

## ANZAC MEMORIAL (BUILDING) ACT.

---

Act No. 27, 1923.

George V, An Act to incorporate persons holding certain  
No. 27. official positions as the Trustees of the Anzac  
Memorial Building ; to vest certain moneys  
collected from the public in, and to confer  
certain powers upon, the said corporation ;  
to amend the Trustees Audit Act, 1912 ; and  
for purposes connected therewith. [Assented  
to, 12th December, 1923.]

Preamble.

**W**HIEREAS on the second day of August, one  
thousand nine hundred and eighteen, an appeal  
for funds was made to the public for the purpose of  
raising a memorial building which would not only serve  
as a memorial of the achievement of the Australian  
Imperial Forces, but would also provide returned sailors  
and soldiers with a place for rest and recreation, and  
as the result of such appeal the sum of forty-five  
thousand three hundred pounds is now held on behalf  
of such memorial building : And whereas other sums  
of money are also held for the same purpose, which sums  
include moneys collected on the twenty-fifth day of  
April, one thousand nine hundred and sixteen, now  
amounting to eleven thousand eight hundred pounds or  
thereabouts, and certain other moneys collected in the  
year one thousand nine hundred and nineteen, amounting  
to about five thousand seven hundred and fifty pounds :  
And whereas it is expedient in order to erect the  
memorial building that the said sums of money should  
be

be transferred to and vested in trustees, and that such trustees should be constituted a body corporate and invested with the powers and authorities hereinafter contained: Be it therefore enacted by the King'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:—

George V,  
No. 27.

**1.** This Act may be cited as the "Anzac Memorial (Building) Act, 1923." Short title.

**2.** In this Act, unless the context or subject matter otherwise indicates or requires— Definitions.

"Fund" means the sums of money mentioned in the preamble to this Act. Aust. Sold. Rept. Act, 1920. No. 6.

"Returned sailor, soldier or nurse" means any person who by section forty-six of the Australian Soldiers Repatriation Act, 1920 (Commonwealth Act), is deemed to be an Australian soldier within the meaning of Parts IV and V of the said Act.

"Trustees" mean the trustees by this Act incorporated under the name of "The Trustees of the Anzac Memorial Building."

**3.** The following persons shall be the trustees for the purposes of this Act, namely the persons who for the time being are— Trustees.

The Premier of the State;

The leader of the Opposition;

The Lord Mayor of Sydney;

The Public Trustee;

The Deputy Governor of the Commonwealth Bank of Australia;

The president of the New South Wales Branch of the Returned Sailors and Soldiers' Imperial League of Australia;

The president of the Limbless and Maimed Soldiers' Association, New South Wales Branch;

The president of the T.B. Sailors and Soldiers' Association of Australia, New South Wales Branch.

**4.**

**Anzac Memorial (Building) Act.**

George V,  
No. 27.  
Incorporation  
of trustees.

**4.** The trustees are hereby constituted a body corporate by the name of "The Trustees of the Anzac Memorial Building," and by that name shall have perpetual succession and a common seal, sue and be sued in all courts, and may acquire, take, purchase, and hold to them and their successors, and may sell, exchange, grant, demise, or otherwise deal with any real or personal property.

General  
administra-  
tion.

**5.** Subject to this Act and to the by-laws the trustees shall have the control and management of all property vested in the said body corporate.

Capital  
moneys to  
be paid to  
trustees.

**6.** The fund shall be paid by the persons who at the commencement of this Act hold the moneys comprising the same to the account of the body corporate at a bank or banks at Sydney, to be nominated in writing by the trustees, and the receipt of the bank shall be a good discharge for the amount expressed therein to be received.

Application  
of moneys.

**7.** (1) The trustees shall hold the said fund, and any further sums which may hereafter be acquired by them as trustees, upon trust to apply the same in the purchase or lease of a suitable memorial building for the use, benefit, rest, and recreation of returned sailors, soldiers, and nurses, or the purchase or lease of land and the erection thereon of such building, and in the equipment, upkeep, maintenance, and management thereof, or otherwise, for the purposes provided for in this Act.

(2) The site of the memorial building shall be in the city of Sydney, and shall be approved by resolution of both Houses of Parliament.

(3) Any moneys held by the body corporate may be invested in any State or Commonwealth stocks, funds, or securities, or in any State or Commonwealth Savings Bank, or upon mortgage for any term not exceeding seven years over freehold lands in Australia, or upon fixed deposit with any bank.

(4) Pending the acquisition as aforesaid of a suitable memorial building or of land for that purpose, and the erection thereon of such building, the trustees may, if they think fit, from time to time disburse the whole or any part of the income to be derived from the sums in the hands of the trustees for such purposes and to such

such persons for the benefit of returned sailors, soldiers, or nurses as to the trustees seem proper. Income accumulated in any year may be so applied in a subsequent year.

George V,  
No. 27.

(5) The accounts of the trustees are hereby included in Schedule Two to the Trustees Audit Act, 1912.

**8.** (1) No person shall engage in any party, political or religious propaganda within the memorial building, and the by-laws shall so provide.

Use of  
memorial  
building.

(2) Any returned sailor, soldier or nurse shall, so long as he or she observes the by-laws, be entitled to enter and use such parts of the memorial building as are set apart for general purposes, and the by-laws shall so provide.

(3) The trustees shall permit 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, and such other kindred organisations as they may approve to occupy for office purposes separate portions of the memorial building. Such portions shall be set apart by the trustees for this purpose. No rent shall be charged in respect of such occupation.

**9.** (1) The trustees may make by-laws not inconsistent with this Act, for the general control and management of the memorial building, and for regulating the conduct of their own proceedings, including the times, places, conduct and quorum of their meetings.

By-laws.

(2) Such by-laws shall—

- (a) be approved by the Governor;
- (b) be published in the Gazette;
- (c) take effect from the date of publication or from a later date to be specified in such by-laws;
- (d) be laid before both Houses of Parliament within fourteen sitting days after publication if Parliament is then in session, and if not, then within fourteen sitting days after the commencement of the next session. If either

House

**Church of England Trust Property (Amendment)  
Act (No. 2).**

**George V,  
No. 27.**

House of Parliament passes a resolution of which notice has been given at any time within fifteen sitting days after the by-laws have been laid before such House, disallowing any by-law or part thereof the by-law or part shall thereupon cease to have effect.

(3) The by-laws may impose a penalty for any breach thereof, not exceeding twenty pounds. Any penalty so imposed shall be recoverable in a summary manner before a stipendiary or police magistrate or any two justices in petty sessions.