



ANNO DECIMO

GEORGII V REGIS.

A.D. 1919.

No. 1413.

An Act to provide for a Recreation Reserve near the Grange and to incorporate a Board of Trustees therefor, and for other purposes.

[Assented to, November 27th, 1919.]

BE it Enacted by the Governor of the State of South Australia, with the advice and consent of the Parliament thereof, as follows :—

1. This Act may be cited as the "Grange Recreation Reserve Act, 1919." Short title.
2. This Act shall come into operation on a day to be fixed by proclamation. Commencement of Act.
3. In this Act—
 - "Minister" means the Commissioner of Crown Lands :
 - "The Board" means the Grange Recreation Reserve Board of Trustees appointed under, and constituted a body corporate by, this Act.
4. (1) The Governor may appoint a Board of Trustees, to be called the "Grange Recreation Reserve Board of Trustees." Governor may appoint a Board of Trustees.
(2) The Board shall consist of the following members :—
 - I. One person to be nominated by the Minister, who shall be Chairman of the Board :
 - II. The Mayor for the time being of the Municipality of Henley and Grange :
 - III. Two

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III. Two persons to be nominated in manner prescribed by the Council of the said Municipality, one of such persons being a Councillor for Kirkcaldy Ward and the other being a Councillor for Grange Ward :

IV. One person to be nominated in manner prescribed by the District Council of Woodville, such person being a Councillor for Davenport Ward :

V. Two representatives to be nominated by the Grange Progressive Association in manner prescribed :

VI. Two representatives to be nominated by the Grange Recreation Association in manner prescribed.

(3) No member of the Board other than the Chairman shall hold office on the Board for a longer period than three years without reappointment.

(4) The members of the Board shall be paid such expenses incurred in connection with the exercise of their functions as are prescribed.

Quorum.

5. Any four members of the Board shall form a quorum for the transaction of business.

Vacancies on Board.

6. When the office of any member of the Board becomes vacant the Governor may fill the vacancy : Provided that—

i. if such member was a nominated member, the new member shall be appointed after nomination by the person or body which nominated the member in whose place he is appointed ; and

ii. if the vacancy occurs otherwise than by effluxion of time, the term of office of the new member shall be computed from the beginning of the term of office of the member in whose place he is appointed.

Board may act during vacancy.

7. During any vacancy on the Board the remaining members may act as if no vacancy existed.

Board of Trustees to be a body corporate.

8. (1) The Board is hereby constituted a body corporate under the name of the "Grange Recreation Reserve Board of Trustees," with perpetual succession and a common seal ; and by that name shall be capable of suing and being sued, of proving and compounding debts, of holding, leasing, and mortgaging any real property, of acquiring, holding, disposing of, and dealing in all respects with any personal property, and of doing all such other acts and things as may be necessary or expedient for carrying out the purposes of this Act.

(2) All Courts, Judges, and persons acting judicially shall take judicial notice of such seal when affixed to any instrument and shall, until the contrary is shown, presume that the same was properly affixed thereto.

9. Sections

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9. Sections 6, 12, and 13 of the Associations Incorporation Act, 1890, shall apply to and in respect of the Board as if it were an association incorporated under the said Act.

Certain sections of the Associations Incorporation Act to apply.

10. (1) All that piece of Crown land containing twenty acres or thereabouts, approximately, delineated in the plan in the Schedule hereto and therein hatched and marked "A" is hereby vested in the Board in fee simple for the purpose of being used by the Board as a recreation reserve, to be called the "Grange Recreation Reserve."

Grange Recreation Reserve vested in Board of Trustees.

(2) Upon the passing of this Act the Minister shall cause a survey to be made for the purpose of more accurately determining the area and the position and measurements of the said land.

(3) Any dedication of the said lands or any part thereof, and any licence or permit granted in respect thereof, is hereby cancelled.

(4) The Governor may issue to the Board a land grant of the land vested in it by this Act.

(5) Notwithstanding that the said land is vested in the Board, it shall be lawful for the Minister at any time, in connection with the carrying out of any scheme for the purpose of preventing the flooding of, or the removal of flood waters from, the said land or any neighboring lands, to construct such embankments and other works on the said land as he deems necessary or convenient for that purpose, and the Board shall have no claim against the Minister in respect of the carrying out of any such scheme on the said land or on any other land.

11. (1) The Board may make by-laws for the care, control, and management of the land vested in it, and may impose a penalty not exceeding Ten Pounds for any breach of any such by-law.

Board may make by-laws.

(2) Any by-law made by the Board shall not have any force or effect until confirmed by the Governor.

12. (1) If at any time the reserve is not being used by the Board to the satisfaction of the Minister for the purpose for which it is hereby vested in it, the Minister may give notice in writing to the Board ordering it to carry out the said purpose to his satisfaction.

Power of Government to resume.

(2) Unless before the expiration of three months from the giving of such notice the Minister is satisfied that the said purpose is being carried out to his satisfaction, the Governor may, by notice published in the *Government Gazette*, resume the land hereby vested in the Board, subject, however, to any existing mortgage over the said land, and may, subject to the rights of any person under any such mortgage, enter upon the said land and the same, together with all erections and buildings thereon, have again, repossess, and enjoy as if the land had never been vested in the Board.

13. The Board is hereby authorised and empowered to grant mortgages over the land hereby vested in it: Provided that the total amount of principal moneys secured by such mortgages shall not at any time exceed the sum of Fifteen Hundred Pounds.

Board may mortgage land.

14. (1) The

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Governor may make regulations.

14. (1) The Governor may make regulations with respect to any of the following matters :—

- I. The manner of nominating members of the Board :
- II. The rules or articles according to which the business and proceedings of the Board shall be governed, controlled, and conducted :

III. Any matter or thing which appear to him to be necessary or convenient to be prescribed for the purpose of more effectually carrying into effect the purposes of this Act.

(2) Any regulation may impose a penalty not exceeding Ten Pounds for any breach of the same or any other regulation.

Summary proceedings for offences.

15. All proceedings in respect of offences against this Act shall be disposed of summarily.

Appeal

16. There shall be an appeal in respect of proceedings in respect of offences against this Act.

Special case.

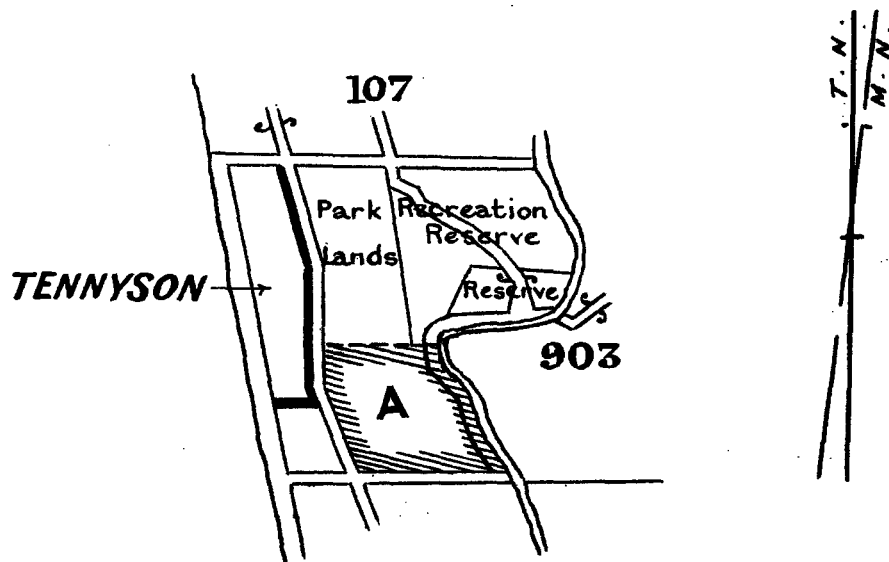
17. In the event of an appeal in respect of proceedings in respect of offences against this Act, a special case may be stated.

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

H. L. GALWAY, Governor.

THE SCHEDULE (PLAN)

THE SCHEDULE
"GRANGE RECREATION RESERVE ACT, 1919"
HP OF YATALA



AVAUGHAN, GOVERNMENT PHOTOLITHOGRAPHER, ADELAIDE.

M. W. Herlihy
11.11.19 Surveyor General