



TASMANIA

PLACE NAMES ACT 2020

No. 1 of 2020

CONTENTS

PART 1 – PRELIMINARY

1. Short title
2. Commencement
3. Interpretation
4. Meaning of *place*

PART 2 – ADMINISTRATION

5. Minister may endorse guidelines
6. Place Names Advisory Panel
7. Registrar of Place Names
8. Register of place names

PART 3 – PLACE NAMES

9. Proposal of certain place names
10. Approval of certain place names
11. Naming of roads, streets, &c.
12. Registrar to record name in register
13. Person must not misrepresent name of place

PART 4 – MISCELLANEOUS

14. Delegation
15. Warning notices
16. Infringement notices
17. Regulations
18. Administration of Act
19. Savings and transitional
20. Consequential amendments

SCHEDULE 1 – PLACE NAMES ADVISORY PANEL

SCHEDULE 2 – SAVINGS AND TRANSITIONAL

SCHEDULE 3 – CONSEQUENTIAL AMENDMENTS



PLACE NAMES ACT 2020

No. 1 of 2020

An Act to establish the Place Names Advisory Panel, to make provision for the naming and registration of certain place names in Tasmania, to wind up the Nomenclature Board and to consequentially amend other Acts

[Royal Assent 30 March 2020]

Be it enacted by Her Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:

PART 1 – PRELIMINARY

1. Short title

This Act may be cited as the *Place Names Act 2020*.

Place Names Act 2020
Act No. 1 of 2020

s. 2

Part 1 – Preliminary

2. Commencement

This Act commences on a day to be proclaimed.

3. Interpretation

In this Act –

approved name, in relation to a place, means a name that –

- (a) is recorded in the register as the approved name for the place; and
- (b) has not been revoked under this Act;

chairperson means the chairperson of the Panel in accordance with section 6(3);

guidelines means the guidelines published under section 5(3);

Panel means the Place Names Advisory Panel established by section 6(1);

place – see section 4;

private road means a road over land that is owned by a person who may lawfully exclude other persons from using the road;

proposal means a proposal submitted under section 9 in respect of a name or place;

register means the register of place names kept under section 8;

Place Names Act 2020
Act No. 1 of 2020

Part 1 – Preliminary

s. 4

Registrar means the Registrar of Place Names appointed under section 7;

Surveyor-General means the Surveyor-General appointed under section 3A(1) of the *Survey Co-ordination Act 1944*.

4. Meaning of *place*

- (1) For the purposes of this Act, a place includes, but is not limited to –
- (a) a geographical or topographical feature, whether –
 - (i) natural or artificial; or
 - (ii) on land, underground or under water; and
 - (b) a suburb, locality, habitation or other feature of community or cultural significance; and
 - (c) a highway, road, street, lane or thoroughfare that –
 - (i) is open to, or lawfully used by, the public; or
 - (ii) is a private road that contains residences that have, or are capable of having, separate addresses; and

Place Names Act 2020
Act No. 1 of 2020

s. 4

Part 1 – Preliminary

- (d) a park, recreation area, sporting ground, walking or bicycle track that is open to or used by the public; and
 - (e) any other area or feature that is, or is likely to be, of public, cultural or historical interest.
- (2) Despite subsection (1), a reference to a place in this Act does not include a reference to –
- (a) a building or similar structure; or
 - (b) a place that is given, or may be given, a name under any other Act; or
 - (c) an area or feature, or class of areas or features, that is prescribed as not being a place for the purposes of this Act.

PART 2 – ADMINISTRATION

5. Minister may endorse guidelines

- (1) For the purposes of this Act, the Minister is to endorse guidelines in respect of the naming of places.
- (2) Guidelines endorsed under subsection (1) may do one or more of the following:
 - (a) set out the principles, practices and processes to be followed in selecting, assigning, altering or discontinuing the approved name for a place;
 - (b) require, and specify the procedures for, consultation in respect of the name for a place;
 - (c) list the persons responsible for proposing names for, or naming, specified places under this Act;
 - (d) specify the responsibilities of persons referred to in paragraph (c) in respect of proposing a name for, or naming, a place;
 - (e) require such other action as is prescribed.
- (3) The Registrar is to ensure that guidelines endorsed under subsection (1) –
 - (a) are published in one or more of the following ways before the guidelines take effect:

Place Names Act 2020
Act No. 1 of 2020

s. 6

Part 2 – Administration

- (i) the guidelines are made available for viewing by members of the public on a website that is accessible for free by the public;
 - (ii) the guidelines are made available for viewing by members of the public by any other means approved by the Minister; and
- (b) remain so published while the guidelines remain in effect.
- (4) Guidelines endorsed, and in effect, under this section must be reviewed at least once in each 5-year period.

6. Place Names Advisory Panel

- (1) The Place Names Advisory Panel is established.
- (2) The Panel established under subsection (1) is to consist of –
 - (a) the Surveyor-General; and
 - (b) a State Service employee, responsible for the spatial data and mapping of the State, appointed to the Panel by the Surveyor-General; and
 - (c) one person nominated by the Director of National Parks and Wildlife appointed under section 6 of the *National Parks and Reserves Management Act 2002*; and

Place Names Act 2020
Act No. 1 of 2020

Part 2 – Administration

s. 6

-
- (d) one person nominated by the Local Government Association of Tasmania, continued as a body corporate by section 326 of the *Local Government Act 1993*; and
 - (e) one person with knowledge and experience in outdoor recreation; and
 - (f) up to 2 persons with knowledge and experience in one or more of the following:
 - (i) heritage or historical matters;
 - (ii) orthography;
 - (iii) linguistics; and
 - (g) such other members –
 - (i) as may be prescribed; or
 - (ii) appointed by the Minister as prescribed.
- (3) The member referred to in subsection (2)(a) is the chairperson of the Panel.
- (4) The members, other than the members referred to in subsection (2)(a) and (b), are appointed by the Minister.
- (5) The Minister may require a person responsible for a nomination under subsection (2)(c) or (d) to provide the Minister with the name of the nominated person within a period of not less than one month, as specified by the Minister.

Place Names Act 2020
Act No. 1 of 2020

s. 7

Part 2 – Administration

- (6) If a person responsible for a nomination under subsection (2)(c) or (d) fails to provide the Minister with the name of a nominated person within the period specified in accordance with subsection (5), the Minister may nominate the person as required under subsection (2).
- (7) The Minister may advertise, in any manner that the Minister thinks reasonable in the circumstances, for interested persons with the knowledge and experience referred to in subsection (2)(e) or (f).
- (8) Schedule 1 has effect with respect to membership, and meetings, of the Panel.

7. Registrar of Place Names

- (1) The Secretary of the Department may appoint a State Service officer, or State Service employee, of the Department to be the Registrar of Place Names, and that officer or employee is to hold that office in conjunction with State Service employment.
- (2) In addition to any function or power specified in this Act, the Registrar has the following functions and powers:
 - (a) any functions and powers specified in the guidelines as being the functions and powers of the Registrar in respect of the guidelines;
 - (b) to maintain, and make available, the guidelines;

Place Names Act 2020
Act No. 1 of 2020

Part 2 – Administration

s. 8

- (c) to maintain the register;
 - (d) to effect minor revisions of the register, when required, to ensure that the register correctly reflects –
 - (i) each approved name for a place; and
 - (ii) the locations, boundaries and extent of the place in respect of which a name has been approved;
 - (e) any other prescribed function or power.
- (3) For the purposes of subsection (2)(d), a revision of the register is a minor revision if the Registrar is satisfied, on reasonable grounds, that the revision –
- (a) does not affect –
 - (i) community use of the approved name to which the revision relates; and
 - (ii) community expectation as to the place in respect of which the revision relates; or
 - (b) corrects a typographical error or anomaly.

8. Register of place names

- (1) The Registrar is to keep a register of each place that has, or had, an approved name.

Place Names Act 2020
Act No. 1 of 2020

s. 8

Part 2 – Administration

- (2) An entry in the register in respect of a place is to consist of the following information:
- (a) each approved name for the place;
 - (b) information, as determined by the Registrar, to clearly identify the location, boundaries or extent of the place;
 - (c) each approved name for the place that has been revoked and the reason for the revocation.
- (3) The register may also include, for information purposes only –
- (a) the names of areas and features that are not required under this Act to have an approved name; and
 - (b) if named under another Act, the Act under which such area or feature is named.
- (4) The register –
- (a) may be in such form as the Surveyor-General determines; and
 - (b) is to be made available to members of the public in such manner as the Surveyor-General determines; and
 - (c) must remain available to members of the public while the register is in effect.

PART 3 – PLACE NAMES

9. Proposal of certain place names

- (1) This section applies to a place other than a place referred to in section 4(1)(c).
- (2) In accordance with the guidelines, a person may propose one or more of the following in respect of a place to which this section applies:
 - (a) a name to be approved, under this Act, for the place;
 - (b) an alteration to, or the revocation of, an approved name for the place;
 - (c) the alteration, clarification, extension or reduction of the location, boundaries or extent of the place.
- (3) A proposal under subsection (2) is to be –
 - (a) in a form approved by the chairperson; and
 - (b) submitted to the Registrar in accordance with the guidelines.
- (4) The Registrar may refuse to accept a proposal submitted under subsection (3) if the Registrar believes, on reasonable grounds, that the consultation requirements within the guidelines have not been complied with in respect of the proposal.

Place Names Act 2020
Act No. 1 of 2020

s. 10

Part 3 – Place Names

10. Approval of certain place names

- (1) If a proposal relates to a minor revision of the register, within the meaning of section 7(3), the Registrar is to revise the register, in accordance with that section, to reflect the proposal.
- (2) If a proposal does not relate to a minor revision of the register, within the meaning of section 7(3), the Registrar must –
 - (a) cause the proposal to be advertised, in accordance with the guidelines, calling for submissions in respect of the proposal; and
 - (b) at the end of the period specified in the advertisement for submissions in respect of the proposal, forward to the Panel –
 - (i) the proposal; and
 - (ii) any submissions received by the Registrar in respect of the proposal.
- (3) As soon as practicable after receiving a proposal under subsection (2)(b), the Panel is to provide the Minister with recommendations in respect of the proposal.
- (4) After considering the recommendations of the Panel in respect of a proposal, the Minister may –
 - (a) in accordance with the recommendation –

Place Names Act 2020
Act No. 1 of 2020

Part 3 – Place Names

s. 10

- (i) approve the name, or names, for the place; or
 - (ii) refuse to approve the name, or names, for the place; or
 - (iii) alter an approved name for the place; or
 - (iv) revoke an approved name for the place; or
 - (v) alter, clarify, extend or reduce the location, boundaries or extent of the place; or
- (b) refuse to take an action referred to in paragraph (a) in respect of the recommendation and request that the Panel make a new recommendation.
- (5) If the Minister makes a request under subsection (4)(b) for a new recommendation in respect of a proposal, the Panel –
- (a) may, but is not required to, seek further information from the person who made the proposal; and
 - (b) is to provide the Minister with a new recommendation in respect of the proposal.
- (6) On receipt of a new recommendation in accordance with subsection (5)(b), the Minister is to comply with subsection (4) in respect of the recommendation.

Place Names Act 2020
Act No. 1 of 2020

s. 11

Part 3 – Place Names

11. Naming of roads, streets, &c.

(1) In this section –

naming action means an action taken by a responsible authority in accordance with subsection (2) in respect of a place referred to in section 4(1)(c);

responsible authority, for a place referred to in section 4(1)(c), means –

- (a) if the place is located on reserved land, or in a reserved region, within the meaning of the *Nature Conservation Act 2002*, the Department responsible for the administration of that Act; or
- (b) if the place is located on permanent timber production zone land, within the meaning of the *Forest Management Act 2013*, the Forestry corporation continued in existence under that Act; or
- (c) if the place is on land owned by the Corporation, within the meaning of the *Hydro-Electric Corporation Act 1995*, the Corporation; or
- (d) in any other case, a council of a municipal area where the place is located, unless another authority is prescribed for the place.

Place Names Act 2020
Act No. 1 of 2020

Part 3 – Place Names

s. 11

- (2) In accordance with the guidelines, the responsible authority for a place referred to in section 4(1)(c) may do one or more of the following in respect of the place:
- (a) name the place;
 - (b) alter, or revoke, an approved name for the place;
 - (c) alter, clarify, extend or reduce the location, boundary or extent of the place.
- (3) The responsible authority for a place referred to in section 4(1)(c) must ensure that any naming action, performed in respect of the place, complies with –
- (a) the relevant provisions of the guidelines; and
 - (b) this Act and any other applicable Act; and
 - (c) the relevant procedures of the responsible authority.
- (4) As soon as practicable after performing a naming action in respect of a place, the responsible authority for the place is to submit details of the action to the Registrar for recording in the register.
- (5) The Registrar must record in the register the details of each naming action performed by a responsible authority, as submitted to the Registrar under subsection (4), unless

Place Names Act 2020
Act No. 1 of 2020

s. 11

Part 3 – Place Names

subsection (6) applies in respect of the naming action.

- (6) The Registrar may only refuse to record a naming action performed by a responsible authority, as submitted to the Registrar under subsection (4), if –
- (a) the naming action results in –
 - (i) a name for a place that does not comply with the guidelines; or
 - (ii) a name for a place that is an approved name for another place; or
 - (b) prescribed circumstances exist in relation to the name.
- (7) If the Registrar refuses under subsection (6) to record a naming action in respect of a place, the Registrar is to –
- (a) notify the responsible authority for the place, in writing, of the refusal; and
 - (b) in the notification under paragraph (a) –
 - (i) state that the responsible authority is to submit, under subsection (4), another naming action in respect of the place; and
 - (ii) specify the period in which such a submission is to be made; and
 - (c) refer the naming action to the Panel if –

Place Names Act 2020
Act No. 1 of 2020

Part 3 – Place Names

s. 12

- (i) the responsible authority does not submit another naming action for the place in accordance with paragraph (b); or
 - (ii) the Registrar refuses under subsection (6) to record the subsequent naming action submitted in accordance with paragraph (b).
- (8) The referral of a naming action, in respect of a place, to the Panel under subsection (7)(c) is taken for the purposes of this Part to be a proposal, in respect of the place, forwarded to the Panel under section 10(2)(b).

12. Registrar to record name in register

- (1) As soon as practicable after being notified of a decision of the Minister under section 10(4)(a), or being required under section 11(5) to record details of a naming action, in respect of a place, the Registrar –
- (a) is to insert an entry, or amend an entry, in the register in respect of the place to reflect the decision of the Minister or the naming action; and
 - (b) in relation to a decision of the Minister under section 10(4)(a), may cause a notice to be published in the *Gazette* specifying the details of the decision.
- (2) A name is the approved name for a place once –

Place Names Act 2020
Act No. 1 of 2020

s. 13

Part 3 – Place Names

- (a) the register is amended in accordance with subsection (1)(a) to record the name as the approved name for the place; and
- (b) the register, so amended, is made available to members of the public in accordance with section 8(4)(b).

13. Person must not misrepresent name of place

(1) In this section –

document includes a brochure, map, notice, sign, billboard, advertisement, promotion and banner, whether in print, digital or other format.

(2) A person must not, in a document, identify a place by all, or any part of, an approved name that is not the approved name for the place if the person knows, or reasonably ought to know, that identifying the place in that manner is likely to, or has the capacity to, mislead or deceive another person as to the approved name for the place.

Penalty: In the case of –

- (a) a body corporate, a fine not exceeding 50 penalty units and, in the case of a continuing offence, a further fine not exceeding 5 penalty units for each day during which the offence continues; and

Place Names Act 2020
Act No. 1 of 2020

Part 3 – Place Names

s. 13

- (b) an individual, a fine not exceeding 20 penalty units and, in the case of a continuing offence, a further fine not exceeding 2 penalty units for each day during which the offence continues.
- (3) A person must not, in a document, represent a place as having an approved name if the person knows, or reasonably ought to know that –
- (a) there is no approved name for the place; and
 - (b) representing the place as having an approved name is likely to, or has the capacity to, mislead or deceive another person as to the fact that –
 - (i) the place has an approved name; or
 - (ii) the name used is the approved name for the place.

Penalty: In the case of –

- (a) a body corporate, a fine not exceeding 50 penalty units and, in the case of a continuing offence, a further fine not exceeding 5 penalty units for each day during which the offence continues; and

Place Names Act 2020
Act No. 1 of 2020

s. 13

Part 3 – Place Names

- (b) an individual, a fine not exceeding 20 penalty units and, in the case of a continuing offence, a further fine not exceeding 2 penalty units for each day during which the offence continues.
- (4) A person must not, in a document, identify a place, that has an approved name, by another name that is not an approved name for the place if the person knows, or reasonably ought to know, that identifying the place by the other name is likely to, or has the capacity to, mislead or deceive another person as to the approved name for the place.

Penalty: In the case of –

- (a) a body corporate, a fine not exceeding 50 penalty units and, in the case of a continuing offence, a further fine not exceeding 5 penalty units for each day during which the offence continues; and
- (b) an individual, a fine not exceeding 20 penalty units and, in the case of a continuing offence, a further fine not exceeding 2 penalty units for each day during which the offence continues.

Place Names Act 2020
Act No. 1 of 2020

Part 3 – Place Names

s. 13

- (5) For the avoidance of doubt, nothing in this section prevents the use of a traditional, colloquial or comedic name for a place if such a name is used in good faith in circumstances where the use of such a name is unlikely to mislead or deceive another person.

Place Names Act 2020
Act No. 1 of 2020

s. 14

Part 4 – Miscellaneous

PART 4 – MISCELLANEOUS

14. Delegation

The Minister may delegate any of his or her functions or powers under this Act other than –

- (a) the functions and powers of the Minister specified in sections 5 and 10; and
- (b) this power of delegation.

15. Warning notices

(1) The Panel may serve a warning notice on a person if the Panel reasonably believes that the person –

- (a) has committed an offence under this Act; and
- (b) has not previously been convicted of an offence under this Act.

(2) A warning notice under subsection (1) is to be in a form approved by the Panel.

(3) A person on whom a warning notice has been served under this section in respect of an offence may not be prosecuted in respect of the offence unless the warning notice has been withdrawn by the Panel.

16. Infringement notices

(1) In this section –

Place Names Act 2020
Act No. 1 of 2020

Part 4 – Miscellaneous

s. 16

infringement offence means an offence against this Act or the regulations made under this Act.

- (2) The Surveyor-General or the chairperson may issue and serve an infringement notice on a person if the Surveyor-General, or the chairperson, reasonably believes that the person has committed an infringement offence.
- (3) An infringement notice may not be served on an individual who has not attained the age of 16 years.
- (4) An infringement notice –
 - (a) is to be issued in accordance with section 14 of the *Monetary Penalties Enforcement Act 2005*; and
 - (b) is not to relate to more than 3 offences.
- (5) The penalty payable, under an infringement notice, for an infringement offence is to be an amount equal to 10% of the maximum applicable penalty for the offence.
- (6) For the avoidance of doubt, an infringement notice may be issued to a person in respect of an infringement offence –
 - (a) whether or not a warning notice has been previously served on the person under section 15 in respect of an offence under this Act; or

Place Names Act 2020
Act No. 1 of 2020

s. 17

Part 4 – Miscellaneous

- (b) if a warning notice served on the person under section 15 in respect of the infringement offence has been withdrawn.

17. Regulations

- (1) The Governor may make regulations for the purposes of this Act.
- (2) Without limiting the generality of subsection (1), the regulations may be made in relation to one or more of the following:
 - (a) fees and charges payable in respect of any matter under this Act;
 - (b) the costs of proceedings under this Act and the recovery of those costs;
 - (c) matters that may be specified, or included, in the guidelines;
 - (d) matters that are specified in this Act as being matters to be contained in the guidelines;
 - (e) the process of reviewing and appealing a decision of the Panel or Registrar.
- (3) The regulations may be made so as to apply differently according to matters, limitations or restrictions, whether as to time, circumstance or otherwise, specified in the regulations.
- (4) The regulations may –

Place Names Act 2020
Act No. 1 of 2020

Part 4 – Miscellaneous

s. 18

- (a) provide that a contravention of any of the regulations is an offence; and
 - (b) in respect of such an offence, provide for the imposition of a fine not exceeding 20 penalty units and, in the case of a continuing offence, a further fine not exceeding 5 penalty units for each day during which the offence continues.
- (5) The regulations may authorise any matter to be from time to time approved, determined, applied or regulated by the Surveyor-General, chairperson or Panel.

18. Administration of Act

Until provision is made in relation to this Act by order under section 4 of the *Administrative Arrangements Act 1990* –

- (a) the administration of this Act is assigned to the Minister for Primary Industries and Water; and
- (b) the department responsible to that Minister in relation to the administration of this Act is the Department of Primary Industries, Parks, Water and Environment.

19. Savings and transitional

The savings and transitional provisions set out in Schedule 2 have effect.

Place Names Act 2020
Act No. 1 of 2020

s. 20

Part 4 – Miscellaneous

20. Consequential amendments

The legislation specified in Schedule 3 is amended as specified in that Schedule.

SCHEDULE 1 – PLACE NAMES ADVISORY PANEL

Section 6

1. Interpretation

In this Schedule –

member means a member of the Panel.

2. Term of office

- (1) A member, other than the chairperson of the Panel or the State Service employee appointed under section 6(2)(b), is appointed for such period, not exceeding 3 years, as is specified in the member's instrument of appointment and, if eligible, may be reappointed.
- (2) The State Service employee appointed to the Panel under section 6(2)(b) holds that appointment until –
 - (a) his or her appointment to the Panel is revoked by the Surveyor-General; or
 - (b) he or she is no longer employed within the State Service in the position in which the employee is responsible for the spatial data and mapping of the State.

3. State Service Act 2000

- (1) The *State Service Act 2000* does not apply in relation to a member, appointed under clause 2(1), in his or her capacity as a member.

Place Names Act 2020
Act No. 1 of 2020

sch. 1

- (2) A person may hold the office of member under clause 2 in conjunction with State Service employment.

4. Remuneration and conditions of appointment

- (1) A member holds the office of member on such conditions in relation to matters not provided for by this Act as are specified in the member's instrument of appointment.
- (2) A member is not entitled to remuneration or allowances, in his or her capacity as a member, other than reimbursements of actual, or reasonable, travel expenses incurred as a member.
- (3) Despite subclause (2), a member who is a State Service officer or State Service employee –
- (a) is not entitled to reimbursements of travel expenses under this clause; but
 - (b) may be entitled to reimbursement under another Act or administrative process.

5. Vacation of office

- (1) A member vacates office if he or she –
- (a) dies; or
 - (b) resigns by written notice given to the Minister; or
 - (c) is removed from office under this clause.

Place Names Act 2020
Act No. 1 of 2020

sch. 1

- (2) Despite subclause (1)(b), the chairperson of the Panel may not resign from his or her position as chairperson or member.
- (3) The Minister may remove a member from office if the member –
 - (a) is absent from 3 consecutive meeting of the Panel without the permission of the other members of the Panel; or
 - (b) is convicted, in Tasmania or elsewhere, of a crime or an offence punishable by imprisonment for a term of 12 months or longer; or
 - (c) is convicted of an offence under this Act; or
 - (d) fails to disclose a pecuniary interest as required under clause 11; or
 - (e) ceases to be eligible to hold the office that he or she has been appointed to hold; or
 - (f) is otherwise unable to perform, in the opinion of the Minister, his or her duties as member adequately or competently.
- (4) A member of the Panel must not be removed from office otherwise than in accordance with this clause.

Place Names Act 2020
Act No. 1 of 2020

sch. 1

6. Filling of vacancies

If the office of a member becomes vacant, the Minister may appoint a person to the vacant office for the remainder of that member's term of office.

7. Convening of meetings

- (1) The chairperson, after giving each member reasonable notice of a meeting –
 - (a) may convene a meeting at any time; and
 - (b) must convene a meeting when requested to do so by 2 or more other members.
- (2) If the chairperson is absent from duty or otherwise unable to perform the duties of the office, a meeting may be convened, after giving each member reasonable notice of the meeting, by –
 - (a) two or more other members; or
 - (b) a person authorised by the Panel to do so.

8. Presiding at meeting

- (1) The chairperson is to preside at all meetings of the Panel at which he or she is present.
- (2) If the chairperson is not present at a meeting of the Panel, a member elected by the members present at the meeting is to preside.

9. Quorum and voting

- (1) At a meeting of the Panel, a quorum is constituted by a majority of the total number of members appointed.
- (2) A meeting of the Panel at which a quorum is present is competent to transact any business of the Panel.
- (3) The person presiding at a meeting of the Panel has a deliberative vote and, in the event of an equality of votes, also a casting vote.

10. Conduct of meetings

- (1) Subject to this Act, the Panel may regulate the calling of, and the conduct of business at, its meetings as it considers appropriate.
- (2) Without limiting subclause (1), the Panel may allow a person to attend a meeting for the purposes of advising or informing it on any matter.
- (3) The Panel is to keep accurate minutes of its meetings.

11. Disclosure of interests

- (1) If a member has a direct or indirect pecuniary interest in a matter being considered, or about to be considered, by the Panel, the member must, as soon as practicable after the relevant facts come to the member's knowledge, disclose the nature of the interest to the Panel.

Place Names Act 2020
Act No. 1 of 2020

sch. 1

- (2) Unless the Panel otherwise determines, a member who has made a disclosure under subclause (1) in relation to a matter must not –
 - (a) be present during any deliberation of the Panel in relation to the matter; or
 - (b) take part in any decision of the Panel in relation to the matter.
- (3) For the purposes of making a determination under subclause (2), the member to whom the determination relates must not –
 - (a) be present during any deliberation of the Panel in relation to the determination; or
 - (b) take part in making the determination.
- (4) Subclause (1) does not apply in respect of an interest that arises only because the member is also a State Service officer or State Service employee.

12. Validation of proceedings, &c.

- (1) An act or proceeding of the Panel or of a person acting under any direction of the Panel is not invalidated by reason only that, at the time when the act or proceeding was done, taken or commenced, there was a vacancy in the office of a member.
- (2) All acts and proceedings of the Panel or of a person acting under a direction of the Panel are, despite the subsequent discovery of a defect in the appointment of a member or that any other

person was disqualified from acting as, or incapable of being, a member, as valid as if the member had been duly appointed and was qualified to act as, or capable of being, a member, and as if the Panel had been fully constituted.

13. Presumptions

In any proceedings, unless evidence is given to the contrary, proof is not required of –

- (a) any resolution of the Panel; and
- (b) the presence of a quorum at any meeting of the Panel.

Place Names Act 2020
Act No. 1 of 2020

sch. 2

SCHEDULE 2 – SAVINGS AND TRANSITIONAL

Section 19

1. Interpretation

In this Schedule –

commencement day means the day on which this Act commences;

former Act means the *Survey Co-ordination Act 1944*;

Nomenclature Board means the Nomenclature Board established under section 20A of the former Act.

2. Assigned names taken to be approved name

- (1) A name approved under the former Act in respect of a place that is notified in the *Gazette* under the former Act before the commencement day, is taken, on and after the commencement day –
 - (a) to be recorded in the register under this Act; and
 - (b) to be an approved name for a place for the purposes of this Act, until the name is amended, or revoked, under this Act.
- (2) The Registrar is to include an entry in the register for each place that is taken to have an approved name by virtue of subclause (1).

3. Proposals under former Act taken to be proposal under this Act

(1) If, on the commencement day –

- (a) a proposal in respect of the name for a place has been gazetted under section 20F of the former Act; but
- (b) a final decision in respect of the name for the place has not been published in accordance with section 20J of the former Act –

the proposal gazetted under section 20F of the former Act is taken to have been a proposal published under section 10(2)(b) for the purposes of this Act.

(2) This Act applies to the determination of a proposal referred to in subclause (1) as if it were a proposal under this Act.

4. Winding-up of Nomenclature Board

- (1) On the commencement day, the Nomenclature Board is wound up.
- (2) Unless the context or subject matter of a document otherwise requires, on and after the commencement day a reference in the document to the Nomenclature Board is taken, where appropriate, to be or to include a reference to the Panel.

Place Names Act 2020
Act No. 1 of 2020

sch. 3

SCHEDULE 3 – CONSEQUENTIAL AMENDMENTS

Section 20

Crown Lands Act 1976

1. Section 5(2) is amended by omitting “Nomenclature Board constituted under the *Survey Co-ordination Act 1944*,” and substituting “Place Names Advisory Panel established by the *Place Names Act 2020*,”.

Local Government Act 1993

1. Section 186(2) is amended by omitting “Nomenclature Board constituted under the *Survey Co-ordination Act 1944*” and substituting “Place Names Advisory Panel established by the *Place Names Act 2020*”.

Nature Conservation Act 2002

1. Section 3(1) is amended as follows:
 - (a) by omitting the definition of *Nomenclature Board*;
 - (b) by inserting the following definition after the definition of *regional reserve*:

Registrar of Place Names means the Registrar of Place Names appointed under section 7 of the *Place Names Act 2020*;

Place Names Act 2020
Act No. 1 of 2020

2. Section 11(3)(b) is amended by omitting “Nomenclature Board” and substituting “Registrar of Place Names”.
3. Section 12(2)(b) is amended by omitting “Nomenclature Board” and substituting “Registrar of Place Names”.
4. Section 13(3)(b) is amended by omitting “Nomenclature Board” and substituting “Registrar of Place Names”.
5. Section 17(2)(b) is amended by omitting “Nomenclature Board” and substituting “Registrar of Place Names”.
6. Section 19(3)(b) is amended by omitting “Nomenclature Board” and substituting “Registrar of Place Names”.

Survey Co-ordination Act 1944

1. Section 2 is amended by omitting the definition of *Board*.
2. Sections 20A, 20AB, 20B, 20C, 20D, 20E, 20F, 20G, 20H, 20J and 20K are repealed.

*[Second reading presentation speech made in:–
House of Assembly on 15 October 2019
Legislative Council on 28 November 2019]*