

Queensland



ANNO TRICESIMO QUARTO

ELIZABETHAE SECUNDAE REGINAE

No. 89 of 1985

An Act to amend the Queensland Theatre Company Act
1970 in certain particulars and the Queensland
Performing Arts Trust Act 1977-1979 in a certain
particular

[ASSENTED TO 9TH DECEMBER, 1985]

BE IT ENACTED by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Assembly of Queensland in Parliament assembled, and by the authority of the same, as follows:—

PART I—PRELIMINARY

1. **Short title.** This Act may be cited as the *Queensland Theatre Company Act and Another Act Amendment Act 1985*.

2. **Arrangement of Act.** This Act is divided into Parts as follows:—

PART I—PRELIMINARY (ss. 1-2);

PART II—AMENDMENT OF QUEENSLAND THEATRE COMPANY ACT 1970 (ss. 3-8);

PART III—AMENDMENT OF QUEENSLAND PERFORMING ARTS TRUST ACT 1977-1979 (ss. 9-10).

PART II—AMENDMENT OF QUEENSLAND THEATRE COMPANY ACT 1970

3. **Amendment of long title.** The Principal Act is amended by inserting in the long title before the word “Queensland” the word “Royal”.

4. **Amendment of short title.** (1) The *Queensland Theatre Company Act 1970* is amended by in section 1 (1) inserting before the word “Queensland” the word “Royal”.

(2) A reference in any Act passed before the commencement of this section or in any instrument or other document made before the commencement of this section to the “*Queensland Theatre Company Act 1970*” or to that Act as amended to any year specified in the reference shall be construed as a reference to the *Royal Queensland Theatre Company Act 1970* or, as the case may be, that Act as amended to the year so specified.

This subsection applies without prejudice to the operation of the *Acts Interpretation Act 1954-1977*.

5. **Citation.** (1) In this Part the *Queensland Theatre Company Act 1970* is referred to as the Principal Act.

(2) The Principal Act as amended by this Part may be cited as the *Royal Queensland Theatre Company Act 1970-1985*.

6. **Amendment of s. 2. Definitions.** Section 2 of the Principal Act is amended by—

(a) in the definition “Board” inserting before the word “Queensland” the word “Royal”;

(b) in the definition “Theatre Company” inserting before the word “Queensland” the word “Royal”.

7. Amendment of s. 3. Constitution of the Queensland Theatre Company. Section 3 of the Principal Act is amended by—

(a) inserting in the note appearing in and at the commencement of the section, before the word “Queensland” the word “Royal”;

(b) inserting in subsection (1) before the word “Queensland” the word “Royal”.

8. New s. 29A. The Principal Act is amended by inserting after section 29 the following section:—

“**29A. Superannuation scheme or arrangement.** (1) The Board is authorized and is deemed always to have been authorized to establish or participate in a provident scheme or arrangement or a scheme or arrangement that secures superannuation benefits, for such employees of the Board as are not required by any other Act to contribute to a scheme or arrangement of that kind under that Act.

(2) On or after the passing of the *Queensland Theatre Act and Another Act Amendment Act 1985* it shall not be competent to the Board—

- (a) to establish or to commence to participate in a scheme or arrangement such as is referred to in and authorized by subsection (1);
- (b) to amend a scheme or arrangement such as is referred to in and authorized by subsection (1) established by the Board; or
- (c) to continue to participate in a scheme or arrangement such as is referred to in and authorized by subsection (1) that is amended subsequently to the passing of that Act and subsequently to the Board’s commencing to participate therein,

unless the approval of the Governor in Council has first been obtained to the establishment, participation, amendment or, as the case may be, continued participation.

(3) The Governor in Council may grant the approval referred to in subsection (2) subject to such conditions as he sees fit including a condition that the terms and conditions of a scheme or arrangement established or participated in by the Board on or after the date of commencement of the *Queensland Theatre Company Act and Another Act Amendment Act 1985* shall include a provision authorizing the Auditor-General or a person authorized by him for that purpose to audit the accounts and records of the financial transactions of the Board in respect of that scheme or arrangement.

When the Auditor-General is so authorized he shall have with respect to such audit all the powers and authorities conferred on him by the *Financial Administration and Audit Act 1977-1981*.

(4) A reference to a scheme or arrangement in subsection (2) (b) or (2) (c) includes a reference to any such scheme or arrangement which the Board has established before or in which the Board was participating immediately before the commencement of the *Queensland Theatre Company Act and Another Act Amendment Act 1985*."

PART III—AMENDMENT OF QUEENSLAND PERFORMING ARTS TRUST ACT 1977-1979

9. Citation. (1) In this Part the *Queensland Performing Arts Trust Act 1977-1979* is referred to as the Principal Act.

(2) The Principal Act as amended by this Part may be cited as the *Queensland Performing Arts Trust Act 1977-1985*.

10. New s. 38A. The Principal Act is amended by inserting after section 38 the following section:—

"38A. Superannuation scheme or arrangement. (1) The Trust is authorized and is deemed always to have been authorized to establish or participate in a provident scheme or arrangement or a scheme or arrangement that secures superannuation benefits, for such employees of the Trust as are not required by any other Act to contribute to a scheme or arrangement of that kind under that Act.

(2) On or after the passing of the *Queensland Theatre Company Act and Another Act Amendment Act 1985* it shall not be competent to the Trust—

- (a) to establish or to commence to participate in a scheme or arrangement such as is referred to in and authorized by subsection (1);
- (b) to amend a scheme or arrangement such as is referred to in and authorized by subsection (1) established by the Trust; or
- (c) to continue to participate in a scheme or arrangement such as is referred to in and authorized by subsection (1) that is amended subsequently to the passing of that Act and subsequently to the Trust's commencing to participate therein,

unless the approval of the Governor in Council has first been obtained to the establishment, participation, amendment or, as the case may be, continued participation.

(3) The Governor in Council may grant the approval referred to in subsection (2) subject to such conditions as he sees fit including a condition that the terms and conditions of a scheme or arrangement established or participated in by the Trust on or after the date of commencement of the *Queensland Theatre Company Act and Another Act Amendment Act 1985* shall include a provision authorizing the Auditor-General or a person authorized by him for that purpose to audit the accounts and records of

the financial transactions of the Trust in respect of that scheme or arrangement.

When the Auditor-General is so authorized he shall have with respect to such audit all the powers and authorities conferred on him by the *Financial Administration and Audit Act 1977-1981*.

(4) A reference to a scheme or arrangement in subsection (2) (b) or (2) (c) includes a reference to any such scheme or arrangement which the Trust has established before or in which the Trust was participating immediately before the commencement of the *Queensland Theatre Company Act and Another Act Amendment Act 1985*.