NATIONAL FITNESS.

**No. 26 of 1941.**

An Act relating to National Fitness.

[Assented to 4th July, 1941.]

[Date of commencement, 1st August, 1941.]

BE it enacted by the King’s Most Excellent Majesty, the Senate, and the House of Representatives of the Commonwealth of Australia, as follows:—

**Short title.**

**1.** This Act may be cited as the *National Fitness Act* 1941.

**Definitions.**

**2.** In this Act, unless the contrary intention appears—

“the Council” means the Commonwealth Council for National Fitness appointed under this Act;

“the Fund” means the National Fitness Fund established by this Act.

**Commonwealth Council for National Fitness.**

**3.**—(1.) The Governor-General may appoint a Commonwealth Council for National Fitness consisting of such number of members (not exceeding nine) as the Governor-General thinks fit.

(2.) The Council shall advise the Minister with respect to the promotion of national fitness, and in particular in relation to—

(*a*) the measures to be adopted to develop appreciation of the need for physical fitness;

(*b*) the provision of facilities for instruction in the principles of physical education;

(*c*) the organization of movements, and the provision of facilities, for attaining or maintaining personal physical fitness; and

(*d*) the training of teachers of classes, and of leaders of movements or groups, formed for the purpose of promoting physical fitness.

(3.) The Council may make enquiries into the causes of physical unfitness in the community, and may for that purpose co-operate with the National Health and Medical Research Council.

**National Fitness Fund.**

**4.**—(1.) For the purposes of this Act, there shall be a Trust Account which shall be known as the National Fitness Fund.

(2.) The Fund established in pursuance of this section shall be a Trust Account for the purposes of section sixty-two aof the *Audit Act* 1901–1934.

(3.) The following moneys shall be paid into the Fund:—

(*a*) Such amounts as are appropriated from time to time by the Parliament for the purposes of the Fund, and the income derived from the investment of those amounts or any part thereof; and

(*b*) Gifts of money made for the purposes of the Fund and the income derived from, and the proceeds of the realization of, gifts made for those purposes.

**Application of Fund.**

**5.**—(1.) Subject to the next succeeding sub-section, the Minister may apply the moneys standing to the credit of the Fund for the purpose of providing assistance—

(*a*) to encourage the development of national fitness in each State under the direction of a National Fitness Council appointed by the Government of the State;

(*b*) to promote physical education in schools, universities and other institutions; and

(*c*) for such other purposes in relation to the matters specified in sub-sections (2.) and (3.) of section three of this Act as the Minister determines.

(2.) The Minister shall deal with and apply so much of the Fund as represents a gift, or the income arising from the investment, or the proceeds of the realization, thereof, in accordance with the conditions upon which the gift was made.

**Annual report.**

**6.** The Minister shall, each year, cause a general report containing a summary of the work done under this Act during the preceding year to be prepared and laid before both Houses of the Parliament.

**Regulations.**

**7.** The Governor-General may make regulations, not inconsistent with this Act, prescribing all matters which are required or permitted to be prescribed, or which are necessary or convenient to be prescribed, for carrying out or giving effect to this Act.