

Power to  
make by-laws,  
rules, and  
orders.

**6**—(1) The trustees shall have power and authority, with the consent of the Governor, to make all such by-laws, rules, and orders touching and concerning the management and good government of the Tasmanian Museum, and the income and property thereof, or any other matter or thing relative to the same, as to them may seem fit for the effectual attainment of the objects of a museum.

(2) The existing by-laws, rules, and orders made under section ten of the *Tasmanian Museum and Botanical Gardens Act 1885\** shall continue to apply to the Tasmanian Museum and to the trustees as if they were the trustees under that Act until rescinded under this Act.

Trustees to  
make reports  
of pro-  
ceedings.

**7** The trustees shall once at least in every year, and also whenever the pleasure of the Governor shall be signified in that behalf, report their proceedings, and the proceedings and the progress of the institution, to the Governor, and a copy of every such report shall be laid before Parliament within thirty sitting days after the same shall have been received.

Audit of  
accounts.

**8** Accounts of their expenditure shall be furnished annually by the trustees to the Chief Secretary for examination and audit, and in order that an abstract thereof may be published in the *Gazette*.

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\* 49 Vict. No. 34. For this Act, as amended to 1936, see Reprint of Statutes, Vol. VI., p. 491. Subsequently amended by 3 Geo. VI. No. 24.

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## BOTANICAL GARDENS.

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No. 56 of 1950.

AN ACT to make better Provision for the Maintenance of the Tasmanian Botanical Gardens and for certain Lands of the Crown.

[29 November, 1950.]

**B**E it enacted by His Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:—

Short title.

**1** This Act may be cited as the *Botanical Gardens Act 1950*.

**2** In this Act—

“the Botanical Gardens” means the institution called the Tasmanian Botanical Gardens and formerly owned by the trustees of the Tasmanian Museum and Botanical Gardens under the *Tasmanian Museum and Botanical Gardens Act 1885\**; and “the trustees” means the board of trustees established by this Act.

Interpretation.

**3**—(1) For the purpose of managing the Botanical Gardens and the other purposes of this Act, there shall be a board of trustees.

Establishment and constitution of board of trustees.

(2) The Board shall consist of—

- (a) four persons to be appointed by the Governor to hold office during his pleasure;
- (b) a member of the Faculty of Science in the University of Tasmania elected annually by the Council of the University to hold office until his successor is elected;
- (c) a person appointed annually by the Council of the City of Hobart in such manner as that Council may determine; and
- (d) a person elected annually by the Council of the Royal Society of Tasmania, as it may determine, to hold office until his successor is elected.

(3) The trustees shall, in each year, at their first meeting after their election, appoint one of their number to be chairman of the trustees, who shall hold office as such chairman until his successor is appointed.

(4) If the chairman is absent from any meeting of the trustees at the time appointed for the holding thereof, the trustees present shall appoint one of their number to act as chairman at such meeting.

(5) At each meeting of the trustees, three trustees shall form a quorum, and all questions shall be decided by a majority of the trustees present; and in the case of an equality of votes the chairman shall have a casting vote.

(6) The common seal of the trustees shall not be affixed to any deed, contract, agreement, or other document whatsoever except by authority of a resolution of the trustees, and in the presence of two or more of the trustees, who shall sign an attestation to the effect that the seal was so affixed or attached in their presence.

(7) Subject to this Act, the trustees shall regulate their own procedure.

**4**—(1) The trustees shall be a body corporate by the name of “the Trustees of the Tasmanian Botanical Gardens” with perpetual succession and a common seal and with power to purchase, take, hold, and dispose of land and other property for the purposes of this Act.

Incorporation and powers of trustees.

\* 49 Vict. No. 34. For this Act, as amended to 1936, see Reprint of Statutes, Vol. VI., p. 491. Subsequently amended by 3 Geo. VI. No. 24.

(2) The trustees shall subject to this Act—

- (a) have the full management and superintendence of the Botanical Gardens;
- (b) appoint, suspend, and dismiss officers and servants; and
- (c) do all other acts that appear to them proper for the purposes of this Act.

(3) The trustees shall not sell, mortgage, charge, or demise any land without the Governor's consent.

Property of trustees.

**5**—(1) Subject to the exercise of their powers, the property of the trustees is the property conveyed or transferred to them under the *Tasmanian Museum and Botanical Gardens Act 1950*.

(2) In consideration of receiving a new grant of substantially the same lands the trustees may surrender to the Crown all the lands conveyed to them by the trustees of the Tasmanian Museum and Botanical Gardens; and the Governor may, in the name and on behalf of His Majesty and subject to this Act only, grant to the Trustees so much of the lands surrendered together with such other lands of the Crown in the same vicinity as are not at the time required for any other public purpose as will in his opinion make the trustees tenants in fee of the lands now occupied by the trustees of the Tasmanian Museum and Botanical Gardens in connection with the Botanical Gardens with such minor changes of boundary as seem to him convenient.

(3) The trustees shall not—

- (a) dispose otherwise of the lands which by this section they are empowered to surrender; or
  - (b) dispose of the lands granted in lieu thereof,
- except pursuant to a licence under the seal of the State, which may be granted only if approved by resolution of both Houses of Parliament.

Care of grounds of Government House, and other Crown land.

**6**—(1) The trustees may contract with the Governor for the maintenance by them of the grounds of Government House, Hobart, and of other lands of the Crown within the City of Hobart, and may perform any such contract.

(2) For the purposes of this section "maintenance" includes planting, replanting, manuring, watering, cutting, pruning, spraying and otherwise caring for trees, shrubs, flowers, vegetables and other plants, lawns, paths, and drains.

Power to make by-laws &c.

**7**—(1) The trustees shall have power and authority, with the consent of the Governor, to make all such by-laws, rules, and orders touching and concerning the management and good government of the Botanical Gardens, and the income and property thereof, or any other matter or thing relative to the same, as to them may seem fit for the effectual attainment of the objects of a botanical gardens.

(2) The existing by-laws, rules, and orders made under section ten of the *Tasmanian Museum and Botanical Gardens Act 1885\** shall continue to apply to the Botanical Gardens and to the trustees as if they were the trustees under that Act until rescinded under this Act.

(3) By-laws, rules, and orders operating or made under this section shall apply to such lands of the Crown maintained by the trustees under section seven other than the grounds of Government House, Hobart, subject to the consent of such authority or person as the Governor may by proclamation describe or name for that purpose.

**8** The trustees shall once at least in every year, and also whenever the pleasure of the Governor shall be signified in that behalf, report their proceedings, and the proceedings and the progress of the institution, to the Governor, and a copy of every such report shall be laid before Parliament within thirty sitting days after the same shall have been received.

Trustees to  
make reports  
of pro-  
ceedings.

**9** Accounts of their expenditure shall be furnished annually by the trustees to the Chief Secretary for examination and audit, and in order that an abstract thereof may be published in the *Gazette*.

Audit of  
accounts.

\* 49 Vict. No. 34. For this Act, as amended to 1936, see Reprint of Statutes, Vol. VI., p. 491. Subsequently amended by 3 Geo. VI. No. 24.

## UNCLAIMED TRUST MONEYS.

No. 57 of 1950.

AN ACT to amend the *Unclaimed Trust Moneys Act 1921*.  
[29 November, 1950.]

**B**E it enacted by His Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:—

**1**—(1) This Act may be cited as the *Unclaimed Trust Moneys Act 1950*.

Short titl.,  
citation, and  
commence-  
ment.

(2) The *Unclaimed Trust Moneys Act 1921\**, as subsequently amended, is in this Act referred to as the Principal Act.

(3) This Act (other than sections two and three) shall be deemed to have come into operation on the date of the commencement of the *Unclaimed Moneys Act 1929†*.

\* 12 Geo. V. No. 22. For this Act, as amended to 1936, see Reprint of Statutes, Vol. VI., p. 1205.

† 20 Geo. V. No. 9.