



ANNO DECIMO

GEORGII V REGIS.

A.D. 1919.

No. 1390.

An Act to amend the Public Library, Museum, and Art Gallery, and Institutes Act, 1909, and for other purposes.

[Assented to, November 20th, 1919.]

BE it Enacted by the Governor of the State of South Australia, with the advice and consent of the Parliament thereof, as follows :

1. (1) This Act may be cited alone as the "Public Library, Museum, and Art Gallery, and Institutes Act Amendment Act, 1919." Short title

(2) The Public Library, Museum, and Art Gallery, and Institutes Act, 1909 (hereinafter called "the principal Act"), and this Act may be cited together as the "Public Library, Museum, and Art Gallery, and Institutes Acts, 1909 and 1919." No. 986 of 1909.

2. This Act is incorporated with the principal Act and that Act and this Act shall read as one Act. Incorporation with principal Act.

3. Section 75 of the principal Act is amended by adding at the end thereof the following passage :—" or upon such other trusts, and for such other purposes, as may be agreed between the committee of the institute and the corporation." Amendment of principal Act, s. 75— Application of money derived from sale of institute.

4. Subsection (1) of section 88 of the principal Act is amended by inserting after the word "same", in the fourth line thereof, the words "or a sufficient part thereof." Amendment of ibid., s. 88— Purposes for which institute to be held.

5. The

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Amendment Act.—1919.*

Insertion of new
Division after
Division III. of
Part IV. of principal
Act.

5. The following new Division is inserted in Part IV. of the principal Act after Division III. of the said Part:—

DIVISION IIIA.—DISCHARGE OF EXISTING TRUSTS AND
CREATION OF NEW TRUSTS.

Institute may arrange
with corporation for
discharge of existing
trusts and creation of
new trusts.

76A. The committee of an institute may arrange with a corporation, which has purchased such institute and the real and personal property thereof or the real and personal property of such institute—

- (a) for the discharge of the trusts, in favor of the institute, affecting such real and personal property; and
- (b) for the creation of other trusts in favor of the institute, over the same, or any other, real and personal property.

Requisites to validity
of arrangement.

76B. (1) No such arrangement shall be valid unless—

- (a) a resolution approving of the proposed arrangement has been carried at a general meeting of the members of the institute, called in accordance with the rules of the institute to consider the matter;
- (b) a report in writing by the Council in favor of such arrangement has been submitted to the Minister; and
- (c) the Minister has, after the receipt of such report, consented to such arrangement by writing signed by him.

(2) Where the carrying out of such arrangement would involve the expenditure by the corporation of moneys belonging to it, no such arrangement shall be valid unless a resolution approving of the arrangement, and of the expenditure of such moneys thereon, has been carried at a meeting of the ratepayers of such corporation, called to consider the matter.

Members' votes.

76C. Each member of an institute shall (if present) be entitled to one vote, and no more, at any meeting of members held in pursuance of the next preceding section; but no member shall be allowed to be present, or to speak, or to vote, at any such meeting unless he has been a member of such institute for at least six months immediately prior to the day on which such meeting is held and his subscriptions due up to the day of such meeting have been paid.

Mode of giving effect
to arrangement.

76D. (1) For the purpose of carrying into effect any such arrangement the corporation may, by a deed poll, registered and deposited in the General Registry Office—

- (a) discharge the real and personal property, held by the corporation upon trust for the institute, from the trusts affecting the same; and
- (b) declare

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(b) declare such other trusts over the same real and personal property, or over other real and personal property, as may be necessary to give effect to the arrangement.

(2) No such deed poll shall be registered or deposited unless the consent of the Minister is endorsed thereon.

6. The amendments made by this Act shall have the same effect as if they had appeared as hereby enacted in the principal Act on the passing of that Act. Amendments to be retrospective.

In the name and on behalf of His Majesty, I hereby assent to this Bill.

H. L. GALWAY, Governor.