; or

(b) in any other case—an amount equal to two and one-half per centum of the charge for the period of the occupancy.

30 **Penalty : \$50.**

(d)

(2)

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*Tourist Industry Development.*

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5 (2) A person who, during a prescribed period, receives or is entitled to demand, or whose servant or agent receives or is entitled to demand, payment of the levy imposed by subsection (1) shall, before the expiration of fourteen days after the end of that prescribed period, pay or cause to be paid to the Director in the prescribed manner an amount equal to—

- (a) the amount of the levy that he or his servant or agent received during that period in respect of accommodation vacated during that period; and
- 10 (b) any amount of the levy that he or his servant or agent was, during that period, entitled to demand, but did not receive, in respect of accommodation vacated during that period.

(3) Where an amount payable under subsection (2) is not paid when due, the amount due and payable under that subsection is increased to the amount that would have been due and payable had the levy under subsection (1) been imposed at the rate of three and one-half per centum instead of two and one-half per centum and that increased payment is 15 due and payable forthwith. 20

(4) The Director may, in a particular case and for any reason that to him seems sufficient, remit any amount of an increase under subsection (3).

(5) An amount due and payable by the operation of subsection (2) or (3) is, subject to subsection (4), a debt due to the Crown recoverable in a court of competent jurisdiction. 25

37. Where a person makes—

- 30 (a) a charge for the occupation of accommodation (including accommodation referred to in section 35 (1) (d)); and

Charge for accommodation where meal, etc., provided.

(b)

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*Tourist Industry Development.*

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(b) a charge for the provision of a meal or other service (whether or not the meal or other service is provided),

5 and the charge referred to in paragraph (a) is less than it would have been if the charge referred to in paragraph (b) had not been made, that person shall, for the purposes of sections 35 (1) (d) and 36, be deemed to have charged for the occupation of the accommodation the same amount as he would have charged had he not made the charge referred  
10 to in paragraph (b).

38. (1) A person who, or whose servant or agent, has provided accommodation in any premises or establishment for a person referred to in section 36 (1) shall, if he has not previously applied for registration under this Part in respect  
15 of the premises or establishment, so apply to the Director in the prescribed form not later than one month after the vacation of the accommodation by the person so referred to.

Register of  
premises  
and estab-  
lishments.

Penalty : \$500.

(2) Where the Director allows further time for  
20 compliance with subsection (1) in relation to specified accommodation, that subsection shall be deemed never to have applied in relation to that accommodation if, during any such extension of time, it ceases by the operation of section 35 (1) (e) to be accommodation within the meaning  
25 of this Part.

(3) The Minister shall cause to be kept, in such form as he directs, a register, containing such particulars as he directs, of premises and establishments referred to in subsection (1).

30 (4) The Director shall cause to be issued to a person who applies under subsection (1) a certificate in the prescribed form in respect of the premises or establishment to which the application relates.

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*Tourist Industry Development.*

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**39.** (1) A person required to apply for registration under Offences.  
section 38 in respect of any premises or establishment  
contravenes this subsection if—

- 5 (a) he fails to make, or cause to be made, to the Director  
the prescribed returns in respect of those premises or  
that establishment, or any other prescribed returns,  
at the time prescribed for making those returns;
- 10 (b) by a wilful act, or by wilful default or neglect, or  
by any fraud, art or contrivance, he avoids, or  
attempts to avoid, payment of any amount under  
section 36 (2) or 36 (3); or
- 15 (c) he fails to keep the prescribed accounts, records,  
books and documents relating to those premises or  
that establishment or fails, while they are in his  
custody or under his control, to keep them at the  
prescribed place or to retain them until the  
prescribed date.

Penalty: \$1,000.

20 (2) For the purposes of subsection (1) (c), the  
accounts, records, books and documents that a person is  
required to keep in relation to any premises or establishment  
are—

- 25 (a) an accommodation register from which can readily  
be ascertained in the English language the name  
and address of each occupier of accommodation in  
those premises or that establishment and the days  
on which he occupied it;

(b)



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*Tourist Industry Development.*

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- (b) records from which can readily be ascertained in the English language—
- 5 (i) all amounts paid and payable for the occupation of that accommodation, exclusive of any amounts paid and payable for the provision of meals and any other services for occupiers of that accommodation;
- 10 (ii) any amounts paid and payable for the provision of meals and any other services for occupiers of that accommodation; and
- (iii) the days in respect of which, and the occupiers in respect of whom, the amounts referred to in subparagraphs (i) and (ii) were paid or are payable; and
- 15 (c) such other accounts, records, books and documents as may be prescribed.

(3) For the purposes of subsection (1) (c), the prescribed place for the keeping of the accounts, records, books and documents relating to any premises or establishment

20 is—

- (a) in those premises or that establishment;
- (b) where the person required to keep them has, when applying for registration under section 38 in respect of that place or establishment, specified some other
- 25 place in New South Wales at which they will be kept—that other place; or
- (c) where that person has notified the Director in writing that they will be kept at a place in New South Wales specified in the notification (not being a place
- 30 referred to in paragraph (a) or (b))—the place specified in the latest such notification.

(4)

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*Tourist Industry Development.*

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(4) For the purposes of subsection (1) (c), the prescribed date for the retention by a person of any accounts, records, books or documents relating to any premises or establishment is—

- 5           (a) the date that is three years after the last entry therein; or
- (b) the date on which the accounts, records, books or documents are given into the custody of another person required by section 38 to apply for registration in respect of those premises or that
- 10           establishment,

whichever first occurs.

**40. (1) Where—**

Assessments,  
objections  
and appeals.

- 15           (a) a person who, in the opinion of the Director, is required to comply with section 39 (1) (a) in respect of any premises or establishment fails to do so;
- 20           (b) the Director is not satisfied with a return under section 39 (1) (a) made by a person in respect of any premises or establishment;
- (c) a person who, in the opinion of the Director, is liable to make a payment under section 36 (3) in respect of any premises or establishment has failed to do so;
- 25           (d) the Director is of the opinion that a charge made by a person for accommodation at any premises or establishment is a charge in respect of which section 37 applies,

the

*Tourist Industry Development.*

the Director may cause an assessment to be made of the amount, or the additional amount, that, in his opinion, should be paid by that person in respect of those premises or that establishment under section 36 (3) and shall serve on that  
5 person notice of the amount of the assessment.

(2) A notice under subsection (1) may be served by post and, where it is to be so served, the address of the premises or establishment to which the notice relates is a sufficient address for service.

10 (3) A person who, within the period of one month that next succeeds service on him of a notice of assessment under subsection (1), pays the assessed amount to the Director but is dissatisfied with the amount of the assessment may,  
15 within that period of one month, lodge with the Director an objection in writing specifying the grounds of his objection and an address for the service by post of the Director's decision on the objection.

(4) The Director shall consider any objection lodged under subsection (3) and shall—

20 (a) allow the objection, wholly or in part, or disallow the objection; and

(b) serve on the objector by post at the appropriate address specified in the objection written notice of his decision on the objection.

25 (5) Where an objector is dissatisfied with the decision given on his objection by the Director, he may, not later than one month after service of notice of that decision and on payment to the Director of a fee of five dollars, request the Director to treat the objection as an appeal to the Supreme  
30 Court.

*Tourist Industry Development.*

(6) Where a request is made under subsection (5)—

(a) the Director shall lodge the objection with the Supreme Court; and

5 (b) the Supreme Court shall hear and determine the objection,  
in accordance with rules of court.

(7) For the purposes of a hearing pursuant to subsection (6)—

10 (a) the objector is limited to the grounds stated in his objection;

(b) where the Director has allowed the objection in part, the amount of the reduced liability is the amount at issue; and

15 (c) the burden of proving that the assessment objected to is excessive lies on the objector.

(8) The amount specified in a notice of assessment served under subsection (1) shall be deemed to be an amount payable under section 36 (3) by the person to whom, and in respect of the premises or establishment to which, the notice  
20 relates.

(9) The Director shall refund any amount that he or the Supreme Court finds to have been paid in excess of the true liability of an objector.

41. (1) The Governor may, under and subject to the Inspectors.  
25 Public Service Act, 1902, appoint inspectors for the purposes of this Act.

*Tourist Industry Development.*

(2) For the purposes of this Act, an inspector may, at a reasonable time and on production of written evidence of his appointment—

- 5 (a) enter and remain on any land or premises at which, or at which he reasonably suspects—
  - 10 (i) payment is made of a charge for accommodation at any premises or establishment in respect of which registration has been, or is required to be, applied for under section 38; or
  - (ii) any accounts, records, books or documents relating to any such premises or establishment are kept or stored;
- 15 (b) take copies of, or extracts or notes from, any such accounts, records, books or documents; and
- (c) request any person found in or upon any land or premises that he has entered pursuant to paragraph (a)—
  - 20 (i) to produce any accounts, records, books or documents which relate to, or which the inspector reasonably suspects relate to, any premises or establishment in respect of which registration has been, or is required to be, applied for under section 38 and which, at the time of the request, are in the possession or under the control of that person; and
  - 25 (ii) to answer any question with respect to any such accounts, records, books, documents, premises or establishment.

(3)

*Tourist Industry Development.*

(3) A person shall not—

(a) prevent, or attempt to prevent, an inspector from exercising any power conferred on him by subsection (2);

5 (b) hinder or obstruct any inspector in the exercise of any such power;

(c) fail to comply with a request by an inspector under subsection (2) (c); or

10 (d) furnish to an inspector information which is false or misleading in a material particular.

Penalty: \$500 or imprisonment for a period not exceeding six months, or both, and an additional penalty for a contravention of paragraph (c) not exceeding \$100 for every day on which the contravention continues.

15 (4) A person is not guilty of an offence under subsection (3) (c) by reason of his failure to answer any question referred to in subsection (2) (c) (ii) if he proves to the satisfaction of the court that he did not know, and could not with reasonable diligence ascertain, the answer to  
20 the question.

(5) A person is not excused from answering any question if required to do so under subsection (2) (c) (ii) on the ground that the answer might tend to criminate him or make him liable to a penalty but neither the question nor his  
25 answer is admissible against him in any proceedings, civil or criminal, except in proceedings for an offence under subsection (3).

(6)

(6)

*Tourist Industry Development.*

(6) Where an answer to a question referred to in subsection (2) (c) (ii) or any information whatsoever is given to an inspector by an officer of a corporation within the meaning of the Companies Act, 1961, in respect of which registration has been, or is required to be, applied for under section 38 the answer and information are, for the purposes of any proceedings against the corporation under any of the provisions of this Act, binding upon and admissible in evidence against the corporation unless it is proved that the answer or information was given in relation to a matter in respect of which the officer had no authority to bind the corporation.

(7) The provisions of subsection (6) are in addition to, and do not derogate from, any rule of law relating to the binding effect and admissibility in evidence of statements made by any officer or employee of a corporation.

(8) Any matter or thing done by an inspector bona fide for the purpose, or purported purpose, of executing this Act does not subject the inspector personally to any action, liability, claim or demand.

42. (1) A person shall not disclose any information, or publish any document or part of a document obtained by him, in connection with the administration or execution of this Part unless the disclosure or publication is made—

- (a) with the consent of the person from whom the information or document was obtained;
- (b) in connection with the administration or execution of this Act or the regulations; or
- (c) for the purpose of any legal proceedings arising out of this Act or the regulations or of any report of any such proceedings.

Penalty: \$500.

(2)

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*Tourist Industry Development.*

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(2) Nothing in subsection (1) prevents the disclosure of information or the publication of a document in connection with any lawful requirement of the Commonwealth Statistician.

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**PART VI.**

**GENERAL.**

43. (1) Section 11 applies to and in respect of such of the powers, authorities, duties and functions of the Minister under this Act as may be exercised or performed by him otherwise than as the corporation and it so applies in the same way as it applies to and in respect of the powers, authorities, duties and functions exercised or performed by him as the corporation. <sup>Delegation by Minister.</sup>

10  
15 (2) Section 11 applies to the Director in the same way as it applies to the corporation.

44. (1) Proceedings for a contravention of a provision of this Act or the regulations shall be disposed of summarily by a stipendiary magistrate sitting in petty sessions. <sup>Prosecution of offences.</sup>

20 (2) An information in respect of a contravention of a provision of this Act may be laid at any time within three years after the commission of the offence but may not be laid without the consent in writing of the Minister.

25 (3) An information for a contravention of a provision of this Act purporting to have been laid by an officer of the Public Service employed in the execution or administration of this Act shall, in the absence of evidence to the contrary, be deemed to have been laid with the consent in writing of the Minister.

45.



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*Tourist Industry Development.*

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45. The Director may, before or after the time prescribed for doing anything under this Act or the regulations, allow further time for the doing of that thing and, where that thing is done within the extended time, it shall be deemed to have been done within the time prescribed.

46. (1) The Governor may make regulations for or with respect to all matters that by this Act are required or permitted to be prescribed or which are necessary or convenient to be prescribed for the purpose of carrying out or giving effect to this Act.

(2) The regulations may impose a penalty not exceeding \$500 for any contravention thereof.

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**PART VII.**

**AMENDMENTS TO CERTAIN ACTS.**

15 47. The Local Government Act, 1919, is amended—

Amendment  
of Act No.  
41, 1919.

(a) by inserting in section 3 after the matter relating to Part XXII B the following matter—

Sec. 3.  
(Division  
into Parts.)

**PART XXII C.—TOURIST INDUSTRY DEVELOPMENT—s. 475Q.**

20 (b) by inserting after Part XXII B the following Part :—

**PART XXII C.**

**TOURIST INDUSTRY DEVELOPMENT.**

475Q.

*Tourist Industry Development.*

475Q. (1) For the purpose of developing, promoting and stimulating the tourist industry within or outside its area, a council may—

Council's powers to assist tourist development.

5

(a) lend money, subject to such conditions as the council thinks fit, to any person—

10

(i) to acquire land, or land with buildings erected thereon, within or outside the area of the council for use for a project for developing the tourist industry in the State; or

15

(ii) to erect buildings on land within or outside the area of the council for use for the purposes of such a project or to alter or extend any building on land within or outside that area to make it suitable for occupation for the purposes of such a project;

20

(b) lend money, subject to such conditions as the council thinks fit, to enable a person to erect on land owned or leased by him within or outside the area of the council buildings for use for the purposes of a project for developing the tourist industry in the State or to alter or extend any buildings on any such land to make it suitable for occupation for those purposes;

25

30

(c) enter into an agreement referred to in section 21 (1) (e) or 24 of the Tourist Industry Development Act, 1975, or section 3B of the Government Guarantees Act, 1934, and do all things required for or incidental to the carrying out of the agreement;

(d)

*Tourist Industry Development.*

5 (d) acquire, in accordance with this Act, land within or outside its area for the purpose of providing a site for a project for developing the tourist industry in the State or erecting on that land buildings to be made available for use for the purpose of such a project;

10 (e) alter or extend any buildings erected on land vested in the council (not being land that is a public road, public reserve or land held on trust for any purpose) to make it suitable for use for developing the tourist industry in the State; or

15 (f) construct on any land vested in the council (not being a public road, public reserve or land held by it on trust for any purpose) buildings suitable for use in the development of the tourist industry in the State.

20 (2) A council shall not exercise any of the powers conferred on it by subsection (1) (paragraph (c) excepted) except with the approval in writing of the Minister.

(c) (i) by inserting in section 518A after the word "industries" the words "or for the development of the tourist industry"; Sec. 518A. (Sale of land for housing.)

25 (ii) by inserting in section 518A after the word "industry" the words "or for the development of the tourist industry";

30 (d) (i) by inserting in section 519 (4) (ai) after the word "industry" the words "or for the development of the tourist industry"; Sec. 519. (Power to let property.)

*Tourist Industry Development.*

(ii) by inserting in section 519 (4) (a) after the matter "475P" the matter "or section 475Q".

**48.** The Government Guarantees Act, 1934, is amended by inserting after section 3A the following section :—

Amendment  
of Act No.  
57, 1934.  
Sec. 3B.

- 5**           3B. (1) Subject to subsection (2), the Treasurer may, upon the recommendation of the Minister administering the Tourist Industry Development Act, 1975, and with the approval of the Governor, execute a guarantee, either alone or jointly with
- 10**           some other person, in favour of any bank or other person (not being a co-operative society within the meaning of the Co-operation Act, 1923) for the repayment of moneys expended or to be expended on—
- 15**           (a) the acquisition of land, or land and buildings thereon;
- (b) the construction, improvement or alteration of buildings; or
- 20**           (c) the acquisition of plant, machinery or equipment,
- used or to be used for the development of the tourist industry in the State.

**25**           (2) Subsections (2), (3) and (4) of section 3A apply in respect of guarantees under this section in the same way as they apply in respect of guarantees under that section.

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*Tourist Industry Development.*

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**49.** The Capital Debt Charges Act, 1957, is amended by inserting at the end of the Schedule the following matter :—

5	The commencement of Part II of the Tourist Industry Development Act, 1975.	The corporation sole constituted under the name "Minister for Tourism" by the Tourist Industry Development Act, 1975.	Tourist Industry Development Act, 1975.	Amendment of Act No. 1, 1957. Schedule.
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**50.** The State Development and Country Industries Assistance Act, 1966, is amended by omitting from the definition of "Country industry" in section 3 the words " , for the purpose of promoting or developing facilities for tourists,".

Amendment of Act No. 10, 1966. Sec. 3. (Interpretation.)

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BY AUTHORITY

D. WEST, GOVERNMENT PRINTER, NEW SOUTH WALES—1975  
[48c]

Section 10

10. The State Development and County Industry Incentives Act, 1969, is amended by inserting at the end of the Schedule the following matter:—

(a) The Government shall, in exercising its powers under the Act, have regard to the following matters:—

(i) the need to promote the development of the State;

(ii) the need to promote the development of the County;

(iii) the need to promote the development of the industry;

(iv) the need to promote the development of the economy;

(v) the need to promote the development of the environment;

(vi) the need to promote the development of the culture;

(vii) the need to promote the development of the society;

(viii) the need to promote the development of the community;

(ix) the need to promote the development of the nation;

(x) the need to promote the development of the world.

10. The State Development and County Industry Incentives Act, 1969, is amended by inserting at the end of the Schedule the following matter:—

(a) The Government shall, in exercising its powers under the Act, have regard to the following matters:—

(i) the need to promote the development of the State;

(ii) the need to promote the development of the County;

(iii) the need to promote the development of the industry;

(iv) the need to promote the development of the economy;

(v) the need to promote the development of the environment;

(vi) the need to promote the development of the culture;

(vii) the need to promote the development of the society;

(viii) the need to promote the development of the community;

(ix) the need to promote the development of the nation;

(x) the need to promote the development of the world.