



ANNO QUINQUAGESIMO PRIMO ET QUINQUAGESIMO
SECUNDO

VICTORIÆ REGINÆ.

A.D. 1888.

No. 434.

An Act to amend the Law relating to Institutes.

[Assented to, December 8th, 1888.]

BE it Enacted by the Governor of the Province of South Preamble.
Australia, with the advice and consent of the Legislative
Council and House of Assembly, in this present Parliament assembled,
as follows :

1. This Act may be cited for all purposes as “The Institutes Short title.
Amendment Act, 1888,” and, except so far as inconsistent therewith,
shall be incorporated and read as one with the “Public Library,
Museum, and Art Gallery Act, 1883-4.”

2. In the construction of this Act, except where the subject- Interpretation.
matter or the context shall require a different construction the fol-
lowing terms in inverted commas shall have the respective meanings
hereinafter assigned to them, that is to say—

“Corporation” shall mean any Municipal Corporation or District
Council (except the Corporation of the City of Adelaide):

“Institute” shall include all urban, suburban, and country
Institutes whether incorporated or not, and all the freehold
and personal property held in connection therewith:

“The Minister” shall mean the Minister Controlling Education.

3. Any Institute, or, in case there be trustees, the trustees of any Institutes may be sold
to corporations.
Institute, may sell and transfer the same and all the real and per-
sonal estate of such Institute, to the corporation of the locality
in

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in which such Institute is situated, who may purchase the same upon such terms and conditions as may be agreed: Provided always as follows:—

I. No such sale or transfer shall be made without the written consent of the Minister, nor unless a resolution approving the proposed sale shall have been carried at a meeting of subscribers to the Institute specially called to consider the matter, and a subsequent meeting to be held not less than seven days nor more than one month after the date of such meeting for the purpose of confirming the resolution carried at the previous meeting:

II. No such purchase shall be made by the corporation unless a resolution approving the proposed purchase shall have been carried at a meeting of the ratepayers of such corporation specially called to consider the matter.

Subscribers' votes.

4. Each subscriber to an Institute shall be entitled to one vote at all meetings called in pursuance of this Act, and no subscriber to any Institute shall be allowed to vote at any meeting called to consider the question of selling an Institute unless such subscriber shall have been a subscriber to such Institute for six months previous to the day on which such meeting shall be held, and unless the subscription of such member shall have been paid up to the day of such meeting.

Disposition of purchase-moneys.

5. Any purchase-moneys arising from any sale made pursuant to the preceding section, and which, but for this provision, would be payable to the Institute or the trustees as vendors, shall be applicable to the general purposes of the Institute, and be paid to the committee of management thereof.

Form of surrender.

6. After any purchase shall have been completed, pursuant to section 3, the corporation making the purchase shall hold the Institute, and real and personal estate purchased, subject to any encumbrances affecting the same, upon trust, to permit the same, or a sufficient part thereof, to be used for the general purposes of an Institute, and subject thereto, upon trust for the corporation, as their property, to be let and managed at discretion, in accordance with the provisions of this Act.

Committee of Management.

7. The management of the Institute, mentioned in the preceding section, and of any library and classes in connection therewith, shall be vested in a committee of management, to consist of not more than seven nor less than five members, of whom three shall form a quorum, and who shall be elected annually from amongst the subscribers to the Institute—a majority of such committee to be elected by the subscribers and the remainder by the corporation at a special meeting called for the purpose.

Management, where vested.

8. In case a sufficient number of subscribers to any Institute cannot

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cannot be obtained to act as committeemen the management of the Institute shall vest in the Corporation, which shall thereupon have all the powers of a committee until a sufficient number of subscribers to the Institute can be obtained to act as committeemen.

9. The committee of an Institute may make regulations—

Power to make regulations.

- I. For the conduct of their proceedings :
- II. For the regulation of all matters which it will be necessary or convenient to regulate in connection with the management of the Institute:

Any such regulation may provide for its enforcement by a penalty not exceeding Five Pounds, recoverable in a summary way, and no such regulation shall be of any force until approved by the Governor and published in the *Government Gazette*, but afterwards shall have the force of law.

10. A poll may be demanded at any meeting of ratepayers called to consider the question of selling or purchasing an Institute in like manner as in any case where provision is made by law for the demanding of a poll at a meeting of ratepayers, and, if so demanded, such poll shall be held and taken in like manner as aforesaid, and the result of such poll shall decide the question.

Poll may be demanded.

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

WM. C. F. ROBINSON, Governor.