

ROYAL TASMANIAN SOCIETY FOR THE BLIND AND DEAF.

No. 89 of 1963.

AN ACT to provide for the continuation of the Tasmanian Institute for the Blind and Deaf as the Royal Tasmanian Society for the Blind and Deaf, and make provision with respect to the constitution and functions of the society.

[17 December 1963.]

WHEREAS the Tasmanian Institute for the Blind and Deaf ^{Preamble.} is constituted pursuant to the *Tasmanian Blind and Deaf Institute Act 1933* and certain other enactments amending that Act:

And whereas Her Majesty the Queen has been graciously pleased to approve of the use of the prefix "Royal" before the name of the Institute:

And whereas it is desired to change the name of the Institute to the Royal Tasmanian Society for the Blind and Deaf:

And whereas resolutions have been passed at a general meeting of the Institute to the effect that the constitution of the Institute should be amended in certain respects:

And whereas it is expedient to make fresh provision with respect to the name and constitution of the Institute:

Be, it therefore 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—(1) This Act may be cited as the *Royal Tasmanian Society for the Blind and Deaf Act 1963*. Short title
and com-
mencement.

(2) This Act shall commence on the first day of January 1964. Cf. 24 Geo. V
No. 28, s. 1.

Repeal.

2 The *Tasmanian Blind and Deaf Institute Act 1933* and the *Tasmanian Blind, Deaf, and Dumb Institution Act 1949* are repealed.

Change of name.

Cf. ibid., s. 2.

3 The Tasmanian Institute for the Blind and Deaf, constituted under the Acts repealed by this Act and referred to in this Act as "the Institute", is, notwithstanding the repeal of these Acts continued under this Act as a body corporate, with perpetual succession and a common seal, under the name of the Royal Tasmanian Society for the Blind and Deaf, and that society is in this Act referred to as "the Society".

Constitution of the Society.

Ibid., s. 3.

4—(1) Subject to this section, the constitution set forth in the schedule as amended from time to time in accordance with this section shall be the constitution of the Society, and the provisions of that constitution, as so amended, have effect with respect to the constitution, powers, duties, and proceedings of the Society and the officers thereof.

(2) Where a resolution is passed, at a general meeting of the Society convened as prescribed, by a majority of the members of the Society present at that meeting in favour of an amendment of the constitution of the Society, the Governor may, if he considers it desirable so to do, by proclamation, amend the constitution in conformity with that resolution.

Regulations and by-laws.

Ibid., s. 5.

5—(1) The Governor may make regulations for the purposes of this Act, and, in particular, may make regulations providing for and regulating the appointment and election of members of the Board of Management of the Society required to be established under the constitution of the Society.

(2) Subject to this Act and to the constitution of the Society, the Board of Management of the Society constituted in accordance with that constitution may make by-laws—

- (a) regulating the procedure of the Board;
- (b) providing for and regulating meetings of members of the Society; and
- (c) regulating the exercise of any of the powers and duties of the Society.

(3) Without prejudice to the generality of the provisions of subsection (2) of this section, the by-laws made thereunder may—

- (a) provide for and regulate the management, control, and supervision of the property of the Society and any establishment maintained by the Society; and
- (b) regulate the admission of persons to any establishment maintained by the Society, and the care, control, maintenance, and instruction of persons so admitted.

6—(1) The property, rights, and interests that were vested in or held by the Institute immediately before the commencement of this Act shall, on that commencement, continue to be vested in or held by the Society, and any duties, obligations, and liabilities to which, immediately before that commencement, the Institute was subject, shall continue, on that commencement, to be duties, obligations, and liabilities of the Society. Saving and transitory provisions.

(2) The property, rights, and interests referred to in subsection (1) of this section shall, so long as they are vested in or held by the Society, be so vested or held for the purpose of the furtherance of the objects of the Society, and may be sold, disposed of, or otherwise dealt with by the Society in such manner as it thinks fit.

(3) All persons who were members of the Institute immediately before the commencement of this Act shall, on that commencement, continue to be members of the Society.

(4) The Board of Management of the Institute, as constituted immediately before the commencement of this Act, continues after that commencement to be the Board of Management of the Society as if it were duly constituted under the constitution of the Society.

THE SCHEDULE.

(Section 4.)

THE CONSTITUTION OF THE ROYAL TASMANIAN SOCIETY FOR THE BLIND AND DEAF.

1. The name of the Society shall be the Royal Tasmanian Society Title.
for the Blind and Deaf.

2. His Excellency the Governor shall be the Patron of the Society. Patron.

3. The objects of the Society are— Objects.

(a) to promote the education, industrial training, employment, and general advancement in life of the blind and deaf;

(b) to undertake measures for the saving of sight and hearing and the correction of defects of speech;

(c) to provide buildings, premises, equipment, materials, and facilities for any of the purposes mentioned in clause (a) or clause (b) of this paragraph; and

(d) to co-operate with any person or organization having any similar aims for any of the said purposes.

4. The funds of the Society (in this constitution called "the funds") Funds.
comprise subscriptions, collections, donations, and moneys raised by any means for the purposes of the Society, and testamentary gifts, and the proceeds of the sale of work done by the operatives, and moneys provided by Parliament for the purposes of the Society.

5. The affairs of the Society shall be administered and controlled, Adminis-
tration.
subject to this constitution, by the Board of Management of the Society (in this constitution referred to as "the Board").

6—(1) A person who subscribes not less than one pound to the funds becomes a member of the Society and a person continues to be a member of the Society so long as he pays annually a subscription to the funds of not less than one pound. Membership.

(2) The members for the time being of the Tasmanian Braille Writers' Association are members of the Society.

(3) The Board may appoint as a life member of the Society any person who makes a donation of not less than twenty pounds to the funds.

(4) Where a donation of not less than fifty pounds is made to the funds by a body corporate, firm, or partnership, the Board may appoint as a life member of the Society such officer of that body, or such member of that firm or partnership, as that body, firm, or partnership (as the case may be) may nominate in writing for that purpose.

(5) The Board may appoint as a life member of the Society any person who, or the representative of any body of persons which, in the opinion of the Board, has rendered meritorious service to the Society.

(6) A person appointed by the Governor as a member of the Board is a member of the Society for so long as he remains a member of the Board by virtue of being so appointed.

The Board of Management.

7—(1) The Board shall consist of fifteen persons, of whom—

- (a) six shall be persons appointed by the Governor;
- (b) six shall be members of the Society elected, as prescribed, by members of the Society;
- (c) one shall be a member of a ladies' auxiliary elected, as prescribed, by members of the Society;
- (d) one shall be an adult blind person who is not employed by, or resident in any establishment maintained by, the Society, elected as prescribed by adult blind persons; and
- (e) one shall be a person appointed by the Governor on the nomination of the Tasmanian Braille Writers' Association.

(2) A reference in clause (d) of sub-paragraph (1) of this paragraph to an adult blind person shall be construed as a reference to a person whose settled or usual place of abode is in this State and who—

- (a) has attained the age of twenty-one years; and
- (b) is in receipt of, or qualified to receive, a pension on account of permanent blindness under the *Social Services Act* 1947-1963 of the Commonwealth, or under that Act as amended from time to time or any Commonwealth Act passed in substitution for that Act.

(3) Appointments and elections of persons to be members of the Board shall be made annually.

(4) Subject to this constitution, the term of office of a member of the Board expires on the annual election of members made in the third year following that in which he was last appointed or elected as a member of the Board.

(5) Where a member of the Board dies or ceases to hold office otherwise than by reason of the effluxion of time, the person appointed or elected to fill the vacancy shall hold office only for the unexpired portion of the term of office of the member in whose place he is appointed.

(6) A person who is a member of the Board and who, by reason of the expiration of his term of office, would otherwise cease to be a member of the Board may be appointed or elected as a member of the Board for a further term of office.

(7) A person who is elected a member of the Board may resign his office by notice in writing given to the Board.

(8) The term of office of any member of the Board who holds office immediately before the annual election held in the year 1964 expires on that annual election.

(9) The following provisions have effect with respect to members appointed or elected at the annual elections or appointments made in the year 1964:—

- (a) The term of office of the following of those members expires on the annual election held in the year 1965, that is to say:—
 - (i) Two of the appointed members named by the Governor in that behalf;
 - (ii) Two of the elected members nominated in that behalf; and
 - (iii) The member elected under clause (c) of sub-paragraph (1) of this paragraph;
- (b) The term of office of the following of those members expires on the annual election held in the year 1966, that is to say:—
 - (i) Two of the appointed members named by the Governor in that behalf;
 - (ii) Two of the elected members nominated in that behalf; and
 - (iii) The member appointed under clause (e) of sub-paragraph (1) of this paragraph; and
- (c) The term of office of the remaining members expires on the annual election held in the year 1967.

(10) A nomination of an elected member may be made for the purposes of sub-paragraph (9) of this paragraph at the annual meeting of the Society held in the year 1964 by the person acting as chairman of that meeting or, if that nomination is not then made, by the Board at any subsequent time.

(11) In this paragraph—

- “appointed member” means a member of the Board appointed under clause (a) of sub-paragraph (1) of this paragraph;
- “elected member” means a member of the Board elected under clause (b) of that sub-paragraph;
- “ladies’ auxiliary” means a ladies’ auxiliary of the Society constituted with the approval of the Board.

8—(1) Five members of the Board form a quorum at any meeting of the Board. Proceedings of Board.

(2) The Board may function, notwithstanding a vacancy in its membership, so long as not less than seven members remain in office.

(3) Subject to this constitution and the by-laws of the Board, the Board may regulate its own proceedings.

9—(1) The Board may, in its discretion, appoint trustees and such officers and servants as it may consider necessary for carrying out the objects of the Society and, out of the funds, may pay to any trustee, officer, or servant so appointed such remuneration (if any) as the Board may determine. Trustees, officers, &c.

(2) A trustee appointed under this paragraph shall be appointed for such term, not exceeding five years, as the Board on appointing him may so determine, and, on the expiration of his term of office, is eligible for reappointment under this paragraph.

10. The Board may, on such security and subject to such terms and conditions as it may think fit, advance money to— Advances to other bodies.

- (a) the Tasmanian Braille Writers’ Association;
- (b) the Adult Deaf Society of Tasmania; and
- (c) such other association, society, or body (if any) as the Board may determine (being an association or a society or body the principal object or one of the principal objects of which is the care or welfare of blind or deaf persons).

11. The Board may invest any part of its funds in any manner in which trustees are authorized by law to invest trust funds in their hands. Investment of funds.