

NORTHERN TERRITORY OF AUSTRALIA

CROWN LANDS (RECREATION RESERVE) REGULATIONS 1938

As in force at 1 October 1985

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Regulations under the *Crown Lands Act 1992*

1 Citation

These Regulations may be cited as the *Crown Lands (Recreation Reserve) Regulations 1938*.

2 Definitions

In this Regulations, unless the contrary intention appears:

meeting includes agricultural or pastoral show, exhibition, athletic sports, race meeting or other entertainment.

reserve means any lands reserved for the recreation or amusement of the public or for any other public purpose.

the Ordinance means the *Crown Lands Ordinance 1931-1935*.

trustees means trustees appointed under section 103C of the Ordinance.

3 Meetings of Trustees

The Trustees of any reserve shall once at least in each period of 4 months meet together for the despatch of business affecting such reserve and shall regulate their meetings and proceedings as they think fit and for this purpose 2 trustees shall constitute a quorum, unless or until all the trustees otherwise determine.

4 Affixing of seal

The seal of the trustees of any reserve shall not be affixed to any instrument except by the authority of a resolution of the trustees and in the presence of at least 2 trustees who shall sign every instrument to which the seal shall be so affixed in their presence.

5 Trustees to report to Minister

The trustees of any reserve shall, at such times as the Minister directs, report to the Minister upon the management of the reserve and upon such matters in connection therewith as the Minister specifies.

6 Trustees to keep accounts

The trustees of any reserve shall keep books of account showing all revenue received from or in connection with the reserve and all moneys expended in the maintenance of or otherwise in connection with the reserve and shall permit any person authorized by the Administrator to inspect such books and to audit the accounts relating to the reserve.

7 Expenditure on improvements

- (1) The trustees of any reserve shall expend in and about the improving of the reserve and the buildings thereon or the repayment of principal or interest in connection with moneys borrowed for building on or improving the reserve or otherwise in relation thereto, such sums of money as they deem necessary.
- (2) Within one month after the end of the financial year ending on 30 June the trustees of a reserve shall furnish to the Minister an audited statement of their receipts and expenditure for that financial year.

8 Closing of reserve at certain times

A reserve shall be open to the public on all days except:

- (a) a day or portion of a day on or during which the Administrator, by notice published in the *Gazette*, declares that the reserve shall not be open to the public; and
- (b) a day or portion of a day on or during which the trustees, by notice of the *Gazette*, declare that the reserve shall not be open to the public;

Provided:

- (i) that the days the trustees may direct the reserve shall not be open to the public shall not exceed 28 in any one year; and
- (ii) that the trustees may not at any time direct that the reserve shall not be open to the public on more consecutive days than 3.

9 Power to charge for admission

- (1) The trustees of any reserve may, on any day or portion of a day on or during which the reserve is not open to the public, make a charge, approved by the Administrator, for admission to the reserve while it is not so open, and may exclude any person who does not pay the amount charged.
- (2) The trustees of any reserve may grant to any person the exclusive right to occupy and use for a meeting the reserve or any portion thereof on any day or portion of a day on or during which the reserve is not open to the public on such terms as the trustees think fit, and the person to whom the right is granted may make a charge, approved by the Administrator, for admission to the reserve during such time as the person continues to have the right, and may exclude any person who does not pay the amount charged.

10 Fences

The trustees of any reserve shall erect such fence or fences on or on the boundary of the reserve as the Administrator, after consultation with the trustees, directs.

11 Unauthorized erections prohibited

The trustees of any reserve shall not, without the consent in writing of the Administrator, erect any building or other erection on the reserve or make any structural alteration to any building or other erection on the reserve.

12 Erections to be kept in repair

The trustees of any reserve shall keep all buildings, erections, fixtures, fences and other improvements on the reserve in good and tenable repair.

13 Reserve to be kept clean

The trustees of any reserve shall keep the reserve clean, tidy and free from debris, dry herbage, rubbish and other unsightly or offensive matter.

14 Service of notices

Any notice or document addressed to the trustees of any reserve in their corporate name and delivered to or served on or posted to the address of any of the trustees of the reserve shall be deemed to have been delivered to or served on or posted to the trustees.

15 Power of trustee to remove offensive persons

Any trustee of a reserve or any servant of the trustee thereof may remove from the reserve any person, who in the reserve:

- (a) is intoxicated;
- (b) behaves in an offensive, abusive or indecent manner; or
- (c) uses indecent, profane, obscene or insulting language.

16 Damage to seats, trees or other property prohibited

Any person who:

- (a) without lawful excuse (proof whereof shall lie upon him) interferes with, damages or destroys any tree, shrub, flower, plant, grass, notice, placard, seat, gate, post, fence, tank, tap, pipe, building or other erection upon or bounding a reserve or any property of the Commonwealth or the trustees in a reserve; or
- (b) without lawful authority (proof whereof shall lie upon him) cuts or makes any name, letter or mark on or affixes any bill, paper, document or notice to any tree, seat, gate, post, fence, building or other erection in a reserve or otherwise defaces any such tree, seat, gate post, fence, building or other erection,

shall be guilty of an offence.

17 Fires or nuisances prohibited

Any person who:

- (a) lights any fire in any reserve except in a place specially provided therefor in the reserve by the trustees thereof;
- (b) leaves any paper, fruit peel, litter, waste food or refuse of any kind in any reserve except in a place specially provided therefor by the trustees thereof;
- (c) without lawful authority (proof whereof shall lie upon him) plays upon any instrument or discharges firearms or fireworks in a reserve; or
- (d) brings any dog into a reserve, unless the dog is held by a chain or cord,

shall be guilty of an offence.

18 Trespassing in certain parts prohibited

Any person who, without lawful excuse (proof whereof shall lie upon him),:

- (a) enters or goes upon any portion of a reserve as to which any notice is posted or exhibited that admittance is prohibited; or
- (b) takes any vehicle or rides any horse into any portion of a reserve except a portion specially provided in the reserve by the trustees thereof,

shall be guilty of an offence.

19 Camping prohibited

Any person who, without lawful authority (proof whereof shall lie upon him), camps on a reserve shall be guilty of an offence.

20 Playing of games prohibited in certain parts

A person shall not play or take part in any game of cricket or football or any other game or athletic sports in a reserve, except in such portions thereof as the trustees set apart for the purpose, and except on such conditions as the trustees direct.

21 Unauthorized meetings prohibited

A person shall not, without the permission in writing of the trustees (proof whereof shall lie upon him), hold or take part in any public assembly or meeting of any kind, or preach at or address any such public assembly or meeting in a reserve.

22 Erection of tents or poles prohibited

A person shall not, without the consent in writing of the trustees (proof whereof shall lie upon him), erect tents, booths, stalls, posts or poles on a reserve.

23 Sale of articles prohibited

A person shall not, without the consent in writing of the trustees (proof whereof shall lie upon him), offer any article for sale in a reserve.

24 Grazing of stock

A person shall not, without the consent in writing of the trustees (proof whereof shall lie upon him), allow any horse, mare, gelding, colt, filly, ass, mule, bull, cow, ox, heifer, steer, calf, sheep, ram,

ewe, lamb, goat, pig, or camel to graze in any reserve, or take into or permit any such animal to enter any such reserve for the purpose of grazing.

25 Persons reasonably suspected to give name and address

- (1) A member of the Police Force or any person thereto authorized in writing by the trustees of any reserve may require any person reasonably suspected of having committed or being about to commit an offence against these Regulations to give his name in full and place of abode.
- (2) Any person who, after being so required and on production of the necessary authority, refuses or fails to give his real name or place of abode shall be guilty of an offence.

26 Penalty

Any person who commits an offence against or contravenes any provision of these Regulations shall be liable to a penalty not exceeding \$20.

ENDNOTES
1**KEY**

Key to abbreviations

amd = amended	od = order
app = appendix	om = omitted
bl = by-law	pt = Part
ch = Chapter	r = regulation/rule
cl = clause	rem = remainder
div = Division	renum = renumbered
exp = expires/expired	rep = repealed
f = forms	s = section
Gaz = <i>Gazette</i>	sch = Schedule
hdg = heading	sdiv = Subdivision
ins = inserted	SL = Subordinate Legislation
lt = long title	sub = substituted
nc = not commenced	

2**LIST OF LEGISLATION*****Crown Lands (Recreation Reserve) Regulations (SL No. –, 1938)***

Notified	21 April 1938
Commenced	21 April 1938 (<i>Cth Gaz</i> , 21 April 1938)

Amendment of the Crown Lands (Recreation Reserve) Regulations (SL No. 5, 1965)

Notified	12 May 1965
Commenced	12 May 1965

Amendment of the Crown Lands (Recreation Reserve) Regulations (SL No. 10, 1965)

Notified	23 June 1965
Commenced	23 June 1965

Ordinances Revision Ordinance 1973 (Act No. 87, 1973)

Assent date	11 December 1973
Commenced	11 December 1973

Statute Law Revision Act 1985 (Act No. 49, 1985)

Assent date	1 October 1985
Commenced	1 October 1985

3**GENERAL AMENDMENTS**

General amendments of a formal nature (which are not referred to in the table of amendments to this reprint) are made by the *Interpretation Legislation Amendment Act 2018* (Act No. 22, 2018) to: r 1.

4 LIST OF AMENDMENTS

r 2	amd Act No. 49, 1985, s 3(6)
rr 3 – 4	amd Act No. 87, 1973, s 11
r 7	amd No. 5, 1965; Act No. 87, 1973, s 11
r 8	amd Act No. 87, 1973, s 11
r 26	amd Act No. 87, 1973, s 11