

# AUSTRALIAN WAR MEMORIAL.

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**No. 12 of 1952.**

An Act to amend the *Australian War Memorial Act 1925*.

[Assented to 30th May, 1952.]

[Date of commencement, 27th June, 1952.]

**B**E it enacted by the Queen's Most Excellent Majesty, the Senate, and the House of Representatives of the Commonwealth of Australia, as follows :—

Short title  
and citation.

**1.**—(1.) This Act may be cited as the *Australian War Memorial Act 1952*.

(2.) The *Australian War Memorial Act* 1925\* is in this Act referred to as the Principal Act.

(3.) The Principal Act, as amended by this Act, may be cited as the *Australian War Memorial Act* 1925-1952.

**2. Section two of the Principal Act is amended—**

Definitions.

(a) by inserting before the definition of "the Board" the following definition :—

" ' active service ' means active service in war or in war-like operations by members of the naval, military or air forces of the Commonwealth, or of any naval or military force of the Queen raised in Australia before the establishment of the Commonwealth ; " ; and

(b) by omitting the definition of " the War " .

**3. Section three of the Principal Act is amended—**

Australian War Memorial.

(a) by omitting from sub-section (1.) the words " died in the war " and inserting in their stead the words " have died on or as a result of active service " ; and

(b) by omitting sub-section (3.) and inserting in its stead the following sub-section :—

" (3.) The war relics of the Commonwealth include the relics, records, models, pictures, photographs, publications and other things in the collection of war relics forming part of the Memorial at the date of commencement of this sub-section and such other things relating to any war or war-like operations in which Australians have been on active service as are added to the Memorial by the Board."

**4. Sections five and six of the Principal Act are repealed and the following sections inserted in their stead :—**

" 5.—(1.) For the purposes of this Act, there shall be a Board of Management of the Memorial, which shall consist of—

Board of Management.

(a) the Chief of Naval Staff ;

(b) the Chief of the General Staff ;

(c) the Chief of the Air Staff ; and

(d) nine other members, who shall be appointed by the Governor-General and shall hold office during his pleasure.

" (2.) A member of the Board specified in paragraph (a), (b) or (c) of the last preceding sub-section may appoint a person to be his deputy.

" (3.) The Governor-General may appoint a person to be the deputy of a member of the Board specified in paragraph (d) of sub-section (1.) of this section.

" (4.) The deputy of a member of the Board is, in the event of the absence of the member of whom he is the deputy from a meeting of the Board, entitled to attend that meeting and, when so attending, shall be deemed to be a member of the Board.

“(5.) Any such appointment of a deputy and any act done by him as such shall not be questioned on the ground that the occasion for the exercise of his powers or functions had not arisen or had ceased.

Chairman.

“6.—(1.) The members of the Board may elect one of their number to be the Chairman of the Board and the member so elected shall hold office as Chairman during the pleasure of the Board.

“(2.) The Chairman of the Board shall preside at all meetings of the Board at which he is present.

“(3.) In the event of the absence of the Chairman from a meeting of the Board, the members of the Board present at the meeting shall elect one of their number to preside at the meeting.”.

Quorum of Board.

5. Section seven of the Principal Act is amended by omitting sub-section (3.) and inserting in its stead the following sub-section :—

“(3.) The Chairman of the Board or other member presiding at a meeting of the Board is entitled to a deliberative vote and, in the event of an equality of votes, also has a casting vote.”.

Vacation of office of appointed member.

6. Section eight of the Principal Act is amended by inserting after the word “Board” (first occurring) the words “appointed by the Governor-General”.

Use of fund.

7. Section thirteen of the Principal Act is amended by omitting from paragraph (a) the words “the war” and inserting in their stead the words “active service”.

8. After section fourteen of the Principal Act the following sections are inserted :—

Perusal of records.

“14A. Where the Board, or a person authorized by the Board to act under this sub-section, is satisfied that it is necessary or desirable so to do, the Board or that person may authorize a person to peruse and make extracts from, or copies of, any of the records or documents forming part of the war relics of the Commonwealth which are not upon public exhibition.

Manufacture, printing, publishing and sale of exhibits prohibited.

“14B.—(1.) A person shall not, without the permission in writing of the Board or of a person authorized by the Board to give such permissions—

(a) sell or offer for sale ; or

(b) for the purposes of advertisement or for any other commercial or business purpose, manufacture, use, print, publish or exhibit,

a replica, photograph, representation or copy of an exhibit forming part of the war relics of the Commonwealth.

Penalty : Fifty pounds.

“(2.) The last preceding sub-section does not apply to, or in relation to, the publication in a newspaper of a photograph of an exhibit.”.