Arts, Sport, Environment, Tourism and Territories
Legislation Amendment Bill 1991

Date Introduced: 14 February 1991
House: House of Representatives
Portfolio: Arts, Sport, Environment, Tourism and Territories

Purpose
This is an omnibus Bill that will make a number of largely non-contentious amendments. The major amendments relate to borrowings of the ACT and Northern Territory Governments; the control of National Library land and buildings; and money payable to the Director of the National Parks and Wildlife Service from leases, licences, permits and other authorities.

Background
As there is no central theme to the Bill, the background to each amendment will be explained below.

Main Provisions
Clause 3 will amend 6 Acts as set out in the Schedule to the Bill.

Amendments to the Australian Capital Territory (Self-Government) Act 1988

Basically, the effect of sections 61-63 of the Act has been to require the ACT when borrowing money to get the Treasurer's approval and provide that the Commonwealth may guarantee the borrowings of the ACT. The effect of the repeal of sections 61-63 and the definition of 'borrowing' in section 3 proposed by this Bill will mean that borrowings, made after 1 July 1991 (clause 2), will no longer require the Treasurer's approval and there will be no legislative provision for the Commonwealth to guarantee ACT borrowings.

Amendments to the Northern Territory (Self-Government) Act 1978

Basically, the effect of sections 47-47C has been to require the Northern Territory when borrowing money to get the Treasurer's approval and provide that the Commonwealth may guarantee the borrowings of the Northern Territory. The repeal of sections 47-47C will mean that borrowings, made after 1 July 1991 (clause 2), will not require the Treasurer's approval and their will be no legislative provision for the Commonwealth to guarantee Northern Territory borrowings.

Amendments to the National Library Act 1960

Sub-sections 7A(1)-(c) of the Act provide that the National Library is not, without Ministerial approval, to acquire or dispose of any asset, or enter into a contract for the construction of a building, worth more than $50,000. In April 1988, the then Minister for the Arts and Territories initiated a review into the National Library. The report, titled, Review of the National Library of Australia, was presented to the Minister in December 1988. In relation to Section 7A(1) of the Act, the report recommended that the Ministerial approval limit should be revised upwards to $500,000. The effect of the amendments proposed by this Bill to Section 7A of the Act will be increase the approval limit to $250,000.

Sections 21, 24 and 25 of the Act relate to the establishment of bank accounts, accounting practices and audit requirements of the Library. These sections will be repealed by this Bill. A new section 21 will be inserted into the Act that will make the Library subject to standard Audit Act 1901 requirements. In addition, the Bill provides for a new section 21A to be inserted into the Act that will allow the Library to invest money, other than money held on trust, not required for the purposes of the Library, on deposit with an approved bank, in Commonwealth securities, or in any other way approved by the Treasurer.
A new section 27A will be inserted into the Act allowing for regulations to be made for the sale of liquor on premises owned or controlled by the Library.

A new section 27B will be inserted into the Act allowing for regulations to be made regulating the movement and conduct of persons on to any land or building owned or controlled by the Library.

Amendments to the National Parks and Wildlife Conservation Act 1975

Sub-section 46(2) of the Act provides that money payable to the Director of the Australian National Parks and Wildlife Service (NPWS) from leases, licences, permits and other authorities is to be paid into the Consolidated Revenue Fund. Sub-section 46(2) will be repealed by this Bill and a new sub-section 46(1)(f) inserted into the Act. The proposed sub-section provides that money payable to the Director of the NPWS from licences, permits and other authorities is to be paid into the Australian National Parks and Wildlife Fund (ANPWF).

A new section 49 will be substituted into the Principal Act and provides that the Director of the NPWS, when performing official functions, is not to borrow money.

A new section 49A will be inserted into the Act that will allow the Director of the NPWS to invest ANPWF money, not immediately required for the purposes of the ANPWF, on deposit with an approved bank, in Commonwealth securities, or in any other way approved by the Treasurer.

Bills Digest Service
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For further information, if required, contact the Law and Government Group on 06 2772430.

This Digest does not have any official legal status. Other sources should be consulted to determine the subsequent official status of the Bill.

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