

THE TERRITORY FOR THE SEAT OF GOVERNMENT.

No. 23 of 1928.

AN ORDINANCE

**To provide for the Regulation and Protection of
Public Parks and Recreation Reserves and for
other Purposes.**

BE it ordained by the Governor-General of the Commonwealth of Australia, with the advice of the Federal Executive Council, in pursuance of the powers conferred by the *Seat of Government Acceptance Act* 1909 and the *Seat of Government (Administration) Act* 1910, as follows:—

1. This Ordinance may be cited as the *Public Parks Ordinance* Short title.
1928.

2. The *Parks and Gardens Ordinance* 1918 and the *Recreation* Repeal.
Land Leases Ordinance 1923 are repealed.

3. In this Ordinance, unless the contrary intention appears— Definitions.
“Public Park” means any land declared in pursuance of this
Ordinance to be a public park or recreation reserve;
“Ranger” means a ranger appointed under this Ordinance;
“the Commission” means the Federal Capital Commission.

4. The Commission may, by notice published in the *Gazette*, Declaration of
declare any unleased land belonging to the Commonwealth or the public parks.
Commission to be a public park or recreation reserve.

5. The Commission may appoint such rangers as it thinks Rangers.
necessary for the purposes of this Ordinance.

6.—(1.) The Commission may appoint persons to be trustees Trustees of
of any public park, and may remove any trustee from office. public parks.

(2.) Any such trustees appointed and their successors shall be
a body corporate.

(3.) All bodies corporate constituted in pursuance of this
section shall, under their respective corporate names, as determined
by the Commission, have 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.

7. If any trustee appointed under this Ordinance dies or Vacancies
resigns or is removed from office, the Commission may appoint a among
new trustee in his place. trustees.

3151.—PRICE 3D.

Vesting of lands
in trustees.

8. The Commission may, by order published in the *Gazette*, vest in any body corporate constituted under this Ordinance in respect of any public park, any estate of leasehold in the lands comprised in that park.

Persons
reasonably
suspected
of breach of
regulations to
give name and
address.

9.—(1.) A Member of the Police Force or a ranger may require any person reasonably suspected of having committed, or of being about to commit, a breach of this Ordinance or the regulations thereunder, to give his name in full and place of abode.

(2.) Any person who, after being so required, refuses or fails to give his real name or place of abode shall be guilty of an offence:

Penalty: Ten pounds.

(3.) Any such member of the Police Force or ranger may arrest without warrant any person reasonably suspected of having acted in contravention of this section, and may keep him in such custody as he thinks fit until he can be dealt with according to law.

Determination
of leases.

10.—(1.) All leases of land granted under the *Recreation Land Leases Ordinance 1923* are determined.

(2.) Notwithstanding anything contained in any such lease, all improvements existing on the land the subject of the lease and made thereto by the persons to whom the lease was granted (in this section referred to as "the lessees") and all moneys received in respect of the land and unexpended by the lessees shall be vested in the Commission, and shall be recoverable by the Commission from the lessees in any Court of Petty Sessions.

(3.) The lessees of any land, the lease of which is determined by this section, shall, when and as required to do so by the Commission furnish to the Commission:—

(a) accounts of all moneys received and expended by them in respect of the land; and

(b) all books, papers and documents in relation to the lease which are in their possession or control;

Penalty: Twenty pounds.

(4.) The determination of any lease by this section shall not relieve the lessees of any liability incurred by them under the lease prior to its determination.

(5.) Any right granted by the lessees to any person in pursuance of any lease determined by this section shall continue to be exercisable by that person and in respect of the exercise of the right the Commission shall be substituted for the lessees.

Removal of
trustees of
land, &c.

11.—(1.) The land described in the Schedule to this Ordinance which by notice published in the *New South Wales Government Gazette* Number 121 of the 20th March, 1882, was, in pursuance of the fourth section of the *Crown Lands Alienation Act* of 1861 of the State of New South Wales, reserved from sale for public recreation, shall cease to be subject to the provisions of the *Public Trusts Act 1897*, and the *Public Parks Act 1902*, of the State of New South Wales,

(2.) The trustees of the land referred to in the last preceding sub-section appointed under the *Public Trusts Act, 1897*, or the *Public Parks Act, 1902*, of the State of New South Wales and holding office at the commencement of this Ordinance shall cease to hold office as such trustees.

12. The Commission may make regulations, not inconsistent ^{Regulations.} with this Ordinance, prescribing all matters which are required or permitted to be prescribed, or which are necessary or convenient to be prescribed for giving effect to this Ordinance, and in particular for providing for and in relation to—

- (a) the protection of public parks;
- (b) the regulation of the use and enjoyment of public parks;
- (c) the admission of, and the charges for the admission of, the public to, and the conduct of the public in, public parks;
- (d) the powers and duties of the trustees of any public park, and the regulation of their meetings and the conduct of business thereat;
- (e) the powers which may be exercised by any ranger or other person in respect of any public park;
- (f) the imposition of penalties, not exceeding Fifty pounds or imprisonment for three months, for breaches of the regulations.

THE SCHEDULE.

County of Murray, Parish of Ginninderra, Village of Ginninderra, area about 10½ acres; The Crown lands within the following boundaries: Commencing at the intersection of the right bank of Hall's Creek with the south-west side of Hall Street; and bounded thence on the north-east of that side of that street bearing north-westerly to the south-east side of Gladstone Street; thence by that side of Gladstone Street bearing south-westerly to the north-east side of Victoria Street; thence by that side and a western side of that street bearing south-easterly and southerly to Hall's Creek aforesaid; and thence by that creek upwards to the point of commencement.

Dated this eleventh day of December, One thousand nine hundred and twenty-eight.

STONEHAVEN

Governor-General.

By His Excellency's Command,

C. L. A. ABBOTT

Minister of State for Home Affairs.

By Authority: H. J. GREEN, Government Printer, Canberra.