

Melbourne Sailors' Home

No.

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LEGISLATIVE COUNCIL

Read 1° 18 March 1986

(Brought from the Legislative Assembly)

A BILL

for

An Act to repeal certain acts concerning the Melbourne Sailors' Home, to provide for trust funds held in connexion with the Melbourne Sailors' Home to be transferred to the Sailors' Welfare Fund and for other purposes.

Melbourne Sailors' Home Act 1985

WHEREAS the Governor in Council by Order dated 27 April 1868 permanently reserved certain land as a site for the purposes of a Sailors' Home and by deed poll dated 8 June 1868 that land was granted by the Crown to certain trustees to be used as a site for a sailors' home:

5 And whereas pursuant to the *Melbourne Sailors' Home Act 1901* the trustees for the time being of the land mentioned in the first recital sold that land and acquired other land as a site for a sailors' home and invested the remaining proceeds of the sale of the land:

10 And whereas pursuant to the *Melbourne Land Exchange Act 1941* the trustees for the time being of the land mentioned in the second recital exchanged that land for other land:

15 And whereas pursuant to the *Melbourne Sailors' Home Act 1964* (as amended by the *Melbourne Sailors' Home (Powers of Trustees) Act 1968*) the trustees for the time being of the land mentioned in the third recital sold the land and paid the proceeds of the sale and all other property held by them to the Public Trustee to be held in two trust accounts:

And whereas the *Melbourne Sailors' Home Act* 1964 authorized the payment into one of the trust accounts mentioned in the fourth recital of moneys held by the trustees of the Victorian Shipwreck Relief Society:

And whereas it is proposed that the Public Trustee should transfer the moneys held in the two trust accounts to the Sailor's Welfare Fund to be established for that purpose and that provision should be made authorizing the Minister to make grants to organizations which promote the welfare of sailors or persons working in other maritime industries:

The Parliament of Victoria therefore enacts as follows:

Purposes.

1. The following are the purposes of this Act:

- (a) To repeal certain Acts relating to the Melbourne Sailors' Home;
- (b) To require the transfer of trust funds held in connexion with the Melbourne Sailors' Home to the Sailors' Welfare Fund;
- (c) To authorize the making of grants to organizations which promote sailors welfare or the welfare of persons working in other maritime industries.

Commencement.

2. This Act comes into operation on the 28th day after the day on which it receives the Royal Assent.

Sailors' Welfare Fund.

3. (1) There is established in the Public Account as part of the Trust Fund a trust account called the "Sailors' Welfare Fund".

(2) There shall be paid into the Sailors' Welfare Fund—

- (a) amounts appropriated by Parliament for that purpose; and
- (b) amounts authorized to be paid into the Fund by this Act.

(3) There shall be paid out of the Sailors' Welfare Fund amounts authorized to be paid out of the Fund by section 4 or section 5 (2).

(4) Amounts standing to the credit of the Sailors' Welfare Fund may be invested in any manner approved by the Treasurer, and interests on those investments shall be credited to the Sailors' Welfare Fund.

Grants from Sailors' Welfare Fund.

4. (1) The Minister may authorize the payment out of the Sailors' Welfare Fund of amounts by way of grant to organizations which, in the the Minister's opinion, promote the welfare of sailors who operate out of, or from time to time visit, ports in Victoria.

- (2) Out of moneys standing to the credit of the Sailors' Welfare Fund which, in the Minister's opinion, are not immediately required to pay grants under sub-section (1), the Minister may authorize the payment of amounts by way of grant to organizations which, in the Minister's opinion, promote the welfare of persons working in the Victorian fishing industry or any other Victorian maritime industries.

Transfer of trust funds to Sailors' Welfare Fund.

5. (1) All moneys standing to the credit of the Sailors Welfare No. 1 account and the Sailors Welfare No. 2 account established under section 4 of the *Melbourne Sailors' Home Act 1964* as in force immediately before the commencement of this Act shall be paid to the Sailors' Welfare Fund.

- (2) All liabilities of the Sailors Welfare No. 1 account or the Sailors Welfare No. 2 account that have not been met before the moneys standing to the credit of the account are paid to the Sailors' Welfare Fund shall be met from the Sailors' Welfare Fund.

- (3) Upon the payment into the Sailors' Welfare Fund of the moneys standing to the credit of the Sailors Welfare No. 1 Account and the Sailors Welfare No. 2 Account—

- (a) the moneys are discharged from any trust which previously affected them; and
- (b) the Public Trustee is discharged from any liability as custodian trustee of the moneys and is not answerable for the application of the moneys.

25 Repeal

6. The Acts mentioned in the Schedule are repealed.

Minister may make grants to organizations promoting sailors welfare.

7. In section 6 of the *Community Welfare Services Act 1970* at the end of sub-section (2) insert "including organizations which, in the Minister's opinion, promote the welfare of sailors who operate out of, or from time to time visit, ports in Victoria and organizations which, in the Ministers opinion, promote the welfare of the Victorian fishing industry or any other Victorian maritime industry."

SCHEDULE

| <i>No. of Act</i> | <i>Short title of Act</i> |
|-------------------|--|
| 1772 | <i>Melbourne Sailors' Home Act 1901</i> |
| 4805 | <i>Melbourne Land Exchange Act 1941</i> |
| 7224 | <i>Melbourne Sailors' Home Act 1964</i> |
| 7713 | <i>Melbourne Sailors' Home (Powers of Trustees) Act 1968</i> |
