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*This PUBLIC BILL originated in the HOUSE OF REPRESENTATIVES, and, having this day passed as now printed, is transmitted to the LEGISLATIVE COUNCIL for its concurrence.*

*House of Representatives,  
29th September, 1930.*

[AS AMENDED BY THE LEGISLATIVE COUNCIL.]  
*Legislative Council, 8th October, 1930.*

*Hon. Mr. Ransom.*

NATIONAL ART GALLERY AND DOMINION MUSEUM.

ANALYSIS.

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A BILL INTITULED

AN ACT to make Provision for the Establishment in the City of Wellington of a National Art Gallery, a Dominion Museum, and a War Memorial Carillon and Hall of Memories, and for Matters in relation thereto. Title.

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BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows :—

1. This Act may be cited as the National Art Gallery and Dominion Museum Act, 1930. Short Title.

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2. In this Act, unless the context otherwise requires,—  
“ Board ” means the Board constituted under this Act as the Board of Trustees of the National Art Gallery and Dominion Museum: Interpretation.

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“ Institution ” includes the National Art Gallery, the Dominion Museum, and the War Memorial Carillon and Hall of Memories.

3. There shall be established in the City of Wellington in accordance with this Act a National Art Gallery, a Dominion Museum, and a War Memorial Carillon and Hall of Memories. Authority for establishment of National Art Gallery, Dominion Museum, and War Memorial Carillon.

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Incorporation of Board.

4. (1) There is hereby established for the purposes of this Act a Board of Trustees, to be known as "The Board of Trustees of the National Art Gallery and Dominion Museum" (hereinafter referred to as the Board).

(2) The Board shall be a body corporate, with perpetual succession and a common seal, and shall be capable of holding real and personal property, and of doing and suffering all that bodies corporate may do and suffer. 5

Constitution of Board.

5. (1) The Board shall consist of—

(a) The person for the time being in office as the Prime Minister of the Dominion of New Zealand, who shall be the Chairman of the Board : 10

(b) The person for the time being in office as the Minister of Internal Affairs :

(c) The persons for the time being in office respectively as the Under-Secretary of the Department of Internal Affairs and the Director of the Dominion Museum : 15

(d) The persons for the time being in office under the New Zealand Institute Act, 1908, as the President and the Vice-President of the Institute : 20

(e) The persons for the time being in office respectively as the Mayor of the City of Wellington, the Mayor of the City of Palmerston North, and the Mayor of the Borough of Masterton :

(f) The Chairman for the time being of the Wellington Harbour Board : 25

(g) The President for the time being of the New Zealand Academy of Fine Arts :

(h) The Chairman for the time being of the Wellington Branch of the New Zealand Institute of Architects : 30

(i) The Chairman for the time being of the Wellington War Memorial Carillon Society :

*New.*

(j) Three persons to be appointed by the Governor-General in Council. 35

(1A) The members of the Board, other than members who are such by virtue of their office, shall be appointed for a term not exceeding seven years. Any such member may be reappointed or may at any time resign his office by writing addressed to the Chairman of the Board.

*Struck out.*

(2) In addition to the members designated in the last preceding subsection, the following persons shall be members of the Board during their respective lifetimes, or until they resign their membership by writing addressed to the Chairman of the Board, namely :— 40

(a) Sir Harold Beauchamp, Kt., of the City of Wellington ; 45

(b) George Shirtcliffe, Esquire, of the City of Wellington ; and

(c) George Alexander Troup, Esquire, of the City of Wellington.

(3) Except as provided in section seven hereof, no member of the Board shall have more than one vote, notwithstanding that at any time a member may hold more than one of the offices mentioned in subsection one hereof, or, being one of the persons mentioned in subsection two paragraph (j) of section five hereof, may also hold any such office. 50

Representation of absent members.

6. (1) In the absence from any meeting of the Board of the Prime Minister or the Minister of Internal Affairs any other Minister of the Crown may attend such meeting in his stead. 55

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(2) In the absence from any meeting of the Board of any member being an officer of any Department of the Public Service, the Minister in charge of that Department may authorize any other officer of the Department to attend such meeting in his stead.

5 (3) In the absence from any meeting of the Board of any other member who is such by virtue of his office, the local authority or body represented by that member may appoint a suitable person to attend such meeting in his stead.

10 (4) While any person is attending any meeting of the Board pursuant to this section he shall be deemed for all purposes to be a member of the Board.

7. (1) Meetings of the Board shall be held at such times and places as the Chairman or the Board shall from time to time appoint. Meetings of Board.

15 (2) The Chairman shall preside at all meetings of the Board at which he is present. In the absence of the Chairman from any meeting of the Board, the Mayor of Wellington, if present, shall be the Chairman. In the absence from any meeting of both the Chairman and the Mayor of Wellington, the members present shall select one of their number to be the Chairman for the purposes of that meeting.

20 (3) At any meeting of the Board five members shall form a quorum.

(4) At any meeting of the Board the Chairman shall have a deliberative vote, and in the case of an equality of votes shall also have a casting-vote. The decision of the Board on any matter shall be determined by a majority of the valid votes recorded thereon.

25 (5) Save as expressly provided herein, the Board may regulate its procedure in such manner as it thinks fit.

8. (1) Any contract which if made between private persons must be by deed shall, if made by the Board, be in writing under the seal of the Board. Contracts of Board.

30 (2) Any contract which if made between private persons must be in writing, signed by the parties to be charged therewith, shall, if made by the Board, be either under the seal of the Board or signed by two members of the Board on behalf of and by direction of the Board.

35 (3) Any contract which if made between private persons may be made verbally without writing may be similarly made by or on behalf of the Board by any two members acting by direction of the Board, but no verbal contract shall be made involving the payment by the Board of a sum exceeding ten pounds.

40 9. The functions of the Board shall be to establish on the site mentioned in the next succeeding section, and to maintain and control, the National Art Gallery, the Dominion Museum, and the War Memorial Carillon and Hall of Memories, and in relation to those institutions the Board shall have all such powers, not inconsistent with this Act, as are reasonably necessary for the effective performance of its duties and 45 functions. Functions of Board,

10. (1) The land described in the First Schedule hereto is hereby vested in the Board for an estate in fee-simple in trust as a site for the National Art Gallery, the Dominion Museum, the War Memorial Carillon and Hall of Memories, and any other buildings and erections associated therewith, and generally for the purposes of the said institutions. Land vested in Board as site for National Art Gallery, Dominion Museum, &c.

(2) The reservation of the said land for the public purposes of the Dominion, as set out in an Imperial Order in Council dated the tenth day of August, nineteen hundred and nine, intituled the New Zealand Fortifications Order of 1909, is hereby cancelled.

(3) Notwithstanding anything in the foregoing provisions of this section, the Government, until such time as in its discretion it vacates the buildings and erections which are on the said land at the passing of this Act, shall have free right for its officers, servants, and agents, and all persons visiting or having business with them, of access to and occupation of such buildings and erections.

Fund established by public subscription to be vested in Board.

11. (1) The fund established by public subscription for the establishment of the National Art Gallery and Dominion Museum, and hitherto administered by the provisional Board of Trustees constituted under section sixty-four of the Finance Act, 1929, the securities in which any moneys belonging to the fund are invested, and all other property and rights of whatever description, whether vested or contingent, belonging to the provisional Board in relation to the proposal to establish a National Art Gallery, Dominion Museum, and War Memorial Carillon and Hall of Memories shall immediately on the passing of this Act be deemed to be vested in the Board constituted under this Act.

Acts of provisional Board validated.

(2) All acts heretofore done in good faith by the provisional Board or by any person with the express or implied authority of the provisional Board in relation to the investment of the fund, the payment of expenses, the calling for and judging of competitive designs for any building or buildings proposed to be erected, the award of prizes, or otherwise in relation to the said fund or proposal, are hereby validated.

Officers of Board.

12. (1) The Board may from time to time appoint such officers as it deems necessary for the efficient exercise and performance of its functions and duties under this Act.

(2) Any person in the service of the Crown may be appointed an officer of the Board under this section :

Provided that no such person shall be entitled to retain his position as a servant of the Crown except—

- (a) In the case of a person subject to the Public Service Act, 1912, with the consent of the Public Service Commissioner ; and
- (b) In any other case, with the consent of the Minister to whose control he is subject.

Powers of Board to charge for admission and grant use of buildings for approved purposes.

13. The Board may from time to time *with the approval of the Prime Minister*—

- (a) Make such charges for admission to the institutions maintained by it or to any part thereof as it deems reasonable ; and
- (b) Grant the use of any part of such institutions to any person, body, or society (whether incorporated or not) for a purpose approved by the Board, upon such terms as the Board determines.

Power to provide accommodation for New Zealand Academy of Fine Arts.

14. For the purpose of enabling the New Zealand Academy of Fine Arts to sell its land and to pay the net proceeds of such sale to the Board pursuant to section ten of the Reserves and other Lands Disposal Act, 1928, the Board is hereby expressly empowered to provide and make permanently available for the carrying-on of the objects and purposes of the New Zealand Academy of Fine Arts such accommodation in the building of the National Art Gallery as the Board thinks fit.

15. (1) There shall from time to time in accordance with this section be appointed a separate committee of management for each of the institutions under the control of the Board, which shall be responsible to the Board for the management and control of such institution, and shall have in relation thereto such powers and functions as the Board may in its discretion confer on such committee.
- (2) Every such committee of management shall consist of not less than five or more than nine members, of whom two shall in each case be members of the Board.
- (3) The members of each such committee of management shall be appointed by the Board, for a term not exceeding three years, save that any such member may be at any time removed from office by the Board, or may on the expiration of his term of office be reappointed as a member of any committee.
- (4) The Board may appoint any member of any such committee of management to be the permanent Chairman thereof; and if no such appointment is made, or if the office of Chairman is vacant, the committee may from time to time appoint one of its members to be the Chairman until the Board appoints a Chairman. The Board may from time to time remove the Chairman of any such committee and appoint another in his stead.
- (5) Every such committee of management on which any powers or functions are conferred as aforesaid may, without confirmation by the Board, exercise or perform such powers and functions in the like manner and with the same effect as the Board could itself have exercised or performed them.
- (6) Every such committee of management shall be subject in all things to the control of the Board and shall carry out all directions, general or special, of the Board given in relation to such committee or its affairs.
16. (1) All lands for the time being vested in the Board and held by it as the site of any of the institutions maintained by the Board or in conjunction with any such site, shall be deemed not to be rateable property for the purposes of the Rating Act, 1925; and in respect thereof the Board shall be exempt from liability for the payment of rates.
- (2) The Board is hereby declared to be exempt from the payment of land-tax and income-tax under the Land and Income Tax Act, 1923.
17. All moneys received by the Board shall be forthwith paid into an account in the Board's name at such bank as the Board from time to time directs. No moneys shall be drawn out of the bank except by authority of the Board. All cheques on the Board's account shall be signed by the treasurer or other officer of the Board appointed for the purpose, and countersigned by two members of the Board authorized by the Board from time to time to countersign cheques.
18. Any moneys belonging to the Board and available for investment may be invested with the Public Trustee or in accordance with the provisions of the Trustee Act, 1908, as to the investment of trust funds.
19. The accounts of the Board shall be subject to audit in the same manner in all respects as if the moneys of the Board were public moneys within the meaning of the Public Revenues Act, 1926.
20. The enactments mentioned in the *Second* Schedule hereto are hereby repealed.

Separate committees  
of management.

Exemption from  
rates and taxes.

Payment of Board's  
moneys into bank  
and mode of  
withdrawal  
therefrom.

Investment of  
Board's moneys.

Audit of Board's  
accounts.

Repeals.

Schedules.

**SCHEDULES.****FIRST SCHEDULE.**

ALL that area in the City of Wellington, containing 9 acres 1 rood 30 perches, more or less, being part of the Mount Cook Reserve, Block X, Port Nicholson Survey District: Bounded towards the north-east by Buckle Street for a distance of 400 links from the north-eastern corner of Town Section 90 and by other part of Mount Cook Reserve for distances of 70 links, 35 links, 100 links, and 210 links respectively, to Tasman Street at a point 200 links from the corner of Buckle Street; towards the east by Tasman Street, for a distance of 1100 links, to the north-eastern corner of Town Section 715; towards the south by the said Town Section 715, for a distance of 417·5 links, to the eastern boundary of Lot 1 on Survey Office Plan 262/1, being portion of the Mount Cook Reserve set apart as a site for a technical school by section 53 of the Reserves and other Lands Disposal and Public Bodies Empowering Act, 1919; towards the west and again towards the south by the said Lot 1 for distances of 88·52 links and 454·26 links respectively, to the north-western corner of Lot 1 aforesaid; and again towards the west by part of Town Section 85 and by Town Sections 86, 87, 88, 89, and 90 to the north-eastern corner of the last-mentioned section, the place of commencement, a distance of 1277·06 links: be all the aforesaid linkages more or less: as the same is delineated on the plan marked L. and S. 57607A, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red.

**SECOND SCHEDULE.****ENACTMENTS REPEALED.**

1913, No. 22.—The Science and Art Act, 1913.

1929, No. 29.—The Finance Act, 1929: Section 64.

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By Authority: W. A. G. SKINNER, Government Printer, Wellington.—1930.