

Australian Museum.

Act No. 61, 1902.

An Act to consolidate the enactments relating to the incorporation and endowment of the Australian Museum. [4th September, 1902.]

AUSTRALIAN
MUSEUM.

BE it 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:—

1. This Act may be cited as the "Australian Museum Act, Short title. 1902."

2. (1) The Act seventeen Victoria number two is hereby Repeal. repealed.

(2) (a) All trustees appointed or elected under the authority Savings. of the Act hereby repealed, and holding office at the time of the passing of this Act, shall be deemed to have been appointed or elected hereunder.

(b) All by-laws, rules, and orders made under the authority of the Act hereby repealed and in force at the time of the passing of this Act, shall be deemed to have been made hereunder.

(c) The Board constituted and incorporated under the authority of the Act hereby repealed, shall continue, and shall be deemed to have been constituted and incorporated hereunder.

3. In this Act, unless the context or subject-matter otherwise Interpretation. indicates or requires,—

"The Board" means the board of trustees directed to be constituted and incorporated hereunder.

4. (1) A board of trustees composed as hereinafter mentioned Trustees of the Australian Museum shall be and is hereby constituted a body corporate under the name of incorporated. "The Trustees of the Australian Museum," by which name such body 17 Vic. No. 2, ss. 1 and 2. corporate shall have perpetual succession and a common seal.

(2) The Board may in the said name—

(a) sue and be sued in all courts of New South Wales;

(b) take, purchase, and hold to it and its successors all goods, chattels, and personal property whatsoever, either now deposited within the precincts of the Australian Museum or hereafter to be acquired by gift, bequest, purchase, or exchange, and may also take, purchase, and hold to it and its successors not only such lands, buildings, hereditaments, and possessions as are from time to time exclusively used and occupied for the immediate requirements of the said Museum, but also any other lands, buildings, hereditaments, and possessions whatsoever situate in New South Wales or elsewhere;

(c)

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(c) grant, demise, alienate, and otherwise dispose of all or any of the property, real or personal, hereinbefore mentioned: Provided that the Board shall not alienate, mortgage, charge, or demise any lands, tenements, or hereditaments to which it becomes entitled by grant, purchase, or otherwise, unless with the approval of the Governor, except by way of lease for any term not exceeding thirty-one years from the time when such lease is made, in and by which there shall be reserved and made payable to the Board for the uses of the said Museum during the whole of the term thereby granted the best yearly rent that can be reasonably obtained for the same without any fine or foregift; and

(d) do all other matters and things incidental to or appertaining to a body corporate.

Composition of
Board.
17 Vic. No. 2, s. 4.

5. (1) The Board shall consist of twenty-four trustees.

(2) Of such trustees twelve shall be called Official Trustees, and shall consist of—

(a) a trustee to be named by the Governor, and to be called the Crown Trustee;

(b) the following public officers, namely, the Chief Justice, the Colonial Secretary, the Attorney-General, the Colonial Treasurer, the Auditor-General, and the President of the New South Wales Medical Board, or should any such office cease to exist, then such other officer as the Governor names for the purpose.

(c) such five other officers as the Governor names for the purpose.

(3) The other twelve trustees shall be called elective trustees, and shall consist of such persons as are deemed to have been or are hereafter appointed or elected under the authority of this Act.

Vacancies.
Ibid. s. 5.

6. (1) All vacancies which occur by death, resignation, or otherwise among the elective trustees shall be filled up as they occur by the election of such other fit and proper persons as the remaining members of the Board at meetings duly to be convened for that purpose elect to fill up such vacancies.

(2) No elective trustee shall be liable to have his office vacated otherwise than by death or resignation, except for such cause as has been previously specified by some by-law of the Board duly passed as hereinafter mentioned.

Meetings of Board.
Ibid. s. 6.

7. At every meeting of the Board five trustees shall form a quorum, and all questions shall be decided by the majority of votes of the trustees present, and in case of an equality of votes the chairman chosen to act on the occasion shall have an additional or casting-vote.

General powers of
trustees.
Ibid. s. 7.

8. The Board may appoint all officers and servants of the said Museum, and shall have the entire management and superintendence of

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of the affairs, concerns, and property of the said Museum, and in all cases not provided for by this Act may act in such manner as appears to it best calculated to advance the objects of the institution.

9. (1) The Board may make such by-laws, rules, and orders By-laws. concerning the management and good government of the said Museum, 17 Vic. No. 2, s. 8. and the income and property thereof, and any other matter or thing relating to the same as it deems fit for the effectual attainment of the objects of the institution, the security of its property, and the administration of its concerns.

(2) Such by-laws, rules, and orders shall on confirmation by the Governor have the force of law.

(3) Such by-laws, rules, and orders shall, within one month after the confirmation thereof, be published in the Gazette, and be laid before both Houses of Parliament, if Parliament is then sitting, or if not, then within one month after the commencement of the next ensuing session thereof.

10. The Board shall once at least in every year, and also whenever the Governor so directs, report its proceedings and the progress of the said institution to the Governor, and a copy of every such report shall be laid before both Houses of Parliament within one month after the same is received, if Parliament is then sitting, or if not, then within one month after the commencement of the next ensuing session thereof. Reports. Ibid. s. 9.

11. Accounts of the expenditure in connection with the said Museum shall be furnished annually by the Board to the Minister for examination and audit, and in order that an abstract thereof may be published in the Gazette. Annual accounts. Ibid. s. 10.

12. The Governor may, by way of permanent endowment for the said Museum, by warrant under his hand, direct to be issued and paid out of the general or ordinary revenues of New South Wales, by four equal quarterly payments on the first day of January, the first day of April, the first day of July, and the first day of October in every year, as a fund for defraying the several stipends which are appointed to be paid to such necessary officers and servants as are appointed by the Board, and for discharging all incidental and necessary charges connected with the current expenditure thereof, or otherwise the sum of one thousand pounds in each and every year. Permanent endowment. Ibid. s. 3.