
National Exhibition Centre Trust Ordinance 1982

No. 37 of 1982

I, THE GOVERNOR-GENERAL of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, hereby make the following Ordinance under the *Seat of Government (Administration) Act 1910*.

Dated 25 June 1982.

ZELMAN COWEN
Governor-General

By His Excellency's Command,

MICHAEL HODGMAN
Minister of State for the Capital Territory

An Ordinance to amend the *Canberra Showground Trust Ordinance 1976*

Short title

1. This Ordinance may be cited as the *National Exhibition Centre Trust Ordinance 1982*.¹

Commencement

2. This Ordinance shall come into operation on 1 July 1982.

Principal Ordinance

3. (1) In this Ordinance, "Principal Ordinance" means the *Canberra Showground Trust Ordinance 1976*.²

(2) The Principal Ordinance, as amended by this Ordinance, may be cited as the *National Exhibition Centre Trust Ordinance 1976*.

Long title

4. The title of the Principal Ordinance is repealed and the following title substituted:

"An Ordinance to establish a National Exhibition Centre Trust".

Interpretation

5. Section 2 of the Principal Ordinance is amended—

- (a) by omitting the definition of “approved bank”;
- (b) by omitting the definition of “Canberra Showground”;
- (c) by omitting the definition of “Legislative Assembly”;
- (d) by inserting after the definition of “member” the following definition:
 “‘National Exhibition Centre’ means the land described in the Schedule;”;
- (e) by omitting “*Public Service Act 1922-1975*” from the definition of “Public Service Board” and substituting “*Public Service Act 1922*”; and
- (f) by omitting “Canberra Showground Trust” from the definition of “Trust” and substituting “National Exhibition Centre Trust”.

6. Section 3 of the Principal Ordinance is repealed, and the following section is substituted:

Establishment of Trust

“3. (1) There shall be a body to be known as the National Exhibition Centre Trust.

“(2) The body that existed by virtue of the section for which this section was substituted, under the name of the Canberra Showground Trust continues in existence, by force of this sub-section, under the name of the National Exhibition Centre Trust.

“(3) The alteration of name effected by sub-section (2) does not affect any property, powers, rights, authorities, duties, functions, liabilities or obligations of the Trust continued in existence by force of that sub-section or render defective any legal or other proceedings instituted or to be instituted by or against the Trust, and any legal or other proceedings may be continued or commenced by or against the Trust by the name of the National Exhibition Centre Trust that might have been continued or commenced by or against the Trust by the name of the Canberra Showground Trust.

“(4) All courts, judges and persons acting judicially shall take judicial notice of—

- (a) the seal of the National Exhibition Centre Trust affixed to a document after the commencement of this section; and
- (b) the seal of the Canberra Showground Trust affixed to a document before the commencement of this section.”.

Functions of Trust

7. Section 4 of the Principal Ordinance is amended—

- (a) by omitting from paragraph (a) “Canberra Showground” and substituting “National Exhibition Centre”;

- (b) by omitting from paragraph (b) "Canberra Showground" and substituting "National Exhibition Centre";
- (c) by omitting from paragraph (c) "Canberra Showground" and substituting "National Exhibition Centre"; and
- (d) by omitting from paragraph (d) "Canberra Showground" and substituting "National Exhibition Centre".

Powers of Trust

8. Section 5 of the Principal Ordinance is amended—

- (a) by omitting paragraph (1) (e);
- (b) by omitting from paragraph (1) (f) "Canberra Showground" (wherever occurring) and substituting "National Exhibition Centre";
- (c) by omitting from paragraph (1) (g) "Canberra Showground" and substituting "National Exhibition Centre";
- (d) by omitting from paragraph (1) (h) "Canberra Showground" and substituting "National Exhibition Centre";
- (e) by omitting from paragraph (1) (j) "Canberra Showground" and substituting "National Exhibition Centre";
- (f) by omitting from paragraph (1) (k) "Canberra Showground" and substituting "National Exhibition Centre";
- (g) by omitting from paragraph (1) (l) "Canberra Showground" and substituting "National Exhibition Centre";
- (h) by omitting from paragraph (2) (a) "Australia" and substituting "the Commonwealth";
- (i) by inserting after paragraph (2) (a) the following paragraph:
 - "(aa) erect buildings on the National Exhibition Centre or on land held by the Trust under lease;"; and
- (j) by omitting from paragraph (2) (b) "\$200,000" and substituting "\$50,000".

9. Section 6 of the Principal Ordinance is repealed and the following section is substituted:

Policy

"6. (1) The Minister may give directions to the Trust with respect to the general policy, including the financial policy, to be adopted by the Trust and the Trust shall comply with any directions so given.

"(2) Subject to any directions given by the Minister under sub-section (1), the Trust shall pursue a financial policy directed towards securing revenue sufficient to meet all its expenditure properly chargeable against revenue."

Constitution of Trust

10. Section 7 of the Principal Ordinance is amended by omitting from sub-section (2) "Authority" and substituting "Trust".

Membership of Trust

11. Section 8 of the Principal Ordinance is amended—

- (a) by omitting sub-sections (2), (4) and (5); and
- (b) by omitting from sub-section (6) “, other than the member referred to in paragraph (2) (a),”.

12. Section 13 of the Principal Ordinance is repealed and the following section is substituted:

Disclosure of pecuniary interest

“13. (1) A member who has a direct or indirect pecuniary interest in a matter being considered or about to be considered by the Trust shall, as soon as possible after the relevant facts have come to his knowledge, disclose the nature of his interest at a meeting of the Trust.

“(2) A disclosure under sub-section (1) shall be recorded in the minutes of the meeting of the Trust and the member shall not, unless the Minister or the Trust otherwise determines—

- (a) be present during any deliberation of the Trust with respect to that matter; or
- (b) take part in any decision of the Trust with respect to that matter.

“(3) For the purpose of making a determination by the Trust under sub-section (2) in relation to a member who has made a disclosure under sub-section (1), a member who has a direct or indirect pecuniary interest in a matter to which the disclosure relates shall not—

- (a) be present during any deliberation of the Trust for the purpose of making the determination; or
- (b) take part in the making by the Trust of the determination.”.

Repeal

13. Section 14 of the Principal Ordinance is repealed.

Acting appointments

14. Section 16 of the Principal Ordinance is amended—

- (a) by omitting from sub-section (1) “Authority” and substituting “Trust”; and
- (b) by omitting sub-sections (4) and (5).

Repeal

15. Sections 19, 20 and 21 of the Principal Ordinance are repealed.

Application of moneys

16. Section 22 of the Principal Ordinance is amended—

- (a) by omitting from sub-section (1) “Subject to sub-section (2), the” and substituting “The”;
- (b) by adding at the end of paragraph (1) (a) “and”;

- (c) by omitting from paragraph (1) (b) “and” (last occurring);
- (d) by omitting paragraph (1) (c); and
- (e) by omitting sub-sections (2) and (3).

Repeal

17. Sections 23, 24 and 25 of the Principal Ordinance are repealed.

Profits of the Trust

18. Section 26 of the Principal Ordinance is amended—

- (a) by omitting from sub-section (1) “commercial”;
- (b) by omitting sub-section (2) and substituting the following sub-section:
“(2) The profits of the Trust for a financial year shall be applied in such manner as the Minister of State for the Capital Territory, in consultation with the Minister of State for Finance, determines.”; and
- (c) by omitting from sub-section (3) “Finance” and substituting “the Capital Territory”.

Estimates

19. Section 27 of the Principal Ordinance is amended—

- (a) by inserting in sub-section (1) “income and” after “of its”; and
- (b) by omitting sub-sections (2) and (3) and substituting the following sub-section:
“(2) Estimates prepared in accordance with sub-section (1) shall be submitted to the Minister not later than such date as the Minister directs.”.

Power to make by-laws

20. Section 28 of the Principal Ordinance is amended—

- (a) by omitting from sub-section (1) “control of the Canberra Showground” and substituting “control of the National Exhibition Centre”;
- (b) by omitting from paragraph (1) (a) “Canberra Showground” and substituting “National Exhibition Centre”;
- (c) by omitting from paragraph (1) (b) “Canberra Showground” and substituting “National Exhibition Centre”;
- (d) by omitting from paragraph (1) (c) “Canberra Showground” and substituting “National Exhibition Centre”; and
- (e) by omitting from sub-section (2) “*Interpretation Ordinance 1967-1975*” and substituting “*Interpretation Ordinance 1967*”.

Schedule

21. The Schedule to the Principal Ordinance is amended by omitting the heading “DESCRIPTION OF CANBERRA SHOWGROUND” and substituting the heading “DESCRIPTION OF NATIONAL EXHIBITION CENTRE”.

Application

22. The Principal Ordinance, as amended by this Ordinance, applies to and in relation to a determination made by the Minister of State for Finance under section 26 of that Ordinance, as in force at any time before the commencement of this Ordinance, as if—

- (a) this Ordinance had been in operation when the determination was made; and
- (b) the determination had been made by the Minister of State for the Capital Territory.

NOTES

1. Notified in the *Commonwealth of Australia Gazette* on 30 June 1982.
2. No. 1, 1976 as amended by No. 61, 1976; Nos. 11 and 46, 1978; No. 26, 1980; Act No. 74, 1981.