

**ANZAC MEMORIAL (BUILDING) AMENDMENT BILL,
1984**

EXPLANATORY NOTE

(This Explanatory Note relates to this Bill as introduced into Parliament)

The objects of this Bill are—

- (a) to amend the Anzac Memorial (Building) Act, 1923, so as to—
 - (i) authorise the dedication of the Anzac Memorial Building as the principal State war memorial (Schedule 1 (5));
 - (ii) authorise the establishment of a war museum in the Anzac Memorial Building (Schedule 1 (4) (c));
 - (iii) omit certain provisions relating to the use of the Anzac Memorial Building which have no application (Schedule 1 (2), (3)); and
 - (iv) increase the penalties which may be imposed under that Act or the by-laws (Schedule 2);
 - (b) to make certain amendments to that Act by way of statute law revision (Schedule 3); and
 - (c) to make other provisions of a minor, consequential or ancillary nature.
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**ANZAC MEMORIAL (BUILDING) AMENDMENT BILL,
1984**

No. , 1984.

A BILL FOR

An Act to amend the Anzac Memorial (Building) Act, 1923, with respect to the dedication of the Anzac Memorial Building as the principal State war memorial; and for certain other purposes.

Anzac Memorial (Building) Amendment 1984

BE 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 follows:—

5 Short title.

1. This Act may be cited as the "Anzac Memorial (Building) Amendment Act, 1984".

Principal Act.

2. The Anzac Memorial (Building) Act, 1923, is referred to in this Act 10 as the Principal Act.

Schedules.

3. This Act contains the following Schedules:—

SCHEDULE 1.—AMENDMENTS TO THE PRINCIPAL ACT IN RELATION TO THE ANZAC MEMORIAL BUILDING.

15 SCHEDULE 2.—AMENDMENTS TO THE PRINCIPAL ACT IN RELATION TO PENALTIES.

SCHEDULE 3.—AMENDMENTS TO THE PRINCIPAL ACT BY WAY OF STATUTE LAW REVISION.

Amendment of Act No. 27, 1923.

20 4. The Principal Act is amended in the manner set forth in Schedules 1–3.

Anzac Memorial (Building) Amendment 1984

SCHEDULE 1.

(Sec. 4.)

AMENDMENTS TO THE PRINCIPAL ACT IN RELATION TO THE
ANZAC MEMORIAL BUILDING.

5 (1) Section 2—

Omit the section, insert instead:—

Interpretation.

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

10 “fund” means the sums of money mentioned in the preamble to this Act;

15 “memorial building” means the memorial building erected pursuant to section 7 (1), as in force immediately before the commencement of the Anzac Memorial (Building) Amendment Act, 1984;

“trustees” means the trustees by this Act incorporated under the name of “The Trustees of the Anzac Memorial Building”.

(2) (a) Section 7 (1)—

20 Omit “erection of a suitable memorial building for the use, benefit, rest or recreation of returned sailors, soldiers and nurses and the”.

(b) Section 7 (1)—

Omit “thereof”, insert instead “of the memorial building”.

25 (3) Section 8 (2)—

Omit the subsection.

(4) (a) Section 8A (1) (b)—

Omit “building; and”, insert instead “building;”.

Anzac Memorial (Building) Amendment 1984

SCHEDULE 1—*continued.*

AMENDMENTS TO THE PRINCIPAL ACT IN RELATION TO THE ANZAC
MEMORIAL BUILDING—*continued.*

(b) Section 8A (1) (c)—

5 Omit “of the trustees.”, insert instead “of the trustees; and”.

(c) Section 8A (1) (d)—

After section 8A (1) (c), insert:—

(d) may establish and maintain a war museum as part of
the memorial building.

10 (5) Section 8C—

After section 8B, insert:—

Dedication of memorial building as principal State war memorial.

15 8c. (1) The trustees are, or some person (whether or not a trustee) with the concurrence of the trustees is, hereby authorised to conduct a ceremony to dedicate the memorial building as the principal New South Wales State memorial to Australians who have served, or who serve, in wars in which Australian service personnel have been, or may be, engaged.

20 (2) In any dedication ceremony authorised by subsection (1) the precise words of that subsection need not be used so long as the general effect of the subsection is accomplished.

(3) Upon the completion of the dedication ceremony authorised by subsection (1), the memorial building is, by this Act, dedicated for the purpose specified in that subsection.

Anzac Memorial (Building) Amendment 1984

SCHEDULE 2.

(Sec. 4.)

AMENDMENTS TO THE PRINCIPAL ACT IN RELATION TO PENALTIES.

(1) Section 8B—

5 Omit “twenty dollars”, insert instead “\$100”.

(2) (a) Section 9 (3), (3A)—

Omit section 9 (3), insert instead:—

(3) A by-law may impose a penalty not exceeding \$200 for any contravention thereof.

10 (3A) Proceedings for an offence against this Act or the by-laws may be taken before a court of petty sessions constituted by a stipendiary magistrate sitting alone.

(b) Section 9 (4)—

15 Omit “such penalties”, insert instead “penalties imposed under this Act or the by-laws”.

SCHEDULE 3.

(Sec. 4.)

AMENDMENTS TO THE PRINCIPAL ACT BY WAY OF STATUTE LAW REVISION.

(1) Long title—

20 Omit “to amend the Trustees Audit Act, 1912;”.

(2) (a) Section 3—

Omit “the New South Wales Branch of the Returned Sailors and Soldiers’ Imperial League of Australia”, insert instead “The Returned Services League of Australia (New South Wales Branch)”.

25 (b) Section 3—

Omit “the Limbless and Maimed Soldiers’ Association, New South Wales Branch”, insert instead “The Limbless Soldiers’ Association of N.S.W. (Inc.)”.

*Anzac Memorial (Building) Amendment 1984*SCHEDULE 3—*continued.*AMENDMENTS TO THE PRINCIPAL ACT BY WAY OF STATUTE LAW REVISION—*continued.*

- (c) Section 3—
- 5 Omit "T.B. Sailors and Soldiers' Association of Australia, New South Wales Branch", insert instead "T.B. Sailors, Soldiers and Airmen's Association of N.S.W. (Inc.)".
- (3) Section 4—
- Omit "Building,' and", insert instead "Building', and".
- (4) Section 7 (1)—
- 10 Omit "the said fund", insert instead "the fund".
- (5) Section 8 (3)—
- 15 Omit "the New South Wales Branches of the Returned Soldiers and Sailors Imperial League, the Limbless and Maimed Sailors and Soldiers Association, the T.B. Sailors and Soldiers Association," insert instead "The Returned Services League of Australia (New South Wales Branch), The Limbless Soldiers' Association of N.S.W. (Inc.), the T.B. Sailors, Soldiers and Airmen's Association of N.S.W. (Inc.)".
- (6) (a) Section 8A (1) (b) (ii)—
- Omit "sale of", insert instead "sale of,".
- 20 (b) Section 8A (2)—
- Omit "paragraph (c) of subsection one of this section", insert instead "subsection (1) (c)".
- (7) Section 9 (2), (2A)—
- Omit section 9 (2), insert instead:—
- 25 (2) A by-law made under subsection (1) shall be approved by the Governor.
- (2A) Section 41 of the Interpretation Act, 1897, applies in respect of a by-law made under this Act as if this Act had been passed after the commencement of the Interpretation (Amendment) Act, 1969.

BY AUTHORITY

D. WEST, GOVERNMENT PRINTER, NEW SOUTH WALES—1984

ANZAC MEMORIAL (BUILDING) AMENDMENT ACT, 1984, No. 113

New South Wales



ANNO TRICESIMO TERTIO

ELIZABETHÆ II REGINÆ

Act No. 113, 1984.

An Act to amend the Anzac Memorial (Building) Act, 1923, with respect to the dedication of the Anzac Memorial Building as the principal State war memorial; and for certain other purposes. [Assented to, 2nd October, 1984.]

Anzac Memorial (Building) Amendment 1984

BE 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 follows:—

Short title.

1. This Act may be cited as the "Anzac Memorial (Building) Amendment Act, 1984".

Principal Act.

2. The Anzac Memorial (Building) Act, 1923, is referred to in this Act as the Principal Act.

Schedules.

3. This Act contains the following Schedules:—

SCHEDULE 1.—AMENDMENTS TO THE PRINCIPAL ACT IN RELATION TO THE ANZAC MEMORIAL BUILDING.

SCHEDULE 2.—AMENDMENTS TO THE PRINCIPAL ACT IN RELATION TO PENALTIES.

SCHEDULE 3.—AMENDMENTS TO THE PRINCIPAL ACT BY WAY OF STATUTE LAW REVISION.

Amendment of Act No. 27, 1923.

4. The Principal Act is amended in the manner set forth in Schedules 1-3.

Anzac Memorial (Building) Amendment 1984

SCHEDULE 1.

(Sec. 4.)

AMENDMENTS TO THE PRINCIPAL ACT IN RELATION TO THE
ANZAC MEMORIAL BUILDING.

(1) Section 2—

Omit the section, insert instead:—

Interpretation.

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

“fund” means the sums of money mentioned in the preamble to this Act;

“memorial building” means the memorial building erected pursuant to section 7 (1), as in force immediately before the commencement of the Anzac Memorial (Building) Amendment Act, 1984;

“trustees” means the trustees by this Act incorporated under the name of “The Trustees of the Anzac Memorial Building”.

(2) (a) Section 7 (1)—

Omit “erection of a suitable memorial building for the use, benefit, rest or recreation of returned sailors, soldiers and nurses and the”.

(b) Section 7 (1)—

Omit “thereof”, insert instead “of the memorial building”.

(3) Section 8 (2)—

Omit the subsection.

(4) (a) Section 8A (1) (b)—

Omit “building; and”, insert instead “building;”.

Anzac Memorial (Building) Amendment 1984

SCHEDULE 1—*continued.*

AMENDMENTS TO THE PRINCIPAL ACT IN RELATION TO THE ANZAC
MEMORIAL BUILDING—*continued.*

(b) Section 8A (1) (c)—

Omit “of the trustees.”, insert instead “of the trustees; and”.

(c) Section 8A (1) (d)—

After section 8A (1) (c), insert:—

- (d) may establish and maintain a war museum as part of the memorial building.

(5) Section 8C—

After section 8B, insert:—

Dedication of memorial building as principal State war memorial.

8C. (1) The trustees are, or some person (whether or not a trustee) with the concurrence of the trustees is, hereby authorised to conduct a ceremony to dedicate the memorial building as the principal New South Wales State memorial to Australians who have served, or who serve, in wars in which Australian service personnel have been, or may be, engaged.

(2) In any dedication ceremony authorised by subsection (1) the precise words of that subsection need not be used so long as the general effect of the subsection is accomplished.

(3) Upon the completion of the dedication ceremony authorised by subsection (1), the memorial building is, by this Act, dedicated for the purpose specified in that subsection.

Anzac Memorial (Building) Amendment 1984

SCHEDULE 2.

(Sec. 4.)

AMENDMENTS TO THE PRINCIPAL ACT IN RELATION TO PENALTIES.

(1) Section 8B—

Omit "twenty dollars", insert instead "\$100".

(2) (a) Section 9 (3), (3A)—

Omit section 9 (3), insert instead:—

(3) A by-law may impose a penalty not exceeding \$200 for any contravention thereof.

(3A) Proceedings for an offence against this Act or the by-laws may be taken before a court of petty sessions constituted by a stipendiary magistrate sitting alone.

(b) Section 9 (4)—

Omit "such penalties", insert instead "penalties imposed under this Act or the by-laws".

SCHEDULE 3.

(Sec. 4.)

AMENDMENTS TO THE PRINCIPAL ACT BY WAY OF STATUTE LAW REVISION.

(1) Long title—

Omit "to amend the Trustees Audit Act, 1912;".

(2) (a) Section 3—

Omit "the New South Wales Branch of the Returned Sailors and Soldiers' Imperial League of Australia", insert instead "The Returned Services League of Australia (New South Wales Branch)".

(b) Section 3—

Omit "the Limbless and Maimed Soldiers' Association, New South Wales Branch", insert instead "The Limbless Soldiers' Association of N.S.W. (Inc.)".

Anzac Memorial (Building) Amendment 1984

SCHEDULE 3—*continued.*

AMENDMENTS TO THE PRINCIPAL ACT BY WAY OF STATUTE LAW REVISION—*continued.*

(c) Section 3—

Omit "T.B. Sailors and Soldiers' Association of Australia, New South Wales Branch", insert instead "T.B. Sailors, Soldiers and Airmen's Association of N.S.W. (Inc.)".

(3) Section 4—

Omit "Building,' and", insert instead "Building', and".

(4) Section 7 (1)—

Omit "the said fund", insert instead "the fund".

(5) Section 8 (3)—

Omit "the New South Wales Branches of the Returned Soldiers and Sailors Imperial League, the Limbless and Maimed Sailors and Soldiers Association, the T.B. Sailors and Soldiers Association,", insert instead "The Returned Services League of Australia (New South Wales Branch), The Limbless Soldiers' Association of N.S.W. (Inc.), the T.B. Sailors, Soldiers and Airmen's Association of N.S.W. (Inc.)".

(6) (a) Section 8A (1) (b) (ii)—

Omit "sale of", insert instead "sale of,".

(b) Section 8A (2)—

Omit "paragraph (c) of subsection one of this section", insert instead "subsection (1) (c)".

(7) Section 9 (2), (2A)—

Omit section 9 (2), insert instead:—

(2) A by-law made under subsection (1) shall be approved by the Governor.

Anzac Memorial (Building) Amendment 1984

SCHEDULE 3—*continued.*

AMENDMENTS TO THE PRINCIPAL ACT BY WAY OF STATUTE LAW REVISION—*continued.*

(2A) Section 41 of the Interpretation Act, 1897, applies in respect of a by-law made under this Act as if this Act had been passed after the commencement of the Interpretation (Amendment) Act, 1969.

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

J. A. ROWLAND,
Governor.

*Government House,
Sydney, 2nd October, 1984.*

