



ANNO DECIMO QUINTO

# GEORGII V REGIS.

A.D. 1924.

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No. 1623.

An Act to further amend The Public Library, Museum, and Art Gallery, and Institutes Act, 1909.

[Assented to, December 11th, 1924.]

**B**E 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, 1924." Short titles.

(2) The Public Library, Museum, and Art Gallery, and Institutes Acts, 1909 to 1922, and this Act may be cited together as the "Public Library, Museum, and Art Gallery, and Institutes Acts, 1909 to 1924."

(3) The Public Library, Museum, and Art Gallery and Institutes Act, 1909, is hereinafter called "the principal Act." No. 986 of 1909.

2. This Act is incorporated with the other Acts mentioned in section 1 of this Act, and those Acts and this Act shall be read as **one Act.** Incorporation.

3. Section 20 of the principal Act is amended by adding after subsections (3) and (4) respectively thereof the following subsections :— Amendment of principal Act, s. 20—

(3A) The power conferred upon the Board by the next preceding subsection to sell, exchange, or otherwise dispose of any such thing as is mentioned in that subsection shall apply to such things whether acquired before or after the passing of this Act. Extension of power of disposal.

(4A) Subject

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Power to lend.

(4A) Subject to anything prescribed the Board is hereby further empowered to lend any personal property vested in the Board to any person, association, or institution, upon such terms and conditions as the Board thinks fit to impose.

Amendment of principal Act, s. 25—  
Grant of use of Board's property to institutes.

4. Section 25 of the principal Act is amended by adding after the words "or any of them" occurring in the third and fourth lines of that section the words "or to any institute."

Amendment of principal Act, s. 49—  
Limitation of liability of association when acting as trustee.

5. Section 49 of the principal Act is amended by adding at the end thereof the following proviso:—

Provided that the liability of the Association in respect of any matter done or omitted to be done by it in its capacity as trustee under this section shall be limited to the amount of the property (not being land granted by the Crown for institute purposes) held by it as such trustee.

Amendment of principal Act, s. 59.

6. Section 59 of the principal Act is amended by adding after the words "at least" in the fifth line of subsection (2) thereof the words "two foundation members or".

Amendment of principal Act, s. 76—  
Power of institutes to dispose of property.

7. Section 76 of the principal Act is amended—

(a) by adding after paragraph (c) of subsection (1) of the said section the following passage:— "or

(d) In the case of books of nominal value only, dispose of the same by gift or otherwise as the committee thinks fit".

(b) by adding after the word "pictures" in the second line of subsection (3) of the said section the word "furniture".

*Transfer of Institute by Corporation.*

Power of corporation to transfer institute.

8. Any Corporation to whom all the real and personal property of an institute has been sold and conveyed or transferred under section 81 of the principal Act may convey or transfer the said real and personal property to any persons as trustees upon such terms and conditions as are agreed: Provided that—

I. No conveyance or transfer shall be made unless—

(a) A resolution approving of the proposed conveyance or transfer and of the proposed trustees has been carried at a general meeting of members of the institute called to consider the matter, and has been confirmed at a subsequent general meeting of members held not less than seven days nor more than one month after the date of the before-mentioned meeting and called for the purpose of considering the confirmation of such resolution;

(b) A

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(b) A report in writing by the Council in favor of such conveyance or transfer has been submitted to the Minister ; and

(c) The Minister has, after the receipt of such report, consented to such conveyance or transfer by writing signed by him.

II. No such conveyance or transfer shall be made by the Corporation unless a resolution approving of the proposed conveyance or transfer has been carried at a meeting of the ratepayers of the Corporation called to consider the matter.

9. The provisions of section 82 of the principal Act shall apply, *mutatis mutandis*, in respect of a meeting of members of the institute held pursuant to the next preceding section of this Act ; and the provisions of section 83 of the principal Act, shall apply, *mutatis mutandis*, in respect of a meeting of ratepayers held pursuant to the said next preceding section.

Voting at meetings of members and of ratepayers.

10. Whenever the members of an institute have carried and confirmed a resolution for the conveying or transferring of the property of the institute from the Corporation to some persons as trustees, the secretary of the institute shall send to the Minister a copy of such resolution and a certificate in writing, signed by the secretary stating that the resolution has been carried and confirmed at meetings held in conformity with the provisions of this Act.

Duty of secretary on resolution for transfer.

11. Whenever at any meeting of ratepayers of a Corporation held in pursuance of section 8 of this Act or at any poll taken in pursuance of section 9, a resolution has been carried approving of the transfer or conveyance of the property of any institute, the town clerk or district clerk of the Corporation shall send to the Minister a copy of the resolution and a certificate in writing, signed by such clerk, stating that the resolution has been carried in conformity with the provisions of this Act.

Duty of town clerk or district clerk on resolution for transfer.

12. Whenever the Minister receives the resolutions and certificates mentioned in the two next preceding sections he shall forward the same to the Registrar-General to be filed, and, notwithstanding the provisions of The Real Property Act, 1886, the Minister is hereby empowered to transfer or convey the real property affected by the said resolutions to the trustees referred to, and to effect the transfer or conveyance notwithstanding that the property to be transferred is vested in the Corporation ; and the Registrar-General, if the land is under The Real Property Act, shall make such entries in the Register Book and do all such other acts and things as are necessary for registering the transfer ; and if the land is not under The Real Property Act, 1886, shall do all such acts and things as are necessary for the registration of the conveyance.

Minister's power to transfer real estate.

13. Upon

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Effect of transfer.

**13.** Upon the completion of a transfer or conveyance by the Minister under this Act, the persons to whom the property of the institute is conveyed or transferred shall be deemed for all purposes to be the trustees of the institute elected under section 50 of the principal Act.

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

TOM BRIDGES, Governor.