

**MISCELLANEOUS ACTS (ADMINISTRATIVE  
CHANGES) AMENDMENT ACT (No. 2).**

**New South Wales**



ANNO VICESIMO QUARTO

**ELIZABETHÆ II REGINÆ**

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**Act No. 84, 1975.**

**An Act to revise references in certain Acts to Ministers of the Crown and Government Departments; to revise certain other references; and for these and other purposes to amend various Acts. [Assented to, 10th December, 1975.]**

**BE**

**No. 84, 1975** **B**<sup>E</sup> it enacted by the Queen'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 :—

Short  
title.

**1. This Act may be cited as the "Miscellaneous Acts (Administrative Changes) Amendment Act (No. 2), 1975".**

Commence-  
ment.

**2. (1) This section and sections 1, 10, 11 and 12 shall commence on the date of assent to this Act.**

**(2) Except as provided in subsection (1), the several provisions of this Act shall commence on such day or days as may be appointed by the Governor in respect thereof and as may be notified by proclamation published in the Gazette.**

Amendment  
of  
Australian  
Jockey Club  
Act 1873.

**3. The Australian Jockey Club Act 1873 is amended—**

Sec. 2.  
(Interpreta-  
tion clause.)

**(a) by inserting after the definition of "Building" in section 2 the following definition :—**

Minister.

**The term "Minister" means the Minister of the Crown for the time being administering the Australian Jockey Club (Amendment) Act, 1935.**

Sec. 3A.  
(Extension  
of leasing  
powers.)

**(b) by omitting from section 3A the words "Chief Secretary" wherever occurring and by inserting instead the word "Minister";**

**(c)**

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- (c) by omitting section 13 and by inserting instead the following section :— No. 84, 1975
- Sec. 13.
13. A by-law made under this Act shall—
- (a) be submitted to the Governor for approval; Approval,  
publication  
and com-  
mencement  
of by-laws.
- (b) on being approved by the Governor, be published in the Gazette; and
- (c) take effect on and from the date of publication in the Gazette or from a later date specified in the by-law.
- (d) by omitting section 14; Sec. 14.  
(Publication  
of by-laws.)
- (e) by omitting section 15; Sec. 15.  
(Evidence  
of by-laws.)
- (f) by omitting from section 26 the words “for Works”; Sec. 26.  
(Minister  
may  
authorize in-  
spection of  
racecourse  
and  
buildings.)
- (g) by omitting from section 27 the words “for Works”. Sec. 27.  
(Minister  
may give  
notice to  
repair, etc.)
- 4.** The Trustees of Schools of Arts Enabling Act, 1902, is amended by omitting the definition of “Minister” in section 3. Amendment  
of Act No.  
68, 1902.  
Sec. 3.  
(Interpreta-  
tion.)
- 5.** The Gaming and Betting Act, 1912, is amended by omitting from section 56c (3) (e) the words “, of whom one shall be an officer of the Chief Secretary’s Department,”. Amendment  
of Act No.  
25, 1912.  
Sec. 56c.  
(Greyhound  
Racing  
Control  
Board.)
- 6.**

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**No. 84, 1975**     **6.** The Government Guarantees Act, 1934, is amended by **omitting from section 3 (5G) the words "for Lands" and by inserting instead the words "administering the Sydney Sports Ground and Sydney Cricket Ground Amalgamation Act, 1951,".**

Amendment  
of Act No.  
57, 1934.  
Sec. 3.  
(Authority  
for  
Treasurer to  
guarantee  
certain  
overdraft  
accounts.)

**Amendment of Act No. 1, 1958.**     **7.** The Art Gallery of New South Wales Act, 1958, is amended—

**Sec. 4.**     **(a)** by inserting after section 4 (3A) the following  
**(Trustees.)**     subsections :—

(3B) Upon the commencement of section 7 of the Miscellaneous Acts (Administrative Changes) Amendment Act (No. 2), 1975, the Permanent Head of the Ministry of Cultural Activities shall cease to be a trustee and thereafter an officer of the Department of Culture, Sport and Recreation **appointed by the Governor on the nomination of the Minister** shall, subject to subsection (3C), be a trustee.

(3C) The trustee appointed under subsection (3B) shall—

(a) where he is the first trustee appointed under that subsection, hold office—

(i) until (and including) 30th June, 1976, if he takes office before 1st July, 1976; or

(ii) until (and including) 30th June, 1980, if he takes office on or after 1st July, 1976; or

**(b)**

Miscellaneous Acts (Administrative Changes) Amendment (No. 2).

- (b) in any other case, take office after the expiry No. 84, 1975 of the term of office of his predecessor and hold office for a term of four years,

and, if otherwise qualified, shall be eligible for reappointment.

- (b) (i) by omitting section 5 (1) (c) and by inserting Sec. 5. instead the following paragraph :— (Vacancies—  
how caused.)

(c) becomes a temporary patient, a continued treatment patient, a protected person or an incapable person within the meaning of the Mental Health Act, 1958, or a person under detention under Part VII of that Act;

- (ii) by omitting section 5 (1) (f) and by inserting instead the following paragraph :—

(f) being the trustee appointed under section 4 (3B), ceases to hold the office by virtue of which he was so appointed.

**8.** The Archives Act, 1960, is amended—

Amendment  
of Act No.  
46, 1960.

- (a) by omitting from section 4 (2) (a) the words “as amended by subsequent Acts, or a judge of a District Court established under the District Courts Act, 1912, as amended by subsequent Acts” and by inserting instead the words “or a judge of the District Court of New South Wales”;

Sec. 4.  
(Members  
of the  
Authority.)

**(b)**

*Miscellaneous Acts (Administrative Changes) Amendment (No. 2).*

No. 84, 1975 (b) by omitting section 4 (2) (c) and by inserting instead the following paragraph :—

(c) one shall be a person nominated by the Library Council of New South Wales constituted under the Library Act, 1939;

(c) by omitting section 4 (2) (g) and by inserting instead the following paragraph :—

(g) one shall be an officer of the Department of Culture, Sport and Recreation nominated by the Minister.

Amendment of Act No. 42, 1974. **9.** The New South Wales Film Council Act, 1974, is amended—

Sec. 4. (Constitution of New South Wales Film Council.) (a) (i) by omitting from section 4 (3) (a) the words “Ministry of Cultural Activities” and by inserting instead the words “Department of Culture, Sport and Recreation”;

(ii) by omitting from section 4 (3) (d) the words “Chief Secretary” and by inserting instead the words “Minister for Services”;

Sec. 8. (Election of President and Deputy President of Council.) (b) by omitting from section 8 (3) the matter “subsection (1)” and by inserting instead the matter “subsection (2)”;

Sec. 14. (Establishment of committees.) (c) by omitting from section 14 the words “of members”.

*Miscellaneous Acts (Administrative Changes) Amendment (No. 2).*

**10.** Any by-laws made under the Australian Jockey Club Act 1873 and in force immediately before the commencement of section 3 shall be deemed to have been made under that Act, as amended by section 3.

**No. 84, 1975**  
 Saving  
 in respect  
 of by-laws  
 made under  
 the  
**Australian  
 Jockey Club  
 Act 1873.**

Validation.

**11.** Any act, matter or thing done or commenced or omitted to be done before the commencement of section 4 which would, if that act, matter or thing were done or commenced or omitted to be done after that commencement, be authorised by the Trustees of Schools of Arts Enabling Act, 1902, shall be valid and shall have the same force and effect as if that act, matter or thing were done or commenced or omitted to be done under that Act after that commencement.

**12.** (1) A person—

**Transitional  
 provisions.**

- (a) being the officer of the Chief Secretary's Department referred to in section 56c (3) (e) of the Gaming and Betting Act, 1912, and holding office immediately before the commencement of section 5 as a member of the Greyhound Racing Control Board;
- (b) referred to in section 4 (2) (c) or (g) of the Archives Act, 1960, and holding office immediately before the commencement of section 8 as a member of The Archives Authority of New South Wales; or
- (c) referred to in section 4 (3) (a) or (d) of the New South Wales Film Council Act, 1974, and holding office before the commencement of section 9 as a member of the New South Wales Film Council,

**ceases,**

No. 84, 1975 ceases, upon the commencement of section 5, 8 or 9, as the case may be, to hold that office.

(2) A member of—

(a) the Greyhound Racing Control Board referred to in section 56c (3) (e) of the Gaming and Betting Act, 1912, as amended by section 5, and holding office after the commencement of section 5 and before 14th November, 1976;

(b) The Archives Authority of New South Wales—

(i) referred to in section 4 (2) (c) of the Archives Act, 1960, as amended by section 8, and holding office after the commencement of section 8 and before 1st June, 1979; or

(ii) referred to in section 4 (2) (g) of the Archives Act, 1960, as amended by section 8, and holding office after the commencement of section 8 and before 1st June, 1977; or

(c) the New South Wales Film Council referred to in section 4 (3) (a) or (d) of the New South Wales Film Council Act, 1974, as amended by section 9, and holding office after the commencement of section 9 and before 1st July, 1978,

shall, subject to those Acts as so amended—

(d) hold office—

(i) in the case of the member of the Greyhound Racing Control Board, until (and including) 13th November, 1976;

(ii)



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(ii) in the case of the member of The Archives No. 84, 1975 Authority of New South Wales referred to in—

(a) section 4 (2) (c) of the Archives Act, 1960, until (and including) 31st May, 1979; or

(b) section 4 (2) (g) of the Archives Act, 1960, until (and including) 31st May, 1977; or

(iii) in the case of a member of the New South Wales Film Council, until (and including) 30th June, 1978; and

(e) be eligible for re-appointment.

(3) Nothing in this Act prejudices or affects in any way the continuity of the body corporate constituted under section 56C of the Gaming and Betting Act, 1912, under section 4 of the Art Gallery of New South Wales Act, 1958, under section 3 of the Archives Act, 1960, or under section 4 of the New South Wales Film Council Act, 1974.