

TOURIST BOARD ORDINANCE 1962.

No. 16 of 1962.

An Ordinance to provide for the Development,
Control and Management of Tourist Facilities.

[Assented to 8th June, 1962.]

BE it ordained by the Legislative Council for the Northern Territory of Australia, in pursuance of the powers conferred by the *Northern Territory (Administration) Act* 1910-1961, as follows:—

- Short title.** 1. This Ordinance may be cited as the *Tourist Board Ordinance* 1962.
- Commencement.** 2. This Ordinance shall come into operation on a date to be fixed by the Administrator by notice in the *Gazette*.*
- Definitions.** 3. In this Ordinance, unless the contrary intention appears—
- “bank” means a bank within the meaning of the *Banking Act* 1959;
 - “Chairman” means Chairman of the Board;
 - “Deputy Chairman” means Deputy Chairman of the Board;
 - “member” means member of the Board, and includes the Chairman and the Deputy Chairman;
 - “the Board” means the Northern Territory Tourist Board established by this Ordinance.
- Northern Territory Tourist Board.** 4. For the purposes of this Ordinance there shall be a Board to be known as the Northern Territory Tourist Board.
- Incorporation of the Board.** 5.—(1.) The Board shall be a body corporate with perpetual succession and a common seal, and may acquire, hold and dispose of real and personal property and shall be capable of suing and being sued in its corporate name.
- (2.) All courts, judges and persons acting judicially shall take judicial notice of the seal of the board affixed to a document and shall presume that it was duly affixed.
- Constitution of the Board.** 6.—(1.) The Board shall consist of not less than five and not more than seven members who shall be appointed by the Administrator by notice in the *Gazette*.

* The date fixed was 19th September, 1962 (see *Government Gazette* No. 44 of 19th September, 1962, p. 170).

(2.) One of the members shall be the Chairman of the Northern Territory Reserves Board.

(3.) If the Chairman of the Northern Territory Reserves Board is unable to attend a meeting of the Board, he may, by writing under his hand, appoint some other person, being a member of the Northern Territory Reserves Board, to be his deputy at that meeting, and a person so appointed shall be deemed, for the purposes of that meeting, to be a member of the Board.

(4.) The Administrator shall appoint one of the members of the Board to be the Chairman of the Board and one other member to be the Deputy Chairman of the Board.

(5.) Subject to this Ordinance, a member of the Board—

(a) shall hold office for a period of three years from the date of his appointment by the Administrator; and

(b) may, by notice in writing to the Administrator, resign from office as a member of the Board.

(6.) Subject to this Ordinance, the Chairman and the Deputy Chairman—

(a) shall hold office as Chairman and Deputy Chairman, respectively, for a period of three years from the date of their respective appointments by the Administrator; and

(b) may, by notice in writing to the Administrator, resign from office as Chairman or Deputy Chairman, as the case may be.

(7.) A Deputy Chairman who is appointed to be Chairman ceases to be Deputy Chairman immediately before the date of his appointment as Chairman.

(8.) In the event of a member, or the Chairman or Deputy Chairman, ceasing to hold office prior to the termination of his period of appointment, another member, Chairman or Deputy Chairman, as the case requires, may be appointed in his place for the remainder of that period.

(9.) A member of the Board shall receive in respect of his services as member such fees, expenses and allowances as are determined by the Minister.

(10.) Fees, expenses and allowances payable under this section to members of the Board shall be paid by the Board from the funds of the Board.

7.—(1.) Subject to the next succeeding sub-section, the Board shall meet at such times and places as the Chairman, or, during a vacancy in the office of Chairman or when the

Calling of meetings.

Chairman is absent from the Territory or unable by reason of illness or incapacity to perform his duties, the Deputy Chairman, considers necessary for the efficient conduct of its affairs but so that the period between any two successive meetings does not exceed six months.

(2.) The Chairman or, when the Chairman is absent from the Territory or unable by reason of illness or incapacity to perform his duties, the Deputy Chairman shall, within seven days of the receipt of a written request signed by not less than two members, call a meeting of the Board.

(3.) A meeting of the Board shall be deemed not to have been duly called unless—

- (a) at least seven days' notice of the meeting has been given to each member either by telegram or in writing served personally or by post; or
- (b) at least three members, of whom one is the Chairman or the Deputy Chairman, consent to a less period of notice of the meeting.

Procedure at meetings.

8.—(1.) At a meeting of the Board—

- (a) three members, of whom one is the Chairman or the Deputy Chairman, shall form a quorum;
- (b) the Chairman or, in his absence, the Deputy Chairman, shall preside;
- (c) all questions shall be decided by a majority of votes of the members present; and
- (d) the Chairman or, in his absence, the Deputy Chairman shall have a deliberative vote and, in the event of an equality of votes, shall also have a casting vote.

(2.) The Board shall keep a record of its proceedings.

Vacation of office.

9. A member of the Board shall be deemed to have vacated his office—

- (a) if he becomes bankrupt, applies to take the benefit of a law for the relief of bankrupt or insolvent debtors, compounds with his creditors or makes an assignment of his salary or fees for their benefit;
- (b) if he is absent, except on leave granted by the Board, from three consecutive meetings of the Board; or
- (c) if the member is of unsound mind,

10 The exercise of the rights, powers, authorities and functions, or the performance of the duties and obligations, of the Board shall not be affected by reason only of there being a vacancy in the membership of the Board.

Vacancy does not affect exercise of rights, &c.

11.—(1.) The Board may accept a gift, devise or bequest of any property, whether real or personal.

Powers of Board to accept and control bequests and gifts.

(2.) Subject to this section and to any conditions attached to the gift, devise or bequest by which the Board obtains title to any property accepted by the Board under the last preceding sub-section, the Board may—

(a) sell any property so accepted if the property is not required for the purposes of this Ordinance and apply or invest the proceeds of the sale for the purposes of this Ordinance; or

(b) grant a lease of land comprised in property so accepted.

(3.) A lease so granted shall be for a period not exceeding fifty years, but may be renewed.

12. No succession duty shall be payable upon any property given, devised or bequeathed to the Board.

Property given, &c., to Board not subject to succession duty.

13. Subject to this Ordinance, the functions of the Board are—

Functions of the Board.

(a) to develop and foster tourism in the Northern Territory;

(b) to establish and operate tourist bureaux; and

(c) in the case of property comprised in or converted from a gift, devise or bequest accepted by the Board under section eleven of this Ordinance, to control, manage and develop the property in accordance with any conditions attached to the gift, devise or bequest, or, if there are no conditions so attached, as the Board thinks fit for the purposes of this Ordinance.

14.—(1.) Subject to this Ordinance, the Board has such powers as are necessary or convenient for, or incidental to, the performance of its functions.

Powers of the Board.

(2.) Without limiting the generality of the powers of the Board under the last preceding sub-section, the Board may, in the performance of its functions—

(a) hold land or an interest in land;

(b) operate tourist bureaux for the purposes of giving information, advice and assistance to tourists;

- (c) produce maps, photographs, pamphlets, posters, models, films, radio tapes, notice boards, signposts, timetables and other similar devices containing information and publicity about places of interest in the Northern Territory and distribute and display them;
- (d) arrange lectures, talks, interviews and exhibitions for the purposes of informing the public about places of tourist interest in the Northern Territory;
- (e) organize tourist expeditions to places of tourist interest;
- (f) advise and assist persons desiring to establish tourist facilities;
- (g) co-operate with private organizations in co-ordinating services for tourists; and
- (h) co-operate with such persons, authorities or institutions as it thinks fit for the development and protection of, and access to, places of tourist interest.

Board may assess tourist facilities and issue certificates.

15.—(1.) Where the proprietor of tourist facilities invites the Board to inspect them, the Board may do so and may issue to the proprietor a certificate setting out the Board's assessment of the facilities.

(2.) Where the Board has issued such a certificate it may, from time to time, at intervals not exceeding one year, again inspect the facilities in respect of which the certificate has been issued, and issue to the proprietor a fresh certificate based upon the Board's reassessment of the facilities.

(3.) A proprietor to whom a certificate has been issued under this section shall ensure that, in any advertisement relating to his tourist facilities, no reference is made to any assessment by the Board of those facilities other than a reference to the last such assessment made by the Board, being an assessment made not earlier than one year before the date of the advertisement.

Penalty: Fifty pounds.

Employment of persons by the Board.

16.—(1.) Subject to this section, the Board may employ such persons as it thinks necessary to assist the Board in exercising its powers and performing its functions and duties under this Ordinance.

(2.) The terms and conditions of employment (including remuneration) of persons employed under this section shall be such as are determined by the Board.

17 —(1.) There shall be paid to the Board such sums of money as are appropriated by the Parliament, from time to time, for the purposes of the Board.

Moneys to be paid to the Board, &c.

(2.) The Board may expend moneys received by it, whether pursuant to the last preceding sub-section or otherwise, for the purpose of exercising its powers and fulfilling its functions under this Ordinance.

18. The Board shall open and maintain an account with the Reserve Bank of Australia or with such other bank as the Treasurer approves and shall pay all moneys received by it into such an account and may operate on such an account as the Board sees fit.

All moneys to be paid into bank account.

19. The Board shall keep proper accounts and records and shall do all things necessary to ensure that all payments out of its moneys are correctly made and properly authorized and that adequate control is maintained over the assets of the Board and the incurring of liabilities by the Board.

The Board to keep accounts.

20. The accounts of the Board are subject to audit by the Auditor-General for the Commonwealth.

Audit.

21. The Board shall, as soon as practicable after the thirtieth day of June in each year, prepare and forward to the Administrator for laying before the Legislative Council a report on the operations of the Board during the year ending on that date, together with financial accounts, including statements as to the receipts and expenditure and as to assets and liabilities, in respect of that year.

Board to furnish reports.

22. The Administrator in Council may make regulations, not inconsistent with this Ordinance, prescribing all matters which by this Ordinance are required or permitted to be prescribed or which are necessary or convenient to be prescribed for carrying out or giving effect to this Ordinance.

Regulations.