

1995—No. 30

## MINING ACT 1992—REGULATION

(Mining (Geological and Mining Museum) Regulation 1995)

NEW SOUTH WALES



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HIS Excellency the Governor, with the advice of the Executive Council, and in pursuance of the Mining Act 1992, has been pleased to make the Regulation set forth hereunder.

IAN R. CAUSLEY, M.P.,  
Minister for Mines.

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### Citation

**1.** This Regulation may be cited as the Mining (Geological and Mining Museum) Regulation 1995.

### Commencement

**2** This Regulation commences on 1 February 1995.

### Definitions

**3.** In this Regulation:

“authorised officer” means the Director, and includes any other officer or employee of the Museum appointed by the Trust or the Director for the purposes of this Regulation;

“Chairperson” means the Chairperson of the Trust;

“Director” means the Director of the Museum;

“Museum” means the Geological and Mining Museum;

**“Museum premises”** includes any premises used by the Trust from time to time as part of, or in connection with, the Museum;

**“the Act”** means the Mining Act 1992;

**“Trust”** means the Geological and Mining Museum Trust constituted under Part 16 of the Act;

**“trustee”** means a trustee appointed to the Trust.

## **PART 2—THE GEOLOGICAL AND MINING MUSEUM TRUST**

### **Ordinary meetings**

**4.** The ordinary meetings of the Trust are to be convened 6 times each year at such regular intervals as the Trust may from time to time determine.

### **Special meetings**

**5. (1)** A special meeting of the Trust may be convened at any time by the Chairperson.

**(2)** The Chairperson must convene a special meeting if so requested by any 3 trustees.

**(3)** At a special meeting, no business other than the business specified in the notice calling the meeting may be transacted.

### **Notice of meeting**

**6.** The Chairperson is to give to each trustee at least 48 hours' notice in writing of the day, time and place of an ordinary or special meeting, accompanied by an agenda containing a summary of the business, correspondence and special matters to be discussed at that meeting.

### **Notice of motion**

**7. (1)** No motion involving a new precedent or a vital change in the policy or practice of the Trust is to be considered by an ordinary meeting of the Trust unless the trustee who wishes to propose the motion gives written notice of the motion to the Chairperson at least 14 days before the date set down for that meeting.

**(2)** The Chairperson must include any such motion for which notice has been duly given in the agenda for the next ordinary meeting of the Trust.

**(3)** The question of whether or not a motion involves a new precedent or a vital change in the policy or practice of the Trust is to be decided by a vote of the Trust.

#### **Adjournment of meeting**

**8.** A meeting of the Trust may be adjourned from time to time by a vote of the trustees present.

#### **Quorum**

**9.** If a quorum of the Trust is not present within 30 minutes after the time specified in the notice calling a meeting of the Trust, the business set down for that meeting is to be dealt with:

- (a) at a special meeting of the Trust convened for the purpose of dealing with that business; or
- (b) if that business is not dealt with at a special meeting, at the next ordinary meeting of the Trust.

#### **Presentation of accounts to Trust**

**10. (1)** The Director or a person nominated by the Director is to present to the Trust a statement of:

- (a) the Geological and Mining Museum Trust Account; and
- (b) any other account of the Trust; and
- (c) the Trust's commitments,

with such details, particulars and documents as the Trust may require.

**(2)** The statement (together with any accompanying details, particulars and documents) is to be presented at each ordinary meeting of the Trust or, if the Trust so directs, to a committee specified by the Trust at such times as may be so specified.

**(3)** The Trust, or a committee to which such a statement is referred, is to examine the statement and, if in order, any 2 members of the Trust or the committee may sign the statement, adding any comments they consider appropriate.

**(4)** The signed statement (together with any accompanying details, particulars and documents) is to be tabled at the next ordinary meeting of the Trust for approval.

**Examination of expenditure**

**11.** Estimates of expenditure from Parliamentary appropriation required for submission to Parliament are to be prepared by the Director and submitted to the Trust.

**Minutes**

**12.** The minutes of the proceedings of each meeting of the Trust:

- (a) must be confirmed at the next ordinary meeting of the Trust and signed by the trustee presiding at that meeting; and
- (b) must be consecutively numbered and kept by the Director in a book available to the public for inspection.

**Opening hours**

**13.** The Trust may from time to time determine the days and times on which the exhibition galleries of the Museum art to be open.

**PART 3—OFFENCES****Persons requested to leave**

**14. (1)** An authorised officer may direct a person:

- (a) to leave the Museum premises; and
- (b) not to re-enter the Museum premises. for such period as the authorised officer directs,

if, in the authorised officer's opinion, the person's condition, conduct, dress or manner is likely to give offence to persons in, or to interfere with any person's use of, the Museum premises.

**(2)** A person must not contravene a direction under this clause.

Maximum penalty: 5 penalty units.

**(3)** The period for which a person may be excluded from the Museum premises by a direction under this clause must not exceed the maximum period determined by the Trust.

**Smoking, eating or drinking**

**15.** A person must not smoke, eat or drink on the Museum premises otherwise than on those parts of the premises designated for the purpose by the Trust or an authorised officer.

Maximum penalty: 5 penalty units.

**Noise**

**16.** A person must not by speech or otherwise make any more noise on the Museum premises than is reasonably necessary for the use of those premises.

Maximum penalty: 5 penalty units.

**Animals**

**17. (1)** A person must not take an animal onto the Museum premises or leave an animal on the Museum premises except with the permission of the Trust or an authorised officer.

Maximum penalty: 5 penalty units.

**(2)** This clause does not apply to a visually impaired person who takes a guide dog onto the Museum premises.

**Introduction of certain articles to premises**

**18. (1)** A person entering the Museum premises with any stick, umbrella, bag, case or package, or any photographic or other apparatus, must not take it beyond any vestibule of those premises except with the permission of an authorised officer.

Maximum penalty: 5 penalty units.

**(2)** This clause does not apply to a disabled person who takes a stick, crutches, wheelchair or other device onto the Museum premises to assist the person to move about the premises.

**Removal of property of the Trust without permission**

**19. (1)** A person must not remove from the Museum premises:

- (a) any property of the Trust; or
- (b) any object of the Museum's collections,

except with the permission of the Trust or an authorised officer.

Maximum penalty: 5 penalty units.

**(2)** The Trust or authorised officer may require a person granted permission under this clause to give a receipt for the property or object.

**Damaging Museum exhibits**

**20.** A person must not damage or interfere with any exhibit in the Museum.

Maximum penalty: 5 penalty units.

**PART 4—MISCELLANEOUS****Repeal**

**21. (1)** The Geological and Mining Museum Regulation 1990 is repealed.

**(2)** Any act, matter or thing that, immediately before the repeal of the Geological and Mining Museum Regulation 1990, had effect under that Regulation continues to have effect under this Regulation.

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**NOTES****TABLE OF PROVISIONS****PART 1—PRELIMINARY**

1. Citation
2. Commencement
3. Definitions

**PART 2—THE GEOLOGICAL AND MINING MUSEUM TRUST**

4. Ordinary meetings
5. Special meetings
6. Notice of meeting
7. Notice of motion
8. Adjournment of meeting
9. Quorum
10. Presentation of accounts to Trust
11. Examination of expenditure
12. Minutes
13. Opening hours

**PART 3—OFFENCES**

14. Persons requested to leave
15. Smoking, eating or drinking
16. Noise
17. Animals
18. Introduction of certain articles to premises
19. Removal of property of the Trust without permission
20. Damaging Museum exhibits

**PART 4—MISCELLANEOUS**

21. Repeal

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**EXPLANATORY NOTE**

The object of this Regulation is to repeal and remake, with no major changes in substance, the provisions of the Geological and Mining Museum Regulation 1990. The new Regulation deals with the following matters:

- (a) the procedures to be adopted by the Geological and Mining Museum Trust in relation to its meetings (Part 2);
- (b) the conduct of visitors to the Geological and Mining Museum (Part 3);
- (c) other formal matters (Parts 1 and 4).

This Regulation is made under the Mining Act 1992, including section 388 (the general regulation making power).

This Regulation comprises or relates to matters that are not likely to impose an appreciable burden, cost or disadvantage on any sector of the public.

This Regulation is made in connection with the staged repeal of subordinate legislation under the Subordinate Legislation Act 1989.

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