



Tasmanian Museum Act 1950 (No. 55 of 1950)

Consolidated: 3 May 2008

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An Act to make better provision for the maintenance of the Tasmanian Museum [Royal Assent 29 November 1950]

Be it enacted by His Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:

1. Short title

This Act may be cited as the *Tasmanian Museum Act 1950*.

2. Interpretation

In this Act –

the Tasmanian Museum means the institution of that name formerly owned by the trustees of the Tasmanian Museum and Botanical Gardens under the *Tasmanian Museum and Botanical Gardens Act 1885*; and **the trustees** means the board of trustees established by this Act.

3. Establishment and constitution of board of trustees

(1) For the purposes of managing the Tasmanian Museum and for the other purposes of this Act, there shall be a board of trustees.

(2) This board shall consist of –

(a) four persons appointed by the Governor to hold office during his pleasure;

(b) two persons elected in each year by the Council of the Royal Society of Tasmania, as it may determine, who shall hold office until their successors are elected; and

(c) one person appointed annually by the Council of the City of Hobart in a manner determined by it.

(3) The trustees shall, in each year, at their first meeting after their election, appoint one of their number to be

chairman of the trustees, who shall, subject to section 4B, hold office as such chairman until his successor is appointed.

(4) If the chairman is absent from any meeting of the trustees at the time appointed for the holding thereof, the trustees present shall appoint one of their number to act as chairman at such meeting.

(5) At each meeting of the trustees, three trustees shall form a quorum, and all questions shall be decided by a majority of the trustees present; and in the case of an equality of votes the chairman shall have a casting vote.

(6) The common seal of the trustees shall not be affixed to any deed, contract, agreement, or other document except by authority of a resolution of the trustees, and in the presence of two or more of the trustees, who shall sign an attestation to the effect that the seal was so affixed or attached in their presence.

(7) Subject to this Act, the trustees shall regulate their own procedure.

4. Incorporation and powers of trustees

(1) The trustees shall be a body corporate by the name of "the Trustees of the Tasmanian Museum", with perpetual succession and a common seal and with power to purchase, take, hold, and dispose of land and other property for the purposes of this Act.

(2) The trustees shall, subject to this Act –

(a) have the full management and superintendence of the Tasmanian Museum; and

(b)

(c) do all other acts, except employ persons, that appear to them proper to make the Tasmanian Museum best serve the public as a museum.

(3) The Tasmanian Museum may be called the "Tasmanian Museum and Art Gallery" and the trustees "the Trustees of the Tasmanian Museum and Art Gallery".

4A. Appointment of employees

(1) Subject to and in accordance with the *State Service Act 2000*, persons may be appointed or employed for the purposes of this Act.

(2) The salaries, wages, and allowances payable to all persons appointed or employed pursuant to subsection (1) shall be payable by the trustees out of their funds.

(3)

4B. repealed

5. Property of trustees

(1) Subject to the exercise of their powers the property of the trustees is the property conveyed or transferred to them under the *Tasmanian Museum and Botanical Gardens Act 1950*.

(2) The trustees may, at the request of the Royal Society of Tasmania, convey to that society, either in exchange for or addition to the room of which that society is seised in fee simple by virtue of section four of the *Tasmanian Museum and Botanical Gardens Act 1885*, other sufficient and convenient rooms in the Tasmanian Museum for the safe custody of its library of books and other effects and for its meetings and for all other purposes connected with it.

(3) Except as provided in subsection (2) of this section, the trustees shall not sell, mortgage, charge, or demise any land without the Governor's consent.

5A. repealed

6. Power of trustees to make by-laws, &c.

(1) The trustees shall have power and authority, with the consent of the Governor, to make all such by-laws, rules, and orders touching and concerning the management and good government of the Tasmanian Museum, and the income and property thereof, or any other matter or thing relative to the same, as to them may seem fit for the effectual attainment of the objects of a museum.

(2) The existing by-laws, rules, and orders made under section ten of the *Tasmanian Museum and Botanical Gardens Act 1885* shall continue to apply to the Tasmanian Museum and to the trustees as if they were the trustees under that Act until rescinded under this Act.

7. Trustees to make reports of proceedings

The trustees shall once at least in every year, and also whenever the pleasure of the Governor shall be signified in that behalf, report their proceedings, and the proceedings and the progress of the institution, to the Governor, and a copy of every such report shall be laid before Parliament within thirty sitting days after the same shall have been received.

8. Audit of accounts

Accounts of their expenditure shall be furnished annually by the trustees to the Minister for examination and audit, and in order that an abstract thereof may be published in the *Gazette*.

Table of Amendments

Act	Number and year	Date of commencement
Tasmanian Museum Act 1950	No. 55 of 1950	29.11.1950
Statute Law Revision Act 1958	No. 36 of 1958	24.7.1958
Tasmanian Museum Act 1974	No. 115 of 1974	24.1.1975
Tasmanian Museum Act 1975	No. 7 of 1975	15.5.1975
Tasmanian Museum Act 1976	No. 2 of 1976	28.4.1976
Tasmanian State Service (Miscellaneous Amendments) Act 1984	No. 29 of 1984	1.12.1985
Administrative Arrangements (Miscellaneous Amendments) Act 1990	No. 5 of 1990	1.7.1990
Statute Law Revision Act 1991	No. 46 of 1991	18.12.1991
Workers Compensation (Miscellaneous Amendments) Act 1993	No. 84 of 1993	23.11.1993
State Service (Consequential and Miscellaneous Amendments) Act 2000	No. 86 of 2000	1.5.2001