

National Fitness Amendment Act 1979

No. 16 of 1979

An Act to amend the *National Fitness Act* 1941.

BE IT ENACTED by the Queen, and the Senate and House of Representatives of the Commonwealth of Australia, as follows:

Short title,
&c.

1. (1) This Act may be cited as the *National Fitness Amendment Act* 1979.¹

(2) The *National Fitness Act* 1941² is in this Act referred to as the Principal Act.

Commence-
ment

2. This Act shall come into operation on the day on which it receives the Royal Assent.¹

National
Fitness Fund

3. Section 4 of the Principal Act is amended by omitting sub-section (3) and substituting the following sub-sections:

“(3) There shall be paid into the Fund—

- (a) moneys appropriated by the Parliament for the purposes of the Fund;
- (b) income derived from the investment of the moneys standing to the credit of the Fund;
- (c) moneys received by the Commonwealth from the disposal of property purchased or produced, or in respect of any work paid for, out of the moneys standing to the credit of the Fund;
- (d) moneys received by the Commonwealth in pursuance of a licence or permission granted or given in relation to industrial property rights (whether or not owned by the Commonwealth), being a licence or permission granted or given for any purpose for which the moneys standing to the credit of the Fund may be applied; and
- (e) moneys received by the Commonwealth by way of or as a result of a gift, devise or bequest made for any purpose for which the moneys standing to the credit of the Fund may be applied.

“(4) In paragraph (3) (d), ‘industrial property rights’ means—

- (a) a copyright in any work or other subject-matter;
- (b) a patent for an invention;
- (c) a trade mark; or
- (d) a copyright in a registered design.”.

4. Section 5 of the Principal Act is amended by omitting sub-section (2) and substituting the following sub-section: Application of Fund

“(2) Where any moneys are received by the Commonwealth by way of or as a result of a gift, devise or bequest made for any purpose for which the moneys standing to the credit of the Fund may be applied, being a gift, devise or bequest that is subject to a condition as to the purposes for which it may be applied, those moneys, and income derived from the investment of those moneys, may be applied only for those purposes.”.

5. The Principal Act is amended as set out in the following table: Formal amendments

| Provision | Amendment |
|-----------------------------|--|
| Sub-section 3 (1) | Omit “nine”, substitute “9” |
| Sub-section 4 (2) | Omit “sixty-two A”, substitute “62A” |
| Sub-section 5 (1) | Omit “the next succeeding sub-section”, substitute “sub-section (2)”. |
| Paragraph 5 (1) (c) | Omit “(2) and (3) of section three of this Act”, substitute “3 (2) and (3)”. |

NOTES

- 1. Act No. 16, 1979; assented to 19 March 1979.
- 2. Act No. 26, 1941.