

MUSEUM.

No. 90 of 1969.

AN ACT to make provision for the re-establishment, control and management of the Western Australian Museum, the preservation of Historic Wrecks and for incidental and other purposes.

[Assented to 17th November, 1969.]

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and the Legislative Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

PART I—PRELIMINARY.

1. This Act may be cited as the *Museum Act*, Short title.
1969.

2. (1) Subject to subsection (2) of this section, this Act shall come into operation on a date to be fixed by proclamation. Commence-
ment.

(2) It is not necessary that the whole of this Act be proclaimed to come into operation on the one day and the several Parts and sections may be proclaimed to come into operation on such respective dates as are fixed by proclamation.

Parts.

3. This Act is divided into Parts, as follows—

PART I—PRELIMINARY, Ss. 1-6.

PART II—FUNCTIONS AND ADMINISTRATION OF THE MUSEUM, Ss. 7-28.

PART III—PROPERTY AND FINANCE, Ss. 29-35.

PART IV—BRANCHES AND MUNICIPAL MUSEUMS, Ss. 36-37.

PART V—HISTORIC WRECKS, Ss. 38-42.

PART VI—METEORITES, Ss. 43-45.

PART VII—MISCELLANEOUS, Ss. 46-51.

Repeal.

4. The Museum Act, 1959-1964 is repealed.

Acts to be construed subject to legislative power of the State.

5. This Act shall be read and construed subject to the limits of the legislative powers of the State and so as not to exceed those powers, to the intent that where anything enacted in this Act would, but for the provisions of this section, be construed as being in excess of those powers, it shall nevertheless be a valid enactment to the extent to which it is not in excess of those powers.

Interpretation.

6. In this Act, unless a contrary intention appears—

“Board” means The Western Australian Museum Board, constituted under the Museum Act, 1959;

“Director” means the person appointed Director of the Museum under section 18 of this Act;

“Honorary Associate” means a person appointed an Honorary Associate of the Museum under section 23 of this Act;

“historic wreck” means—

- (a) any ship mentioned in the Schedule to this Act; and
- (b) any other ship that was, or appears likely to have been, abandoned, wrecked or stranded before the year nineteen hundred and that is lying below low water mark in the territorial waters of the State that has not been declared under section 41 of this Act as not being an historic wreck for the purposes of this Act,

and any part of the hull, equipment, machinery, weaponry or other article of any class or kind belonging to, separated from, or that came from, any such ship and that is so lying;

“meteorite” means a natural mass containing crystalline matter that has fallen from extra terrestrial space upon the earth;

“Museum” means the body corporate constituted by section 7 of this Act;

“Trustees” means the Trustees of the Museum appointed pursuant to section 10 of this Act.

PART II—FUNCTIONS AND ADMINISTRATION OF THE MUSEUM.

7. (1) A body, known as “The Western Australian Museum” and consisting of the Trustees, is constituted. Western
Australian
Museum
constituted.

(2) The Museum is a body corporate, with perpetual succession and a common seal and, in its corporate name, is capable of suing and being sued and, subject to this Act, has power to acquire, hold

and dispose of real and personal property and may do and suffer all such acts and things as bodies corporate may do and suffer.

Common
Seal.

8. (1) The common seal of the Museum shall be kept in such custody as the Trustees may direct and shall not be used except upon a resolution of the Trustees or as may be authorised by the regulations.

(2) All courts and persons acting judicially shall take judicial notice of the common seal of the Museum affixed to any document and shall, in the absence of proof to the contrary, presume that it was duly affixed.

Functions of
Museum.

9. The functions of the Museum include the following—

- (a) to encourage, and to provide facilities for, the wider education of the community of the State, through the display and other use of collections and through knowledge derived from collections;
- (b) to make and preserve on behalf of the community of the State collections representative of the Aborigines of the State, the history of the exploration, settlement and development of the State, the natural history of the State and such other collections which the Trustees think necessary for the wider understanding of those matters and for the educational function of the Museum;
- (c) to aid the advancement of knowledge through research into collections and into such other matters as the Trustees think relevant to that purpose and by publishing the results of research;
- (d) to provide facilities to encourage the interest of persons and bodies in the State in the culture and history of the Aborigines

of the State, in the history and natural history of the State and in anything allied to those matters;

- (e) to aid the work of universities, State and Commonwealth institutions and schools, and independent schools by the exercise of such of the Museum's functions as the Trustees may approve;
- (f) to train employees of the Museum and such other persons as the Trustees may approve in the making, caring for, researching into and the employment for education of collections of the Museum.

10. The Museum shall be governed by seven Trustees including the chairman and vice-chairman, all appointed by the Governor. Government of Museum.

11. (1) Subject to the succeeding provisions of this section, a person appointed as Trustee holds office for four years and is eligible for reappointment. Tenure of office by Trustees.

(2) A person appointed to fill a casual vacancy in the office of Trustee holds office for the unexpired portion of the term of office of the Trustee in whose place he is appointed.

(3) Of the Trustees first appointed on the coming into operation of this Act, three Trustees, designated by the Governor, hold office for two years.

12. (1) A casual vacancy in the office of Trustee occurs, if a Trustee— Casual vacancies.

- (a) dies;
- (b) tenders his resignation from office in writing under his hand to the Governor and the resignation is accepted;
- (c) absents himself from three consecutive ordinary meetings of the Trustees, without having obtained leave of absence from them;

(d) is removed from office by the Governor;
or

(e) is incapable of continuing as a Trustee.

(2) The Governor may appoint a Trustee on the happening of any casual vacancy.

(3) The Trustees may grant leave of absence to one of their number on such terms and conditions as they determine.

Trustees may
act notwith-
standing a
vacancy.

13. The exercise of a power or the performance of a function by the Trustee is not invalidated by reason only of there being a vacancy or vacancies in the office of Trustee or by reason of a defect or irregularity in, or in connection with, the appointment of any of them.

Deputies of
Trustees.

14. (1) The Governor may, in respect of each Trustee, appoint a person as deputy of that Trustee and a person so appointed has, in the absence of the Trustee, all the powers that might have been exercised by that Trustee had he been present.

(2) The appointment of, and an act done by, a deputy of a Trustee in that capacity shall not be questioned on the ground that the occasion for his appointment has not arisen or no longer exists.

Chairman
and
vice-chair-
man.

15. (1) The Governor may appoint one of the Trustees to be chairman and another as vice-chairman and each holds office during his term of office as Trustee and no longer.

(2) The chairman or vice-chairman may resign his office as such by notice in writing under his hand to the Governor.

(3) When a Trustee ceases to hold office as chairman or vice-chairman, as the case may be, before the expiration of the term of his office as Trustee, the Governor may appoint another Trustee to be chairman or vice-chairman for the unexpired

portion of the term of office of the person in whose place he is appointed.

16. (1) The chairman or, in his absence, the vice-chairman shall preside at all meetings of the Trustees. Chairman to preside.

(2) Where both the chairman and the vice-chairman are absent from a meeting, the Trustees then present shall elect one of their number to preside at the meeting and the person so elected has, during the absence of the chairman or vice-chairman, all the powers of the chairman.

17 The Trustees shall conduct their proceedings in such manner as may be prescribed and, until prescribed, in such manner as they may determine; but, in any event,— Proceedings of Trustees.

- (a) four Trustees constitute a quorum for the conduct of business;
- (b) each Trustee, including the Trustee who presides at a meeting, has one vote only on the determination of any question; and
- (c) the majority of the votes of the Trustees present determines a question and, where there is an equality of votes for and against a motion, the motion is lost.

18. (1) The Trustees shall appoint a person to be, and may terminate the appointment of a person as Director of the Museum. Director to be Chief Executive Officer.

(2) The Director is the chief executive officer of the Museum and shall hold office on such conditions as may be determined by the Trustees and approved by the Minister.

(3) The Director has such powers and duties as are conferred and imposed upon him by this Act and by resolution of the Trustees and, unless otherwise expressly provided by the regulations or the resolution, the Director may delegate any of those powers or duties except this power of delegation to any person or to a committee of persons. "This Act" c.f. Act No. 30, 1918, s. 4

Delegation
by Trustees.

19. (1) The Trustees may, with the consent in writing of the Minister, in relation to any matter or class of matters, or in relation to any activity or function of the Museum, by resolution, delegate all or any of its powers, authorities, duties and functions under this Act, except this power of delegation and its powers in relation to the making of regulations, to any person or committee of persons.

(2) The Trustees may, by resolution, revoke a delegation given under this section and a delegation so given does not prevent the exercise or discharge by the Trustees of any of their powers, authorities, duties and functions.

(3) A committee appointed by the Trustees pursuant to this section shall report to the Trustees on its activities at such times as they may direct.

Trustees to
manage
Museum.

20. Subject to this Act, the Trustees have the management and control of the property and affairs of the Museum and may do all such acts and things as, in their opinion, are best calculated to carry out the functions of the Museum.

Preservation
of rights of
Trustees.

21. A Trustee or deputy for a Trustee is not, in his capacity as Trustee or deputy, a public servant under the provisions of the Public Service Act, 1904, but where a person is, at the time of his appointment as Trustee or deputy under this Act, a public servant the appointment shall not prejudice his rights under the Public Service Act, 1904, or under any other Act applying to him as a public servant.

Trustees, etc.,
exempt from
personal
liability.

22. A person who is, or has been a Trustee, deputy of a Trustee or Director appointed under this Act is not personally liable for anything done, or omitted to be done, in good faith, in, or in connection with, the exercise or purported exercise of any power conferred or the carrying out of any duty imposed on him by this Act.

23. Subject to this Act, the Trustees may appoint a person to the office of Honorary Associate to the Museum, to hold office during the Trustees' pleasure.

Trustees may
appoint
Honorary
Associates.

24. Every Trustee, deputy of a Trustee, Honorary Associate and member of a committee set up pursuant to this Act is entitled to such travelling and other expenses as the Governor may from time to time determine.

Payment of
expenses.

25. The Trustees—

General
powers of
Trustees.

- (a) shall undertake the care and control of the Museum and of all lands and premises vested in it or committed to its care and control;
- (b) shall undertake the care and control of all specimens, exhibits and other personal property acquired for the purposes of the Museum;
- (c) shall receive and apply all moneys received by them for the purposes of the Museum;
- (d) may, subject to this Act and to any award or agreement made or in force under the Industrial Arbitration Act, 1912, appoint, suspend, and terminate the appointment of, a member of the staff or other employee and direct that any appointment be subject to such terms and conditions as the Trustees think fit;
- (e) have the entire control and management of the affairs, concerns and property of the Museum;
- (f) may for any service or purpose, or for admission to any buildings or land of the Museum, or any part thereof, require the payment of such a fee or charge as the Trustees determine; and
- (g) may act in all matters concerning the Museum, in such manner as appears to the Trustees best calculated to promote its objects and interests.

Preservation
of rights
of certain
staff and
employees.

26. Where a person appointed to the staff, or appointed an employee of the Museum was, immediately prior to his appointment, in the service of a department of the State, he retains any rights that may have accrued to him under the Act pursuant to which he was then serving and, in particular, his rights, if any, under the Superannuation and Family Benefits Act, 1938.

Superannua-
tion.

27. (1) The Trustees may seek the inclusion of the Museum as a body corporate within the term, "department", under the Superannuation and Family Benefits Act, 1938, and the Treasurer may, upon the Museum complying with the provisions of that Act, approve of the inclusion of the Museum, accordingly.

(2) A member of the staff or other employee of the Museum is not obliged to become a contributor under the Superannuation and Family Benefits Act, 1938.

(3) Without limiting the operation of the preceding provisions of this section, the pension, superannuation and benefit scheme established by the Board, administered by trustees appointed by the Board as employer and known as the Western Australian Museum Scientific Staff Superannuation Plan is, by this subsection, ratified and, subject to subsection (4) of this section, continued; and, for the purposes of that scheme, the Museum is deemed to be the employer and the trustees of the scheme are responsible to the Trustees for its administration.

(4) Without affecting the rights of persons who are, on the coming into operation of this Act contributors under the scheme mentioned in subsection (3) of this section, a person shall not be permitted to become a contributor under that scheme unless he is authorised, or is of a class authorised, by the Treasurer, to become a contributor.

28. On the coming into operation of this Act—

Staff and employees of the board to be employed by Trustees.

- (a) all members of the staff holding office, and employees employed, in the Museum are deemed to have been appointed or engaged by the Trustees;
- (b) all accrued or accruing rights of members of the staff and other employees of the Board remain unimpaired and continue for the purpose of their employment by the Museum;
- (c) the Board is freed and discharged of all liabilities and obligations as regards persons employed by the Museum and those liabilities and obligations shall devolve upon the Museum and their fulfilment be undertaken by the Trustees on its behalf; and
- (d) a reference in any other Act to the Board shall be read and construed as a reference to the Museum.

PART III—PROPERTY AND FINANCE.

29. All land and buildings vested in the Board under the Museum Act, 1959, cease to be so vested and are vested in the Museum for an estate in fee simple without the necessity of transfer or conveyance.

Land etc. vested.

30. (1) The Governor may, on the recommendation of the Minister, by Order in Council, vest in the Museum any land then reserved to Her Majesty under the Land Act, 1933, for museums, for any other public purpose related to the functions of the museum.

Power to vest lands.

(2) The Trustees shall use any land vested pursuant to this section for the purposes that it was so vested and administer it for and on behalf of the Museum.

(3) The Museum shall not, without the consent of the Governor, sell, exchange, lease, charge, mortgage or encumber any land, or any part of, or any estate or interest in, any land vested in it.

Land
exempted
from taxes,
rates etc.

31. A tax or rate shall not be charged or levied on any land vested in the Museum, unless the land is leased to, or occupied by, some other person for a purpose that is not directly related to the carrying out by the Museum of any of its functions under this Act.

Vesting of
movables.

32. (1) All moneys and movables in the possession or control of, or vested in, the Board, are by this section transferred to, and vested in, the Museum.

(2) All contracts entered into, and all rights enjoyed by, the Board, relating to the Museum, are deemed to have been entered into and enjoyed by the Museum and the Museum shall, in respect of those things, take and exercise all the powers, rights, duties, liability and immunities of the Board.

Financial
provisions.

33. (1) The funds necessary for the effectual exercise by the Museum of the powers conferred and the duties imposed on it by this Act consist of—

- (a) moneys from time to time appropriated by Parliament for the purpose;
- (b) the proceeds of the disposal of or dealing with any property that the Museum is authorised to effect under the provisions of this Act;
- (c) the proceeds of investment of any moneys standing to the credit of the Western Australian Museum Account that are not required for immediate use;

- (d) moneys from time to time derived by the Trustees as income from the management and control of the Museum;
- (e) gifts, devises and bequests made to the Museum; and
- (f) such moneys as vest in the Museum under the provisions of section 32 of this Act.

(2) The moneys referred to in subsection (1) of this section shall be paid into, and be placed to the credit of, an account at the Treasury to be called the "Western Australian Museum Account".

(3) All expenditure incurred by the Museum, for the purpose of giving effect to this Act, shall be paid from the Western Australian Museum Account.

34. Where any moneys standing to the credit of the Western Australian Museum Account are not immediately required for the purposes of this Act, the Trustees may invest them in any investment authorised by law as those in which trust funds may be invested.

Power to invest certain moneys.

35. (1) The Trustees shall, in each year, furnish to the Minister a report of the activities of the Museum during the year ending on the preceding thirtieth day of June, containing a full account of the income and expenditure of the Museum, audited by the Auditor General.

Financial report.

(2) The Auditor General has, in respect of the accounts of the Museum, all powers conferred on him by any law for the time being in force relating to the audit of public accounts.

(3) The Minister shall cause a copy of every report received by him pursuant to this section to be laid before each House of Parliament.

PART IV—BRANCHES AND MUNICIPAL MUSEUMS.

Establish-
ment of
branch
museums.

36. (1) The Trustees are authorised to establish a branch of the Museum within the municipal district of the City of Fremantle.

(2) The Trustees may, with the authority of the Governor, establish branches of the Museum at such places as the Governor may approve.

Municipal
museums.

37. (1) Where a local authority proposes to establish, or has established, a municipal museum, under the provisions of the Local Government Act, 1960, it may apply to the Trustees for their recognition of the museum.

(2) The recognition by the Trustees of a municipal museum has the effect of enabling them to assist in the establishment or maintenance of the museum or both, by—

- (a) the deposit in the municipal museum of specimens and other objects for exhibition; and
- (b) the extension to it of the professional and technical services of the Museum, to maintain, restore, and advise on the display of, specimens and exhibits.

(3) The Trustees shall not extend recognition to a municipal museum, unless they are satisfied that—

- (a) the site of the museum or proposed museum is satisfactory for the purpose and is vested in the local authority;
- (b) the museum is or will be governed by a committee of the local authority comprising, among others, the Director or his deputy and a person appointed by the Director-General of Education; and
- (c) the museum will be maintained at a standard approved by the Trustees and agreed to by the local authority.

(4) Where a municipal museum to which recognition has been extended by the Trustees is not maintained or is not maintained at the approved and agreed standard, the Trustees may withdraw their recognition of it and, if the Minister so directs, all specimens and objects comprised in the collection of the municipal museum that were not so comprised at the time that recognition was so extended to the municipal museum, shall pass into the care and control of the Museum.

PART V.—HISTORIC WRECKS.

38. Without affecting the generality of section 20 of this Act, the Trustees may—

Particular powers of Trustees as to historic wrecks.

- (a) with the approval of the Minister, pay to a person, who first notifies them, as provided by section 39 of this Act, of the finding of an historic wreck of which the existence was not previously known to the Trustees, an amount not exceeding two thousand dollars;
- (b) pay to a person, who at their request, delivers to them an historic wreck, the expenses properly incurred by him in recovering and obtaining possession of the wreck and an allowance for the work done in that regard, based on a rate determined by the Trustees prior to its being commenced;
- (c) take possession of a wreck that is vested in the Museum pursuant to this Act, enter into an agreement for the recovery or partial recovery of the wreck or any part of the wreck, and with the approval of the Minister, expend such amount in that regard as is properly payable;
- (d) take such steps as may be necessary or desirable to recover, preserve and display an historic wreck vested in the Museum; and
- (e) promote or supervise activities aimed at the discovery, recovery, preservation, study and display of historic wrecks.

Duties of
persons
finding
historic
wrecks.

39. (1) A person finding an historic wreck, other than such as is mentioned in the Schedule to this Act,—

- (a) shall not damage, destroy or, except for the purpose of delivering it to the Trustees at their request, remove the historic wreck or any part thereof; and
- (b) shall, as soon as practicable after the finding, give notice of it in writing, to the Trustees.

Penalty: Two hundred dollars.

(2) A person wishing to receive the benefits accruing, under this Part, to the finder of an historic wreck shall mark the position of the wreck with a buoy, stake or cairn, identified in the prescribed manner; and the Trustees may refuse any claim of a person who has not complied with the requirements of this subsection.

(3) A notice given pursuant to subsection (1) of this section, shall—

- (a) set out particulars of the finder, and the date of the finding, of the historic wreck;
- (b) give a concise description of the historic wreck and particulars of the buoy, stake or cairn (if any) by which it may be identified; and
- (c) give the location of the historic wreck.

(4) Where a person is in doubt as to whether any property that he has found is an historic wreck, he may, by notice in writing, refer the question for decision to the Director whose decision is conclusive but shall be made within twelve months of his receiving the notice referring the question or within such further time as the Minister, in any particular case, directs in writing; and, where a person referring a question to the Director, pursuant to this

subsection, gives the information required under subsection (3) of this section, he is deemed, if the Director decides that the property is an historic wreck, to have given the notice required under subsection (1) of this section.

(5) A person who wilfully makes a false statement in any notice given to the Trustees pursuant to this section commits an offence.

Penalty: Two hundred dollars.

(6) A person who, not being the finder of the wreck, wilfully moves, removes, defaces, alters or otherwise interferes with a buoy, stake or cairn placed or erected at or over a wreck pursuant to this section or removes, damages or destroys the historic wreck or any part of it commits an offence.

Penalty: Two hundred dollars or imprisonment for three months or both the fine and imprisonment.

40. (1) Where, after inspecting any wreck, the Director is of the opinion that the wreck is an historic wreck and is of national or local historical interest or is of scientific, archaeological, educational or other special national or local interest, he shall advise the Trustees accordingly and the Trustees may recommend to the Minister that the historic wreck be vested in the Museum, on behalf of the Crown, for the purposes of this Act.

Power to
vest historic
wreck in
Museum.

(2) If the Minister approves of a recommendation of the Trustees made under subsection (1) of this section, the Governor may, by Order in Council, vest the historic wreck in the Museum.

(3) The historic wrecks mentioned in the Schedule to this Act are, by force of this subsection, vested in the Museum.

(4) Compensation is not payable to any person by reason that an historic wreck is vested in the Museum pursuant to, or by operation of this Act.

(5) Notwithstanding the provisions of subsection (4) of this section, but subject to the Banking Act, 1959 of the Parliament of the Commonwealth, where any gold or silver coin or bullion is recovered from an historic wreck that was notified to the Trustees pursuant to section 39 of this Act and is subsequently vested in the Museum, the Trustee shall pay to the person who first notified the Trustees of the finding of the historic wreck the market value in the State of the metal content of the gold or silver in coin or bullion as at the time the wreck was notified to the Trustees by that person.

(6) A person who—

- (a) without the consent of the Trustees, in any way alters, removes, destroys or in any way deals with, or assumes the custody or control of, an historic wreck vested in the Museum pursuant to this section;
- (b) having the consent of the Trustees to do any of the things mentioned in paragraph (a) of this subsection, is in breach of any condition to which the giving of the consent was subject, or
- (c) impedes or hinders, or endeavours in any way to impede or hinder, any member of the staff or employee of the Museum or any person acting with the authority of the Trustees who is inspecting, recovering or otherwise dealing with an historic wreck, whether vested in the Museum or not,

commits an offence.

Penalty: Two hundred dollars or imprisonment for three months or both the fine and imprisonment.

41. (1) Where, after inspecting an historic wreck, the Director is of the opinion that the wreck is not of national or local historical interest or of scientific, archaeological, educational or other special national or local interest, he shall advise the Trustees accordingly and the Trustees may recommend to the Minister that the provisions of this Part should no longer apply to the wreck.

Historic wrecks that are not of interest, etc.

(2) If the Minister approves of a recommendation made under subsection (1) of this section, he may authorise the Trustees, by notice in the *Government Gazette*, to declare that the wreck specified is not an historic wreck for the purposes of this Act.

42. (1) Subject to subsection (2) of this section, where a person has in his custody or under his control any object that belonged to, or was taken or recovered from, an historic wreck mentioned in the Schedule to this Act and which was taken or recovered from the territorial waters of the State below low water mark, before the eighteenth day of December, nineteen hundred and sixty-four, he shall forthwith send notice in writing to the Director of that fact.

Certain property not to be disposed of without reference to Trustees, etc.

Penalty: Two hundred dollars.

(2) The provisions of subsection (1) of this section do not apply to a person who has in his custody or under his control an object referred to in that subsection if—

- (a) that or some other person has, before the coming into operation of this Act, given notice in writing to the Director as required by subsection (1) of section 20C of the Museum Act, 1959-1964, in relation to that object; or
- (b) that or some other person has previously given notice in writing to the Director as required by subsection (1) of this section in relation to that object.

(3) In any proceedings for an offence against subsection (1) of this section the fact that—

- (a) the object to which the proceedings relate was taken or recovered from the territorial waters of the State below low water mark before the eighteenth day of December, nineteen hundred and sixty-four; and

- (b) no notice as described in paragraph (a) or (b) of subsection (2) of this section has been given in relation to the object,

shall be deemed to be proved in the absence of proof to the contrary.

(4) Where—

- (a) the Director has received notice in writing from a person pursuant to subsection (1) of this section in relation to an object; and
- (b) the Director is of opinion that the object is likely to be of national or local historical interest or of scientific, archaeological, educational or other special national or local interest,

the Director may, in writing, notify the person accordingly.

(5) A person to whom notice is given by the Director under subsection (4) of this section—

- (a) shall not sell, purport to sell, destroy or otherwise dispose of the object to which the notice relates, until he has sent to the Director notice in writing of his intention and has obtained the written permission of the Trustees to do so; and
- (b) shall, if required by the Trustees, produce the object to them at such reasonable time as is specified by them for inspection and possession by them for the purposes of subsection (6) of this section.

(6) Where, after inspecting any object produced pursuant to paragraph (b) of subsection (5) of this section, the Director is of the opinion that it is of national or local historical interest or of scientific, archaeological, educational or other special national or local interest, the Trustees may continue in possession of the object for a period of thirty days or for such longer period as the person producing it and the Trustees may agree upon, for the purpose of photographing, copying, or otherwise obtaining a record of, the object and investigating the extent of any such interest that the object may have.

(7) At the expiration of the period mentioned in subsection (6) of this section, the Trustees shall, unless they and the person producing it otherwise agree, return the object to him.

(8) Where the Trustees have made a record of an object as provided by subsection (6) of this section or do not require to make a record of the object they shall by authority in writing permit the object to be sold, destroyed or otherwise disposed of by the person producing it.

(9) A court convicting a person of an offence against subsection (1) or subsection (5) of this section shall, in addition to imposing any other penalty, order that the object to which the offence relates be forfeited to the Crown for the use of the Trustees, and any order so made has effect according to its tenor.

PART VI.—METEORITES.

43. For the purposes of the Mining Act, 1904, meteorites are not minerals. Meteorites not minerals.

44. Every meteorite that is situate on land vested in Her Majesty is the property of the Crown and is vested in the Museum. Vesting of certain meteorites.

45. (1) A person shall not—

(a) damage or destroy a meteorite the property of the Crown; or

(b) except for the purpose of recovering and delivering a meteorite, the property of the Crown, to the Trustees, remove or be in possession of such a meteorite.

(2) The Trustees may refund the amount of any reasonable expense incurred by a person in notifying the Trustees of the finding of a meteorite or in recovering and delivering a meteorite to them.

Protection and recovery of certain meteorites.

PART VII—MISCELLANEOUS.

Offence of
damaging
Museum
property.

46. (1) Every person who damages, mutilates, destroys or removes from the possession of the Museum any specimen, object or exhibit then in the possession of the Museum is guilty of an offence.

Penalty: Five hundred dollars or imprisonment for twelve months or both the fine and imprisonment.

(2) A court convicting a person of an offence against this section may, in addition to imposing a penalty, order the person to pay to the Trustees the full amount of the antiquarian value of the specimen, object or exhibit damaged, mutilated, destroyed or removed, as the case may be, and the amount so ordered to be paid may be recovered as if it were part of the penalty imposed, notwithstanding that the total of the penalty and that amount exceeds the maximum penalty that may be imposed.

Penalty for
offences
generally.

47. A person who contravenes, or fails to comply with, any of the provisions of this Act commits an offence and on conviction is liable, if no penalty or punishment is expressly provided for the offence, to a penalty of one hundred dollars.

Proceedings
by Trustees.

48. In any complaint preferred by the Trustees against a person who steals or injures, and in any proceedings instituted in relation to, any property vested in the Museum or under the care and control of the Trustees, it is sufficient to state generally that the property in respect of which the proceedings are instituted is the property of the Museum.

Reward for
information
as to
offences.

49. (1) The Trustees may offer and pay a reward to any person who gives information to them or any member of the staff of the Museum of the commission of an offence against this Act that leads to the conviction of a person of the offence.

(2) On the conviction of a person in respect of whom information is given in terms of this section, the court may, in addition to imposing any penalty or ordering an amount to be paid under subsection (2) of section 46 of this Act, order the person to pay to the Trustees, on account of any reward that they have paid or are liable to pay, the amount of the reward or an amount of fifty dollars, whichever is the lesser amount.

50. (1) In any proceedings before Justices, an inspector, a warden or an officer of the Museum appointed for the purpose generally or in a particular case in writing signed by the chairman or vice-chairman of Trustees may represent the Museum in all respects as if he were the party concerned.

Power of officers to represent Museum.

(2) Notwithstanding any other provisions of this section, any person may make and prosecute a complaint of an offence against this Act.

51. (1) The Governor may make regulations for any purpose for which regulations are contemplated or required by this Act and may make all such other regulations as may, in his opinion, be necessary or convenient for giving full effect to the provisions of, and for the due administration of, this Act.

Regulations.

(2) Without limiting the generality of subsection (1) of this section, the Governor may make regulations—

- (a) providing for the conduct of proceedings at meetings of the Trustees and of committees;
- (b) prescribing the form of the common seal of the Museum and the manner in which it shall be kept and used;
- (c) providing for the management of the Museum, at branches of the Museum and municipal museums;

- (d) providing for the admission to, and the exclusion or expulsion from, buildings or land of the Museum of the public or any individual;
- (e) specifying the conditions and restrictions upon and subject to which the public may be permitted to examine specimens, objects and exhibits that are the property of the Museum and upon and subject to which any of those things may be lent;
- (f) preventing the handling, touching, defacing or marking of specimens, objects and exhibits that are in the possession or care of the Museum;
- (g) relating to the appointment, privileges and conduct of Honorary Associates; and
- (h) imposing penalties not exceeding one hundred dollars for offences against regulations made under this section.

THE SCHEDULE.

<i>Name of Ship.</i>	<i>Year of Wreck.</i>	<i>Location of Wreck.</i>
Known as the Tryal	1622	Vicinity of Barrow Island. Latitude 20° 45' S. Longitude 115° 22' E.
Known as the Batavia	1629	Morning Reef off Beacon Island in the Wallabi Group, Houtmans Abrolhos. 28° 28½' S. Latitude.
Known as the Gilt Dragon	1656	Latitude 31° 13' 15.9" S. Longitude 115° 21' 19.5" E.
Known as the Zuytdorp	1712	Approximately 40 miles north of the Mouth of the Murchison River in Latitude 27° 11' 10" S. Longitude 113° 36' E.
Known as the Zeewyk	1727	Half Moon Reef, off Gun Island in the Pelsart Group, Houtmans Abrolhos. Latitude 29° S. 113° 56' E.
Known as the Cottesloe Wreck	Approximately 1600	Approximately one hundred and 50 yards off shore in Latitude 32° 2' S. Longitude 115° 45' E.