

**MISCELLANEOUS ACTS (HERITAGE AUTHORITIES)
AMENDMENT ACT 1987 No. 201**

NEW SOUTH WALES



TABLE OF PROVISIONS

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2. Commencement
3. Amendment of certain Acts
4. Continuation in office of existing presiding officers and members

SCHEDULE 1— AMENDMENTS



**MISCELLANEOUS ACTS (HERITAGE AUTHORITIES)
AMENDMENT ACT 1987 No. 201**

NEW SOUTH WALES



Act No. 201, 1987

An Act to amend certain Acts with respect to the members and procedure of the Archives Authority, the Australian Museum Trust, the Library Council and the Trustees of the Museum of Applied Arts and Sciences.
[Assented to 4 December 1987]

Miscellaneous Acts (Heritage Authorities) Amendment 1987

The Legislature of New South Wales enacts:

Short title

1. This Act may be cited as the Miscellaneous Acts (Heritage Authorities) Amendment Act 1987.

Commencement

2. This Act shall commence on a day to be appointed by proclamation.

Amendment of certain Acts

3. The Acts listed in Schedule 1 are amended as set out in that Schedule.

Continuation in office of existing presiding officers and members

4. (1) A person who, immediately before the commencement of this Act, held office as—

- (a) Chairman, Deputy Chairman or member of the Archives Authority of New South Wales constituted by the Archives Act 1960;
- (b) President, Deputy President or trustee of the Australian Museum Trust constituted by the Australian Museum Trust Act 1975;
- (c) President, Deputy President or member of the Library Council of New South Wales constituted by the Library Act 1939; or
- (d) President or trustee of The Trustees of the Museum of Applied Arts and Sciences constituted by the Museum of Applied Arts and Sciences Act 1945,

does not cease to hold office because of this Act but shall be deemed to have been appointed to, or nominated for, that office under the relevant Act, as amended by this Act.

(2) The Chairman and Deputy Chairman of the Archives Authority of New South Wales shall, for the purposes of subsection (1), be deemed to be the Chairperson and Deputy Chairperson of that Authority.

SCHEDULE 1—AMENDMENTS

(Sec. 3)

Archives Act 1960 No. 46—

(1) Section 6—

Omit the section, insert instead:

Chairperson and Deputy Chairperson

6. (1) The Chairperson of the Authority shall be such member as the Minister nominates as Chairperson.

(2) The members may nominate one of their number as Deputy Chairperson of the Authority.

*Miscellaneous Acts (Heritage Authorities) Amendment 1987*SCHEDULE 1—AMENDMENTS—*continued*

(3) The Chairperson and Deputy Chairperson hold office until successors are nominated under this section or until they cease to be members, whichever first occurs.

(4) At a meeting of the Authority—

(a) the Chairperson;

(b) in the absence of the Chairperson, the Deputy Chairperson (if any); or

(c) in the absence of the Chairperson and the Deputy Chairperson, another member elected to chair the meeting by the members present,

shall preside.

(2) Section 7 (**Procedure, quorum etc.**)—

Section 7 (4) (b)—

Omit “chairman”, insert instead “person presiding”.

Australian Museum Trust Act 1975 No. 95—

Schedule 1 (**Composition and procedure of the Trust**)—

(a) Clause 8—

Omit the clause, insert instead:

President and Deputy President

8. (1) The President of the Trust shall be such trustee as the Minister nominates as President of the Trust.

(2) The trustees may nominate one of their number as Deputy President of the Trust.

(3) The President and Deputy President hold office until successors are nominated under this clause or until they cease to be trustees, whichever first occurs.

(4) At a meeting of the Trust—

(a) the President;

(b) in the absence of the President, the Deputy President (if any); or

(c) in the absence of the President and Deputy President, another trustee elected to chair the meeting by the trustees present,

shall preside.

(b) Clause 9 (5)—

Omit “Five”, insert instead “Six”.

Library Act 1939 No. 40—

(1) Section 4 (**Appointment and procedure**)—

Section 4 (1)—

Omit “thirteen”, insert instead “ten”.

(2) Schedule (**Composition and procedure of the Council**)—

(a) Clause 1 (1) (e)—

Omit “nine”, insert instead “six”.

(b) Clause 3 (2)—

Omit the subclause.

Miscellaneous Acts (Heritage Authorities) Amendment 1987

SCHEDULE 1—AMENDMENTS—*continued*

(c) Clause 8—

Omit the clause, insert instead:

President and Deputy President

8. (1) The President of the Council shall be such member as the Minister nominates as President of the Council.

(2) The members may nominate one of their number as Deputy President of the Council.

(3) The President and Deputy President hold office until successors are nominated under this clause or until they cease to be members, whichever first occurs.

(4) At a meeting of the Council—

(a) the President;

(b) in the absence of the President, the Deputy President (if any); or

(c) in the absence of the President and Deputy President, another member elected to chair the meeting by the members present,

shall preside.

(d) Clause 9 (2)—

Omit “Five”, insert instead “Six”.

Museum of Applied Arts and Sciences Act 1945 No. 31—

(1) Section 3 (**Trustees**)—

Section 3 (1)—

Omit “seven”, insert instead “nine”.

(2) Section 4 (**Appointment of trustees**)—

Section 4 (1) (a)—

Omit “Five”, insert instead “Seven”.

(3) Section 8—

Omit the section, insert instead:

President and Deputy President

8. (1) The President of the Trustees shall be such trustee as the Minister nominates as President of the Trustees.

(2) The trustees may nominate one of their number as Deputy President of the Trustees.

(3) The President and Deputy President hold office until successors are nominated under this section or until they cease to be trustees, whichever first occurs.

(4) At a meeting of the Trustees—

(a) the President;

(b) in the absence of the President, the Deputy President (if any); or

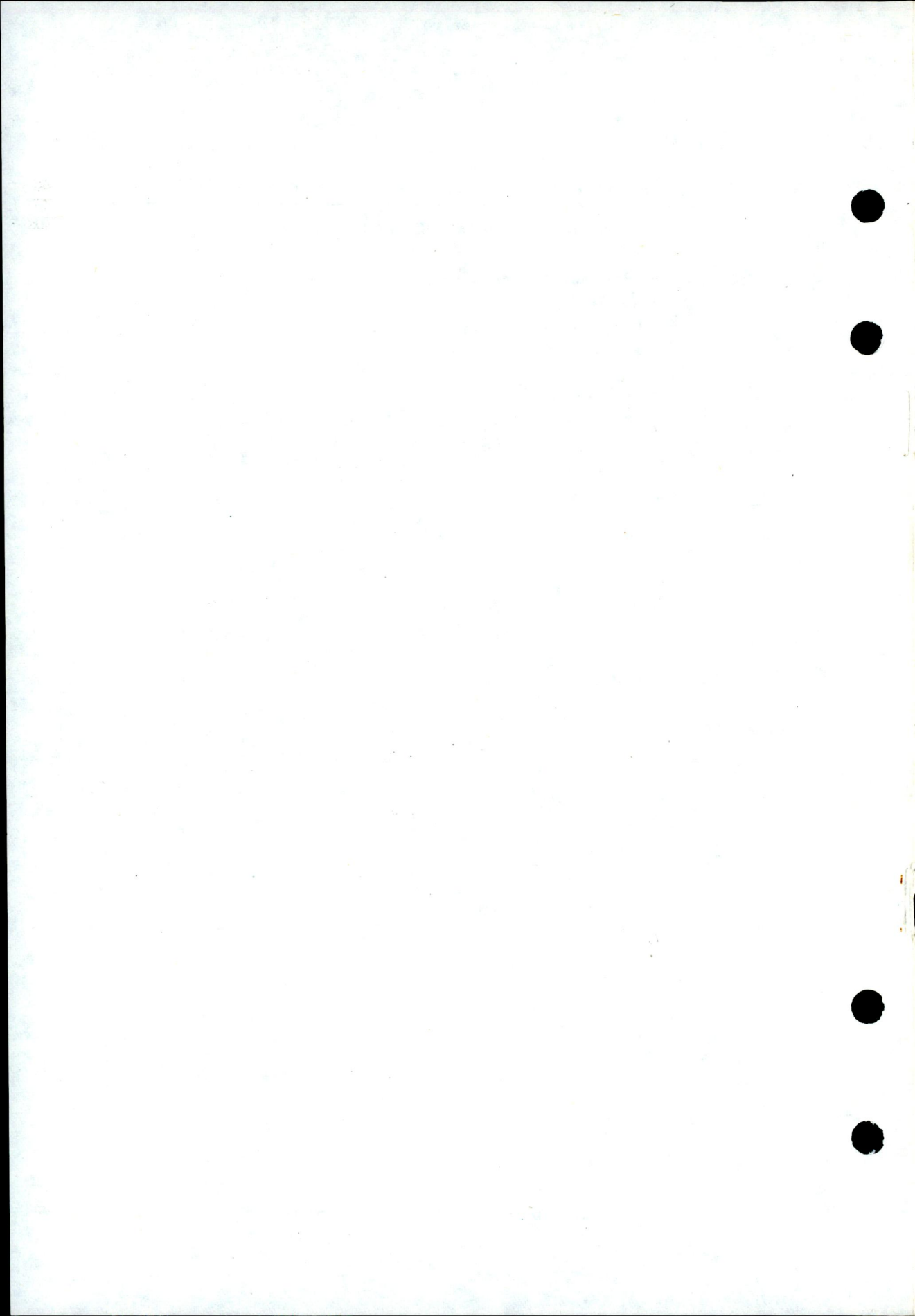
(c) in the absence of the President and Deputy President, another trustee elected to chair the meeting by the trustees present,

shall preside.

Miscellaneous Acts (Heritage Authorities) Amendment 1987

SCHEDULE 1—AMENDMENTS—*continued*

- (4) Section 9 (**Procedure, quorum etc.**)—
Section 9 (2)—
Omit “four”, insert instead “five”.



**MISCELLANEOUS ACTS (HERITAGE AUTHORITIES)
AMENDMENT BILL 1987**

NEW SOUTH WALES



EXPLANATORY NOTE

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

The object of this Bill is to amend certain Acts with respect to the members and procedure of the Archives Authority, the Australian Museum Trust, the Library Council and the Trustees of the Museum of Applied Arts and Sciences.

Clause 1 specifies the short title of the proposed Act.

Clause 2 provides that the proposed Act will commence on a day to be appointed by proclamation.

Clause 3 gives effect to the amendments contained in Schedule 1.

Clause 4 provides that the existing appointments to the various statutory authorities are not affected by the proposed Act.

Schedule 1 amends—

- (a) the Archives Act 1960 to enable the Minister to nominate the Chairperson of the Archives Authority (instead of the Governor appointing the Chairperson);
- (b) the Australian Museum Trust Act 1975—
 - (i) to enable the Minister to nominate the President of the Australian Museum Trust (instead of the trustees electing the President); and
 - (ii) to increase the quorum for a meeting of the Trust from 5 to 6 trustees;
- (c) the Library Act 1939—
 - (i) to reduce the number of members of the Library Council from 13 to 10;
 - (ii) to enable the Minister to nominate the President of the Council (instead of the members electing the President); and
 - (iii) to increase the quorum for a meeting of the Council from 5 to 6 members; and
- (d) the Museum of Applied Arts and Sciences Act 1945—

Miscellaneous Acts (Heritage Authorities) Amendment 1987

- (i) to increase the number of trustees of the Museum of Applied Arts and Sciences from 7 to 9;
 - (ii) to enable the Minister to nominate the President of the Trustees (instead of the members electing the President); and
 - (iii) to increase the quorum for a meeting of the Trustees from 4 to 5 trustees.
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**MISCELLANEOUS ACTS (HERITAGE AUTHORITIES)
AMENDMENT BILL 1987**

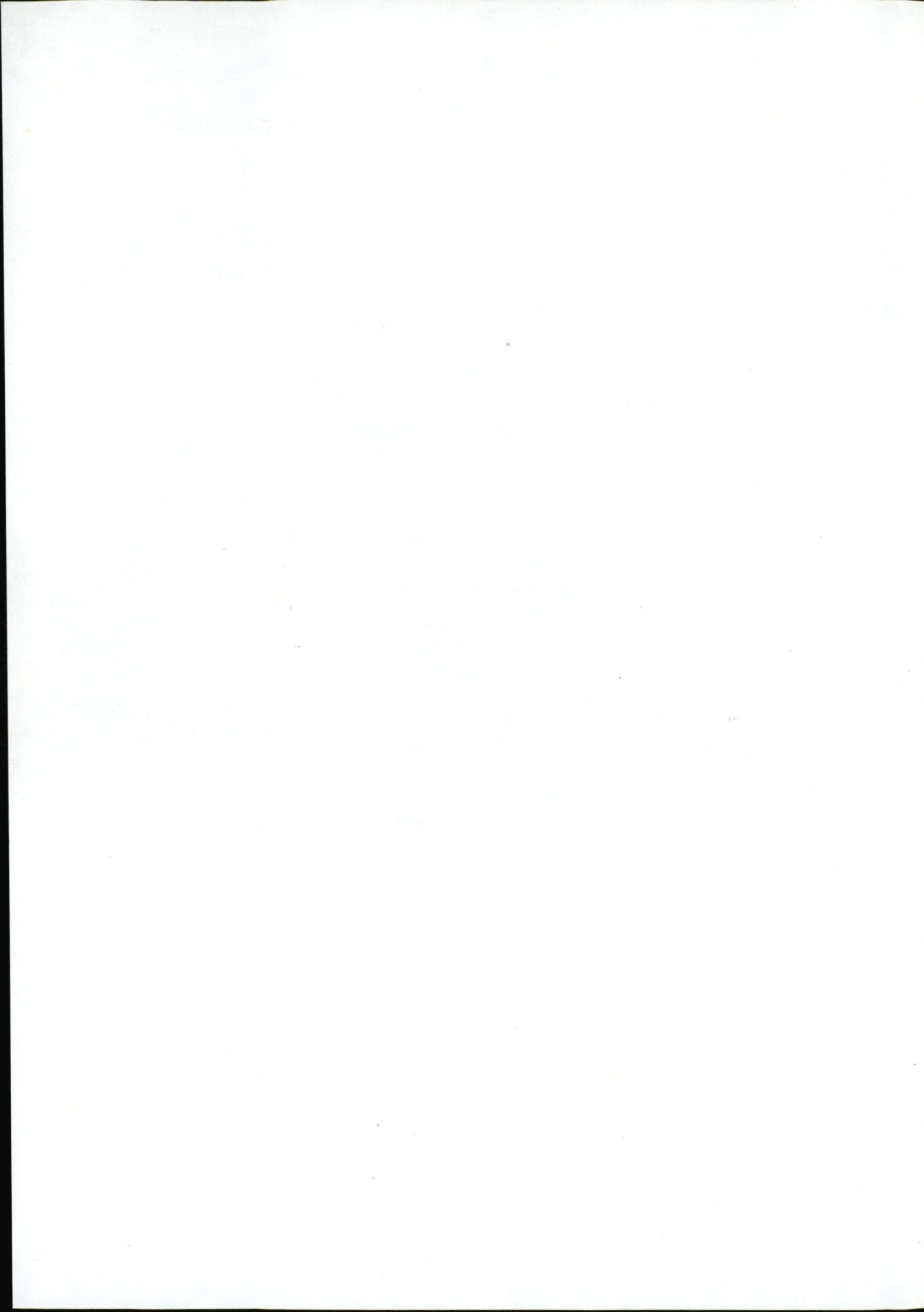
NEW SOUTH WALES



TABLE OF PROVISIONS

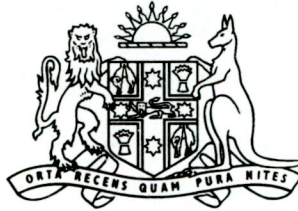
1. Short title
2. Commencement
3. Amendment of certain Acts
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SCHEDULE 1— AMENDMENTS



**MISCELLANEOUS ACTS (HERITAGE AUTHORITIES)
AMENDMENT BILL 1987**

NEW SOUTH WALES



No. , 1987

A BILL FOR

An Act to amend certain Acts with respect to the members and procedure of the Archives Authority, the Australian Museum Trust, the Library Council and the Trustees of the Museum of Applied Arts and Sciences.

Miscellaneous Acts (Heritage Authorities) Amendment 1987

The Legislature of New South Wales enacts:

Short title

1. This Act may be cited as the Miscellaneous Acts (Heritage Authorities) Amendment Act 1987.

5 Commencement

2. This Act shall commence on a day to be appointed by proclamation.

Amendment of certain Acts

3. The Acts listed in Schedule 1 are amended as set out in that Schedule.

Continuation in office of existing presiding officers and members

10 4. (1) A person who, immediately before the commencement of this Act, held office as—

- (a) Chairman, Deputy Chairman or member of the Archives Authority of New South Wales constituted by the Archives Act 1960;
- 15 (b) President, Deputy President or trustee of the Australian Museum Trust constituted by the Australian Museum Trust Act 1975;
- (c) President, Deputy President or member of the Library Council of New South Wales constituted by the Library Act 1939; or
- (d) President or trustee of The Trustees of the Museum of Applied Arts and Sciences constituted by the Museum of Applied Arts and Sciences Act 1945,

20 does not cease to hold office because of this Act but shall be deemed to have been appointed to, or nominated for, that office under the relevant Act, as amended by this Act.

25 (2) The Chairman and Deputy Chairman of the Archives Authority of New South Wales shall, for the purposes of subsection (1), be deemed to be the Chairperson and Deputy Chairperson of that Authority.

SCHEDULE 1—AMENDMENTS

(Sec. 3)

Archives Act 1960 No. 46—

30 (1) Section 6—

Omit the section, insert instead:

Chairperson and Deputy Chairperson

6. (1) The Chairperson of the Authority shall be such member as the Minister nominates as Chairperson.

35 (2) The members may nominate one of their number as Deputy Chairperson of the Authority.

*Miscellaneous Acts (Heritage Authorities) Amendment 1987*SCHEDULE 1—AMENDMENTS—*continued*

(3) The Chairperson and Deputy Chairperson hold office until successors are nominated under this section or until they cease to be members, whichever first occurs.

(4) At a meeting of the Authority—

- 5 (a) the Chairperson;
 (b) in the absence of the Chairperson, the Deputy Chairperson (if any); or
 (c) in the absence of the Chairperson and the Deputy Chairperson, another member elected to chair the meeting by the members present,
 shall preside.

10 (2) Section 7 (**Procedure, quorum etc.**)—

Section 7 (4) (b)—

Omit “chairman”, insert instead “person presiding”.

Australian Museum Trust Act 1975 No. 95—

Schedule 1 (**Composition and procedure of the Trust**)—

15 (a) Clause 8—

Omit the clause, insert instead:

President and Deputy President

8. (1) The President of the Trust shall be such trustee as the Minister nominates as President of the Trust.

20 (2) The trustees may nominate one of their number as Deputy President of the Trust.

(3) The President and Deputy President hold office until successors are nominated under this clause or until they cease to be trustees, whichever first occurs.

25 (4) At a meeting of the Trust—

- (a) the President;
 (b) in the absence of the President, the Deputy President (if any); or
 (c) in the absence of the President and Deputy President, another trustee elected to chair the meeting by the trustees present,

30 shall preside.

(b) Clause 9 (5)—

Omit “Five”, insert instead “Six”.

Library Act 1939 No. 40—

(1) Section 4 (**Appointment and procedure**)—

35 Section 4 (1)—

Omit “thirteen”, insert instead “ten”.

(2) Schedule (**Composition and procedure of the Council**)—

(a) Clause 1 (1) (e)—

Omit “nine”, insert instead “six”.

40 (b) Clause 3 (2)—

Omit the subclause.

*Miscellaneous Acts (Heritage Authorities) Amendment 1987*SCHEDULE 1—AMENDMENTS—*continued*

(c) Clause 8—

Omit the clause, insert instead:

President and Deputy President

8. (1) The President of the Council shall be such member as the Minister nominates as President of the Council.

(2) The members may nominate one of their number as Deputy President of the Council.

(3) The President and Deputy President hold office until successors are nominated under this clause or until they cease to be members, whichever first occurs.

(4) At a meeting of the Council—

(a) the President;

(b) in the absence of the President, the Deputy President (if any); or

(c) in the absence of the President and Deputy President, another member elected to chair the meeting by the members present,

shall preside.

(d) Clause 9 (2)—

Omit "Five", insert instead "Six".

Museum of Applied Arts and Sciences Act 1945 No. 31—

(1) Section 3 (Trustees)—

Section 3 (1)—

Omit "seven", insert instead "nine".

(2) Section 4 (Appointment of trustees)—

Section 4 (1) (a)—

Omit "Five", insert instead "Seven".

(3) Section 8—

Omit the section, insert instead:

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8. (1) The President of the Trustees shall be such trustee as the Minister nominates as President of the Trustees.

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(c) in the absence of the President and Deputy President, another trustee elected to chair the meeting by the trustees present,

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Miscellaneous Acts (Heritage Authorities) Amendment 1987

SCHEDULE 1—AMENDMENTS—*continued*

- (4) Section 9 (**Procedure, quorum etc.**)—
Section 9 (2)—
Omit “four”, insert instead “five”.

