

PUBLIC RESERVES MANAGEMENT FUND BILL 1987

NEW SOUTH WALES



EXPLANATORY NOTE

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

The Closer Settlement (Miscellaneous Repeals and Amendments) Bill 1987 is cognate with this Bill.

The objects of this Bill are—

- (a) to establish the Public Reserves Management Fund; and
- (b) to provide that certain payments relating to public reserves (previously made into and out of the Closer Settlement and Public Reserves Fund established by the Closer Settlement and Public Reserves Fund Act 1970) are to be brought to account through the new Fund.

Clause 1 specifies the short title of the proposed Act.

Clause 2 provides that the proposed Act shall commence on the date of assent to the proposed Act.

Clause 3 defines certain expressions for the purposes of proposed Act.

Clause 4 establishes the Public Reserves Management Fund.

Clause 5 sets out certain payments which must be made into the new Fund. In general, they are payments of money provided for the acquisition, development and maintenance of public reserves.

Clause 6 sets out certain costs which may be met out of the new Fund. In general, these are costs associated with the acquisition, development and maintenance of public reserves.

Clause 7 provides for the recovery, as a Crown debt, of the cost of premiums for fire insurance of improvements on public reserves if they are not repaid on demand.

Clause 8 provides for the delegation by the Minister of any of the Minister's functions under the proposed Act.

Public Reserves Management Fund 1987

Clause 9 validates acts done before the date of assent to the proposed Act in anticipation of the commencement of the proposed Act.

PUBLIC RESERVES MANAGEMENT FUND BILL 1987

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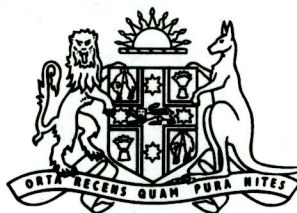


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PUBLIC RESERVES MANAGEMENT FUND BILL 1987

NEW SOUTH WALES



No. , 1987

A BILL FOR

An Act to establish the Public Reserves Management Fund and for other purposes.

See also Closer Settlement (Miscellaneous Repeals and Amendments) Bill 1987.

Public Reserves Management Fund 1987

The Legislature of New South Wales enacts:

Short title

1. This Act may be cited as the Public Reserves Management Fund Act 1987.

5 Commencement

2. This Act shall commence on the date of assent to this Act.

Definitions

3. In this Act—

“public reserve” means—

10 (a) a reserve within the meaning of Part IIIB of the Crown Lands Consolidation Act 1913;

(b) any other land set apart, dedicated, reserved, granted or held for any public purpose under any Act administered by the Minister for Lands, or for a showground; and

15 (c) land vested in or held by the Zoological Parks Board;

“the Fund” means the Public Reserves Management Fund established by this Act;

20 “trustee” includes any person having the care, control and management of a public reserve (whether or not the reserve is subject to a trust) and the Zoological Parks Board in respect of land vested in or held by the Board.

Establishment of Public Reserves Management Fund

4. There shall be established in the Special Deposits Account in the Treasury an account to be known as the Public Reserves Management Fund.

25 Payments into Public Reserves Management Fund

5. There shall be paid into the Fund—

(a) all money provided by Parliament for the purchase or acquisition of land for public reserves and for the maintenance, improvement or development of public reserves;

30 (b) all repayments of the cost of premiums for fire insurance of improvements on public reserves;

(c) all repayments of loans or advances (including interest) made at any time by the Minister to trustees of public reserves;

35 (d) all money received by or on behalf of the State or the Minister for the purchase or acquisition of land for a public reserve, or for the maintenance, improvement or development of a public reserve;

(e) all money directed by the Minister to be paid into the Fund

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pursuant to a power conferred on the Minister under Part IIIb of the Crown Lands Consolidation Act 1913 in respect of the disposal or application of money;

- 5 (f) all money directed by the Minister to be paid into the Fund out of compensation paid pursuant to a condition imposed under section 136L of the Crown Lands Consolidation Act 1913 or section 39A of the Closer Settlement Act 1904 if the condition is one subject to which an easement was created over land comprising the whole or part of a public reserve; and
- 10 (g) all money received under any Act that provides that the money shall be paid into the Fund.

Payments out of Public Reserves Management Fund

- 6. (1) There may be paid out of the Fund—
 - 15 (a) the cost of the purchase or acquisition of land required for public reserves;
 - (b) the cost of the maintenance, improvement or development of public reserves (whether by direct expenditure or by grants, loans or advances to the trustees of the public reserves);
 - 20 (c) the cost of premiums for fire insurance of improvements on public reserves;
 - (d) the remuneration (including travelling expenses) of an administrator appointed under Part IIIb of the Crown Lands Consolidation Act 1913;
 - 25 (e) any costs incurred in disposing of property under section 37HH of the Crown Lands Consolidation Act 1913;
 - (f) any money paid into the Fund pending payment out of the Fund in accordance with directions of the Minister under section 37HH of the Crown Lands Consolidation Act 1913; and
 - 30 (g) incidental expenses and administrative costs, of a type and in an amount as determined by the Treasurer, related to the matters in respect of which money is payable out of the Fund.

(2) All money provided by Parliament to the Fund for any purpose specified by Parliament shall be used for that purpose only.

Fire insurance premiums

- 35 7. (1) The cost of premiums for fire insurance of improvements on public reserves shall, on demand, be repaid into the Fund by the trustees of the public reserve concerned.

(2) The cost of any premiums not repaid on demand may be recovered as a Crown debt in any court of competent jurisdiction.

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Delegation

8. The Minister may delegate to any person any of the Minister's functions under this Act, other than this power of delegation.

Validation

5 9. Any act done before the date of assent to this Act which would have been valid if this Act had been in force is validated.

PUBLIC RESERVES MANAGEMENT FUND ACT 1987
No. 179

NEW SOUTH WALES



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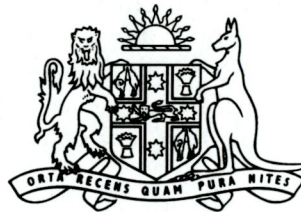
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PUBLIC RESERVES MANAGEMENT FUND ACT 1987 No. 179

NEW SOUTH WALES



Act No. 179, 1987

An Act to establish the Public Reserves Management Fund and for other purposes. [Assented to 4 December 1987]

See also Closer Settlement (Miscellaneous Repeals and Amendments) Act 1987.

Public Reserves Management Fund 1987

The Legislature of New South Wales enacts:

Short title

1. This Act may be cited as the Public Reserves Management Fund Act 1987.

Commencement

2. This Act shall commence on the date of assent to this Act.

Definitions

3. In this Act—

“public reserve” means—

- (a) a reserve within the meaning of Part IIIB of the Crown Lands Consolidation Act 1913;
- (b) any other land set apart, dedicated, reserved, granted or held for any public purpose under any Act administered by the Minister for Lands, or for a showground; and
- (c) land vested in or held by the Zoological Parks Board;

“the Fund” means the Public Reserves Management Fund established by this Act;

“trustee” includes any person having the care, control and management of a public reserve (whether or not the reserve is subject to a trust) and the Zoological Parks Board in respect of land vested in or held by the Board.

Establishment of Public Reserves Management Fund

4. There shall be established in the Special Deposits Account in the Treasury an account to be known as the Public Reserves Management Fund.

Payments into Public Reserves Management Fund

5. There shall be paid into the Fund—

- (a) all money provided by Parliament for the purchase or acquisition of land for public reserves and for the maintenance, improvement or development of public reserves;
- (b) all repayments of the cost of premiums for fire insurance of improvements on public reserves;
- (c) all repayments of loans or advances (including interest) made at any time by the Minister to trustees of public reserves;
- (d) all money received by or on behalf of the State or the Minister for the purchase or acquisition of land for a public reserve, or for the maintenance, improvement or development of a public reserve;
- (e) all money directed by the Minister to be paid into the Fund

Public Reserves Management Fund 1987

pursuant to a power conferred on the Minister under Part IIIB of the Crown Lands Consolidation Act 1913 in respect of the disposal or application of money;

- (f) all money directed by the Minister to be paid into the Fund out of compensation paid pursuant to a condition imposed under section 136L of the Crown Lands Consolidation Act 1913 or section 39A of the Closer Settlement Act 1904 if the condition is one subject to which an easement was created over land comprising the whole or part of a public reserve; and
- (g) all money received under any Act that provides that the money shall be paid into the Fund.

Payments out of Public Reserves Management Fund

6. (1) There may be paid out of the Fund—

- (a) the cost of the purchase or acquisition of land required for public reserves;
- (b) the cost of the maintenance, improvement or development of public reserves (whether by direct expenditure or by grants, loans or advances to the trustees of the public reserves);
- (c) the cost of premiums for fire insurance of improvements on public reserves;
- (d) the remuneration (including travelling expenses) of an administrator appointed under Part IIIB of the Crown Lands Consolidation Act 1913;
- (e) any costs incurred in disposing of property under section 37HH of the Crown Lands Consolidation Act 1913;
- (f) any money paid into the Fund pending payment out of the Fund in accordance with directions of the Minister under section 37HH of the Crown Lands Consolidation Act 1913; and
- (g) incidental expenses and administrative costs, of a type and in an amount as determined by the Treasurer, related to the matters in respect of which money is payable out of the Fund.

(2) All money provided by Parliament to the Fund for any purpose specified by Parliament shall be used for that purpose only.

Fire insurance premiums

7. (1) The cost of premiums for fire insurance of improvements on public reserves shall, on demand, be repaid into the Fund by the trustees of the public reserve concerned.

(2) The cost of any premiums not repaid on demand may be recovered as a Crown debt in any court of competent jurisdiction.

Public Reserves Management Fund 1987

Delegation

8. The Minister may delegate to any person any of the Minister's functions under this Act, other than this power of delegation.

Validation

9. Any act done before the date of assent to this Act which would have been valid if this Act had been in force is validated.

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