

Queensland



ARTS LEGISLATION AMENDMENT ACT 2003

Act No. 66 of 2003

Queensland



**ARTS LEGISLATION AMENDMENT ACT
2003**

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Queensland



Arts Legislation Amendment Act 2003

Act No. 66 of 2003

An Act to amend the *Libraries Act 1988, Queensland Art Gallery Act 1987, Queensland Museum Act 1970, Queensland Performing Arts Trust Act 1977 and Royal Queensland Theatre Company Act 1970, and for other purposes*

[Assented to 22 October 2003]

The Parliament of Queensland enacts—

PART 1—PRELIMINARY

1 Short title

This Act may be cited as the *Arts Legislation Amendment Act 2003*.

2 Commencement

This Act commences on a day to be fixed by proclamation.

PART 2—AMENDMENT OF LIBRARIES ACT 1988

3 Act amended in pt 2

This part amends the *Libraries Act 1988*.

4 Insertion of new ss 1A and 1B

After section 1—

insert—

‘1A Object of Act

‘The object of this Act is to contribute to the cultural, social and intellectual development of all Queenslanders.

‘1B Guiding principles for achieving the object

‘The principles intended to guide the achievement of the object of the Act are the following—

- (a) leadership and excellence should be demonstrated in providing library and informational services;

- (b) there should be responsiveness to the needs of communities in regional and outer metropolitan areas;
- (c) respect for Aboriginal and Torres Strait Islander cultures should be affirmed;
- (d) children and young people should be supported in their understanding and use of library and informational services;
- (e) diverse audiences should be developed;
- (f) capabilities for life-long learning about library and informational services should be developed;
- (g) opportunities should be developed for international collaboration and for cultural exports, especially to the Asia-Pacific region;
- (h) content relevant to Queensland should be collected, preserved, promoted and made accessible.’.

5 Amendment of s 11 (Duration of appointment)

Section 11(1), ‘5 years’—

omit, insert—

‘3 years’.

6 Amendment of s 20 (Functions of board)

Section 20—

insert—

‘**(3)** In performing its functions the board must have regard to the object of, and guiding principles for, this Act.’.

7 Amendment of s 43 (Draft strategic and operational plans)

(1) Section 43(1), ‘4 months’—

omit, insert—

‘2 months’.

(2) Section 43(2) to (4)—

renumber as section 43(3) to (5).

(3) Section 43—

insert—

‘(2) In preparing the draft plans the board must consult with the Minister.’.

8 Insertion of new pt 10

After section 87—

insert—

‘PART 10—TRANSITIONAL PROVISIONS

‘88 Definition for pt 10

‘In this part—

“**commencement**” means commencement of this section.

‘89 Duration of certain appointments

‘(1) This section applies to a person who was a member of the board immediately before the commencement.

‘(2) Despite section 11(1), the person’s appointment as a member continues until the day the appointment would have ended under this Act as in force immediately before the commencement, unless earlier ended under section 11(3).’.

PART 3—AMENDMENT OF QUEENSLAND ART GALLERY ACT 1987

9 Act amended in pt 3

This part amends the *Queensland Art Gallery Act 1987*.

10 Insertion of new ss 1A and 1B

After section 1—

insert—

‘1A Object of Act

‘The object of this Act is to contribute to the cultural, social and intellectual development of all Queenslanders.

‘1B Guiding principles for achieving the object

‘The principles intended to guide the achievement of the object of the Act are the following—

- (a) leadership and excellence should be provided in the visual arts;
- (b) there should be responsiveness to the needs of communities in regional and outer metropolitan areas;
- (c) respect for Aboriginal and Torres Strait Islander cultures should be affirmed;
- (d) children and young people should be supported in their appreciation of, and involvement in, the visual arts;
- (e) diverse audiences should be developed;
- (f) capabilities for life-long learning about the visual arts should be developed;
- (g) opportunities should be developed for international collaboration and for cultural exports, especially to the Asia-Pacific region;
- (h) content relevant to Queensland should be promoted and presented.’.

11 Amendment of s 10 (Duration of appointment)

Section 10(1), ‘5 years’—

omit, insert—

‘3 years’.

12 Amendment of s 19 (Functions)

(1) Section 19(1)(b), ‘by’—

omit, insert—

‘, including by’.

(2) Section 19—

insert—

‘(3) In performing its functions the board must have regard to the object of, and guiding principles for, this Act.’.

13 Amendment of s 43 (Draft strategic and operational plans)

(1) Section 43(1), ‘4 months’—

omit, insert—

‘2 months’.

(2) Section 43(2) to (4)—

renumber as section 43(3) to (5).

(3) Section 43—

insert—

‘(2) In preparing the draft plans the board must consult with the Minister.’.

14 Insertion of new pt 7

After section 68—

insert—

‘PART 7—TRANSITIONAL PROVISIONS**‘69 Definition for pt 7**

‘In this part—

“**commencement**” means commencement of this section.

‘70 Duration of certain appointments

‘(1) This section applies to a person who was a member of the board immediately before the commencement.

‘(2) Despite section 10(1), the person’s appointment as a member continues until the day the appointment would have ended under this Act as in force immediately before the commencement, unless earlier ended under section 10(3).’.

**PART 4—AMENDMENT OF QUEENSLAND MUSEUM
ACT 1970****15 Act amended in pt 4**

This part amends the *Queensland Museum Act 1970*.

16 Insertion of new ss 1A and 1B

After section 1—

insert—

‘1A Object of Act

‘The object of this Act is to contribute to the cultural, social and intellectual development of all Queenslanders.

‘1B Guiding principles for achieving the object

‘The principles intended to guide the achievement of the object of the Act are the following—

- (a) leadership and excellence should be provided in the preservation, research and communication of Queensland’s cultural and natural heritage;
- (b) there should be responsiveness to the needs of communities in regional and outer metropolitan areas;
- (c) respect for Aboriginal and Torres Strait Islander cultures should be affirmed;

- (d) children and young people should be supported in their appreciation of Queensland's cultural and natural heritage;
- (e) diverse audiences should be developed;
- (f) capabilities for life-long learning about Queensland's cultural and natural heritage should be developed;
- (g) opportunities should be developed for international collaboration and for cultural exports, especially to the Asia-Pacific region;
- (h) content relevant to Queensland should be promoted and presented.'

17 Amendment of s 10 (Duration of appointment)

Section 10(1), '5 years'—

omit, insert—

'3 years'.

18 Amendment of s 12 (Functions of board)

(1) Section 12(1)(b), 'as a museum of general science'—

omit, insert—

'as a museum for science, the environment and human achievement,'.

(2) Section 12(1)(b)(ii), 'the promotion of'—

omit, insert—

'carrying out or promoting'.

(3) Section 12(1)(d)—

omit.

(4) Section 12(1)(f), 'paragraphs (a) to (e)'—

omit, insert—

'paragraphs (a) to (d)'.

(5) Section 12(1)(g), 'paragraph (f)'—

omit, insert—

'paragraph (e)'.

(6) Section 12(1), paragraphs (e) to (g)—

renumber as paragraphs (d) to (f).

(7) Section 12(2)—

omit, insert—

‘(2) In performing the functions mentioned in subsection (1)(b)(i) or (ii), the board must have regard to the desirability of storing items, or carrying out or promoting research, relevant to Queensland.’.

(8) Section 12(3), ‘subsection (1)(g)’—

omit, insert—

‘subsection (1)(f)’.

(9) Section 12—

insert—

‘(4) In performing its functions the board must have regard to the object of, and guiding principles for, this Act.’.

19 Amendment of s 45 (Draft strategic and operational plans)

(1) Section 45(1), ‘4 months’—

omit, insert—

‘2 months’.

(2) Section 45(2) to (4)—

renumber as section 45(3) to (5).

(3) Section 45—

insert—

‘(2) In preparing the draft plans the board must consult with the Minister.’.

20 Amendment of s 56 (Delegation by Minister)

Section 56(2)(a), ‘section 12(1)(g)’—

omit, insert—

‘section 12(1)(f)’.

21 Insertion of new pt 7

After section 69—

insert—

‘PART 7—TRANSITIONAL PROVISIONS**‘70 Definition for pt 7**

‘In this part—

“**commencement**” means commencement of this section.

‘71 Duration of certain appointments

‘(1) This section applies to a person who was a member of the board immediately before the commencement.

‘(2) Despite section 10(1), the person’s appointment as a member continues until the day the appointment would have ended under this Act as in force immediately before the commencement, unless earlier ended under section 10(3).’.

**PART 5—AMENDMENT OF QUEENSLAND
PERFORMING ARTS TRUST ACT 1977****22 Act amended in pt 5**

This part amends the *Queensland Performing Arts Trust Act 1977*.

23 Insertion of new ss 1A and 1B

After section 1—

insert—

‘1A Object of Act

‘The object of this Act is to contribute to the cultural, social and intellectual development of all Queenslanders.

‘1B Guiding principles for achieving the object

‘The principles intended to guide the achievement of the object of the Act are the following—

- (a) leadership and excellence should be provided in the performing arts;
- (b) leadership and excellence should be demonstrated in the management, on a commercial basis, of venues used for the performing arts, for the benefit of performing artists;
- (c) there should be responsiveness to the needs of communities in regional and outer metropolitan areas;
- (d) respect for Aboriginal and Torres Strait Islander cultures should be affirmed;
- (e) children and young people should be supported in their appreciation of, and involvement in, the performing arts;
- (f) diverse audiences should be developed;
- (g) capabilities for life-long learning about the performing arts should be developed;
- (h) opportunities should be developed for international collaboration and for cultural exports, especially to the Asia-Pacific region;
- (i) content relevant to Queensland should be promoted and presented.’.

24 Amendment of s 2 (Definitions)

(1) Section 2, definition “complex”—

omit.

(2) Section 2—

insert—

‘**“centre”** means the Queensland Performing Arts Centre at Brisbane.’.

25 Amendment of s 10 (Duration of appointment)

Section 10(1), '5 years'—

omit, insert—

'3 years'.

26 Amendment of s 12 (Functions of trust)

Section 12—

insert—

'(3) In performing its functions the trust must have regard to the object of, and guiding principles for, this Act.'

27 Amendment of s 19 (Disposal of abandoned property)

Section 19(1)(a), 'complex'—

omit, insert—

'centre'.

28 Amendment of s 44 (Draft strategic and operational plans)

(1) Section 44(1), '4 months'—

omit, insert—

'2 months'.

(2) Section 44(2) to (4)—

renumber as section 44(3) to (5).

(3) Section 44—

insert—

'(2) In preparing the draft plans the trust must consult with the Minister.'

29 Amendment of s 60 (Complex taken to be public place)

(1) Section 60, heading, ‘**Complex**’—

omit, insert—

‘**Centre**’.

(2) Section 60(2) and (3), ‘complex’—

omit, insert—

‘centre’.

30 Insertion of new pt 8

After section 66—

insert—

‘PART 8—TRANSITIONAL PROVISIONS**‘67 Definition for pt 8**

‘In this part—

“**commencement**” means commencement of this section.

‘68 Duration of certain appointments

‘(1) This section applies to a person who was a member of the trust immediately before the commencement.

‘(2) Despite section 10(1), the person’s appointment as a member continues until the day the appointment would have ended under this Act as in force immediately before the commencement, unless earlier ended under section 10(3).’.

PART 6—AMENDMENT OF ROYAL QUEENSLAND THEATRE COMPANY ACT 1970

31 Act amended in pt 6

This part amends the *Royal Queensland Theatre Company Act 1970*.

32 Amendment of title

Title, ‘**Royal**’—

omit.

33 Amendment of s 1 (Short title)

Section 1, ‘*Royal*’—

omit.

34 Insertion of new ss 1A and 1B

After section 1—

insert—

‘1A Object of Act

‘The object of this Act is to contribute to the cultural, social and intellectual development of all Queenslanders.

‘1B Guiding principles for achieving the object

‘The principles intended to guide the achievement of the object of this Act are the following—

- (a) leadership and excellence should be provided in the arts of the theatre;
- (b) there should be responsiveness to the needs of communities in regional and outer metropolitan areas;
- (c) respect for Aboriginal and Torres Strait Islander cultures should be affirmed;

- (d) children and young people should be supported in their appreciation of and involvement in the arts of the theatre;
- (e) diverse audiences should be developed;
- (f) capabilities for life-long learning about the arts of the theatre should be developed;
- (g) opportunities should be supported and enhanced for international collaboration and for cultural exports, especially to the Asia-Pacific region;
- (h) content relevant to Queensland should be promoted and presented.’.

35 Amendment of s 2 (Definitions)

(1) Section 2—

insert—

‘**“financial year”** see section 40A.’.

(2) Section 2, definition “theatre company”, ‘Royal’—

omit.

36 Replacement of s 3 (Theatre company)

Section 3—

omit, insert—

‘3 Theatre company

‘The entity formerly called the Royal Queensland Theatre Company continues in existence under the name Queensland Theatre Company.’.

37 Amendment of s 10 (Duration of appointment)

Section 10(1), ‘5 years’—

omit, insert—

‘3 years’.

38 Amendment of s 12 (Functions of the theatre company)

Section 12—

insert—

‘(3) In performing its functions the theatre company must have regard to the object of, and guiding principles for, this Act.’.

39 Insertion of new s 40A

After section 40—

insert—

‘40A Financial year

‘The financial year of the theatre company is from 1 January to 31 December.’.

40 Amendment of s 44 (Draft strategic and operational plans)

(1) Section 44(1), ‘4 months’—

omit, insert—

‘2 months’.

(2) Section 44(2) to (4)—

renumber as section 44(3) to (5).

(3) Section 44—

insert—

‘(2) In preparing the draft plans the theatre company must consult with the Minister.’.

41 Amendment of s 54 (Annual report)

Section 54(a) to (d), after ‘relevant’—

insert—

‘financial’.

42 Insertion of new pt 8

After section 67—

insert—

‘PART 8—TRANSITIONAL PROVISIONS**‘68 Definition for pt 8**

‘In this part—

“**commencement**” means commencement of this section.

“**former name**” means the Royal Queensland Theatre Company.

‘69 Duration of certain appointments

‘(1) This section applies to a person who was a member of the theatre company immediately before the commencement.

‘(2) Despite section 10(1), the person’s appointment as a member continues until the day the appointment would have ended under this Act as in force immediately before the commencement, unless earlier ended under section 10(3).

‘70 References to theatre company by former name

‘In an Act or document, if the context permits, a reference to the theatre company by its former name is taken to be a reference to the theatre company.’.