

Queensland



**ARTS LEGISLATION
AMENDMENT BILL 2003**

Queensland



ARTS LEGISLATION AMENDMENT BILL 2003

TABLE OF PROVISIONS

Section		Page
PART 1—PRELIMINARY		
1	Short title	6
2	Commencement	6
PART 2—AMENDMENT OF LIBRARIES ACT 1988		
3	Act amended in pt 2	6
4	Insertion of new ss 1A and 1B	6
	1A Object of Act	6
	1B Guiding principles for achieving the object	6
5	Amendment of s 11 (Duration of appointment)	7
6	Amendment of s 20 (Functions of board)	7
7	Amendment of s 43 (Draft strategic and operational plans)	7
8	Insertion of new pt 10	8
PART 10—TRANSITIONAL PROVISIONS		
88	Definition for pt 10	8
89	Duration of certain appointments	8
PART 3—AMENDMENT OF QUEENSLAND ART GALLERY ACT 1987		
9	Act amended in pt 3	8
10	Insertion of new ss 1A and 1B	9
	1A Object of Act	9
	1B Guiding principles for achieving the object	9
11	Amendment of s 10 (Duration of appointment)	9
12	Amendment of s 19 (Functions)	10
13	Amendment of s 43 (Draft strategic and operational plans)	10

14	Insertion of new pt 7	10
	PART 7—TRANSITIONAL PROVISIONS	
69	Definition for pt 7	10
70	Duration of certain appointments	11
	PART 4—AMENDMENT OF QUEENSLAND MUSEUM ACT 1970	
15	Act amended in pt 4	11
16	Insertion of new ss 1A and 1B	11
	1A Object of Act	11
	1B Guiding principles for achieving the object	11
17	Amendment of s 10 (Duration of appointment)	12
18	Amendment of s 12 (Functions of board)	12
19	Amendment of s 45 (Draft strategic and operational plans)	13
20	Amendment of s 56 (Delegation by Minister)	13
21	Insertion of new pt 7	14
	PART 7—TRANSITIONAL PROVISIONS	
70	Definition for pt 7	14
71	Duration of certain appointments	14
	PART 5—AMENDMENT OF QUEENSLAND PERFORMING ARTS TRUST ACT 1977	
22	Act amended in pt 5	14
23	Insertion of new ss 1A and 1B	14
	1A Object of Act	14
	1B Guiding principles for achieving the object	15
24	Amendment of s 2 (Definitions)	15
25	Amendment of s 10 (Duration of appointment)	16
26	Amendment of s 12 (Functions of trust)	16
27	Amendment of s 19 (Disposal of abandoned property)	16
28	Amendment of s 44 (Draft strategic and operational plans)	16
29	Amendment of s 60 (Complex taken to be public place)	17
30	Insertion of new pt 8	17
	PART 8—TRANSITIONAL PROVISIONS	
67	Definition for pt 8	17
68	Duration of certain appointments	17

**PART 6—AMENDMENT OF ROYAL QUEENSLAND THEATRE
COMPANY ACT 1970**

31	Act amended in pt 6	18
32	Amendment of title	18
33	Amendment of s 1 (Short title)	18
34	Insertion of new ss 1A and 1B	18
	1A Object of Act	18
	1B Guiding principles for achieving the object.	18
35	Amendment of s 2 (Definitions)	19
36	Replacement of s 3 (Theatre company).	19
	3 Theatre company	19
37	Amendment of s 10 (Duration of appointment)	19
38	Amendment of s 12 (Functions of the theatre company)	20
39	Insertion of new s 40A	20
	40A Financial year.	20
40	Amendment of s 44 (Draft strategic and operational plans)	20
41	Amendment of s 54 (Annual report)	20
42	Insertion of new pt 8	21
	PART 8—TRANSITIONAL PROVISIONS	
68	Definition for pt 8	21
69	Duration of certain appointments	21
70	References to theatre company by former name	21

2003

A BILL

FOR

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

The Parliament of Queensland enacts— 1

PART 1—PRELIMINARY 2

Clause 1 Short title 3
 This Act may be cited as the *Arts Legislation Amendment Act 2003*. 4

Clause 2 Commencement 5
 This Act commences on a day to be fixed by proclamation. 6

PART 2—AMENDMENT OF LIBRARIES ACT 1988 7

Clause 3 Act amended in pt 2 8
 This part amends the *Libraries Act 1988*. 9

Clause 4 Insertion of new ss 1A and 1B 10
 After section 1— 11

insert— 12

‘1A Object of Act 13

‘The object of this Act is to contribute to the cultural, social and intellectual development of all Queenslanders. 14
 15

‘1B Guiding principles for achieving the object 16

‘The principles intended to guide the achievement of the object of the Act are the following— 17
 18

(a) leadership and excellence should be demonstrated in providing library and informational services; 19
 20

Arts Legislation Amendment Bill 2003

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|----------------------------------------------------------------------------------------------------------------------------------------|----------|
| (b) there should be responsiveness to the needs of communities in regional and outer metropolitan areas; | 1
2 |
| (c) respect for Aboriginal and Torres Strait Islander cultures should be affirmed; | 3
4 |
| (d) children and young people should be supported in their understanding and use of library and informational services; | 5
6 |
| (e) diverse audiences should be developed; | 7 |
| (f) capabilities for life-long learning about library and informational services should be developed; | 8
9 |
| (g) opportunities should be developed for international collaboration and for cultural exports, especially to the Asia-Pacific region; | 10
11 |
| (h) content relevant to Queensland should be collected, preserved, promoted and made accessible.’. | 12
13 |

Clause 5	Amendment of s 11 (Duration of appointment)	14
	Section 11(1), ‘5 years’—	15
	<i>omit, insert—</i>	16
	‘3 years’.	17

Clause 6	Amendment of s 20 (Functions of board)	18
	Section 20—	19
	<i>insert—</i>	20
	‘(3) In performing its functions the board must have regard to the object of, and guiding principles for, this Act.’.	21 22

Clause 7	Amendment of s 43 (Draft strategic and operational plans)	23
	(1) Section 43(1), ‘4 months’—	24
	<i>omit, insert—</i>	25
	‘2 months’.	26
	(2) Section 43(2) to (4)—	27
	<i>renumber</i> as section 43(3) to (5).	28

	(3) Section 43—	1
	<i>insert—</i>	2
	‘(2) In preparing the draft plans the board must consult with the Minister.’.	3 4
Clause 8	Insertion of new pt 10	5
	After section 87—	6
	<i>insert—</i>	7
	‘PART 10—TRANSITIONAL PROVISIONS	8
	‘88 Definition for pt 10	9
	‘In this part—	10
	“commencement” means commencement of this section.	11
	‘89 Duration of certain appointments	12
	‘(1) This section applies to a person who was a member of the board immediately before the commencement.	13 14
	‘(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).’.	15 16 17 18
	PART 3—AMENDMENT OF QUEENSLAND ART GALLERY ACT 1987	19 20
Clause 9	Act amended in pt 3	21
	This part amends the <i>Queensland Art Gallery Act 1987</i> .	22

Clause 10	Insertion of new ss 1A and 1B	1
	After section 1—	2
	<i>insert—</i>	3
	‘1A Object of Act	4
	‘The object of this Act is to contribute to the cultural, social and intellectual development of all Queenslanders.	5 6
	‘1B Guiding principles for achieving the object	7
	‘The principles intended to guide the achievement of the object of the Act are the following—	8 9
	(a) leadership and excellence should be provided in the visual arts;	10
	(b) there should be responsiveness to the needs of communities in regional and outer metropolitan areas;	11 12
	(c) respect for Aboriginal and Torres Strait Islander cultures should be affirmed;	13 14
	(d) children and young people should be supported in their appreciation of, and involvement in, the visual arts;	15 16
	(e) diverse audiences should be developed;	17
	(f) capabilities for life-long learning about the visual arts should be developed;	18 19
	(g) opportunities should be developed for international collaboration and for cultural exports, especially to the Asia-Pacific region;	20 21
	(h) content relevant to Queensland should be promoted and presented.’.	22 23
Clause 11	Amendment of s 10 (Duration of appointment)	24
	Section 10(1), ‘5 years’—	25
	<i>omit, insert—</i>	26
	‘3 years’.	27

Clause 12	Amendment of s 19 (Functions)	1
	(1) Section 19(1)(b), ‘by’—	2
	<i>omit, insert—</i>	3
	‘, including by’.	4
	(2) Section 19—	5
	<i>insert—</i>	6
	‘(3) In performing its functions the board must have regard to the object of, and guiding principles for, this Act.’.	7
		8
Clause 13	Amendment of s 43 (Draft strategic and operational plans)	9
	(1) Section 43(1), ‘4 months’—	10
	<i>omit, insert—</i>	11
	‘2 months’.	12
	(2) Section 43(2) to (4)—	13
	<i>renumber</i> as section 43(3) to (5).	14
	(3) Section 43—	15
	<i>insert—</i>	16
	‘(2) In preparing the draft plans the board must consult with the Minister.’.	17
		18
Clause 14	Insertion of new pt 7	19
	After section 68—	20
	<i>insert—</i>	21
	‘PART 7—TRANSITIONAL PROVISIONS	22
	‘69 Definition for pt 7	23
	‘In this part—	24
	“commencement” means commencement of this section.	25

‘70 Duration of certain appointments	1
‘(1) This section applies to a person who was a member of the board immediately before the commencement.	2 3
‘(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).’.	4 5 6 7
PART 4—AMENDMENT OF QUEENSLAND MUSEUM ACT 1970	8 9
Clause 15 Act amended in pt 4	10
This part amends the <i>Queensland Museum Act 1970</i> .	11
Clause 16 Insertion of new ss 1A and 1B	12
After section 1—	13
<i>insert—</i>	14
‘1A Object of Act	15
‘The object of this Act is to contribute to the cultural, social and intellectual development of all Queenslanders.	16 17
‘1B Guiding principles for achieving the object	18
‘The principles intended to guide the achievement of the object of the Act are the following—	19 20
(a) leadership and excellence should be provided in the preservation, research and communication of Queensland’s cultural and natural heritage;	21 22 23
(b) there should be responsiveness to the needs of communities in regional and outer metropolitan areas;	24 25
(c) respect for Aboriginal and Torres Strait Islander cultures should be affirmed;	26 27

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- | | |
|----------------------------------------------------------------------------------------------------------------------------------------|--------|
| (d) children and young people should be supported in their appreciation of Queensland's cultural and natural heritage; | 1
2 |
| (e) diverse audiences should be developed; | 3 |
| (f) capabilities for life-long learning about Queensland's cultural and natural heritage should be developed; | 4
5 |
| (g) opportunities should be developed for international collaboration and for cultural exports, especially to the Asia-Pacific region; | 6
7 |
| (h) content relevant to Queensland should be promoted and presented.' | 8
9 |

- | | |
|--------------------------------------------------------------|----|
| Clause 17 Amendment of s 10 (Duration of appointment) | 10 |
| Section 10(1), '5 years'— | 11 |
| <i>omit, insert—</i> | 12 |
| '3 years'. | 13 |

- | | |
|--------------------------------------------------------------------|----|
| Clause 18 Amendment of s 12 (Functions of board) | 14 |
| (1) Section 12(1)(b), 'as a museum of general science'— | 15 |
| <i>omit, insert—</i> | 16 |
| 'as a museum for science, the environment and human achievement,'. | 17 |
| (2) Section 12(1)(b)(ii), 'the promotion of'— | 18 |
| <i>omit, insert—</i> | 19 |
| 'carrying out or promoting'. | 20 |
| (3) Section 12(1)(d)— | 21 |
| <i>omit.</i> | 22 |
| (4) Section 12(1)(f), 'paragraphs (a) to (e)'— | 23 |
| <i>omit, insert—</i> | 24 |
| 'paragraphs (a) to (d)'. | 25 |
| (5) Section 12(1)(g), 'paragraph (f)'— | 26 |
| <i>omit, insert—</i> | 27 |
| 'paragraph (e)'. | 28 |

	(6) Section 12(1), paragraphs (e) to (g)—	1
	<i>renumber</i> as paragraphs (d) to (f).	2
	(7) Section 12(2)—	3
	<i>omit, insert</i> —	4
	‘(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.’.	5
		6
		7
	(8) Section 12(3), ‘subsection (1)(g)’—	8
	<i>omit, insert</i> —	9
	‘subsection (1)(f)’.	10
	(9) Section 12—	11
	<i>insert</i> —	12
	‘(4) In performing its functions the board must have regard to the object of, and guiding principles for, this Act.’.	13
		14
Clause	19 Amendment of s 45 (Draft strategic and operational plans)	15
	(1) Section 45(1), ‘4 months’—	16
	<i>omit, insert</i> —	17
	‘2 months’.	18
	(2) Section 45(2) to (4)—	19
	<i>renumber</i> as section 45(3) to (5).	20
	(3) Section 45—	21
	<i>insert</i> —	22
	‘(2) In preparing the draft plans the board must consult with the Minister.’.	23
		24
Clause	20 Amendment of s 56 (Delegation by Minister)	25
	Section 56(2)(a), ‘section 12(1)(g)’—	26
	<i>omit, insert</i> —	27
	‘section 12(1)(f)’.	28

Clause 21	Insertion of new pt 7	1
	After section 69—	2
	<i>insert—</i>	3
	‘PART 7—TRANSITIONAL PROVISIONS	4
	‘70 Definition for pt 7	5
	‘In this part—	6
	“commencement” means commencement of this section.	7
	‘71 Duration of certain appointments	8
	‘(1) This section applies to a person who was a member of the board immediately before the commencement.	9 10
	‘(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).’.	11 12 13 14
	PART 5—AMENDMENT OF QUEENSLAND PERFORMING ARTS TRUST ACT 1977	15 16
Clause 22	Act amended in pt 5	17
	This part amends the <i>Queensland Performing Arts Trust Act 1977</i> .	18
Clause 23	Insertion of new ss 1A and 1B	19
	After section 1—	20
	<i>insert—</i>	21
	‘1A Object of Act	22
	‘The object of this Act is to contribute to the cultural, social and intellectual development of all Queenslanders.	23 24

‘1B Guiding principles for achieving the object	1
‘The principles intended to guide the achievement of the object of the Act are the following—	2 3
(a) leadership and excellence should be provided in the performing arts;	4 5
(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;	6 7 8
(c) there should be responsiveness to the needs of communities in regional and outer metropolitan areas;	9 10
(d) respect for Aboriginal and Torres Strait Islander cultures should be affirmed;	11 12
(e) children and young people should be supported in their appreciation of, and involvement in, the performing arts;	13 14
(f) diverse audiences should be developed;	15
(g) capabilities for life-long learning about the performing arts should be developed;	16 17
(h) opportunities should be developed for international collaboration and for cultural exports, especially to the Asia-Pacific region;	18 19
(i) content relevant to Queensland should be promoted and presented.’.	20 21
Clause 24 Amendment of s 2 (Definitions)	22
(1) Section 2, definition “complex”—	23
<i>omit.</i>	24
(2) Section 2—	25
<i>insert—</i>	26
‘ “centre” means the Queensland Performing Arts Centre at Brisbane.’.	27

Clause 25	Amendment of s 10 (Duration of appointment)	1
	Section 10(1), ‘5 years’—	2
	<i>omit, insert</i> —	3
	‘3 years’.	4
Clause 26	Amendment of s 12 (Functions of trust)	5
	Section 12—	6
	<i>insert</i> —	7
	‘(3) In performing its functions the trust must have regard to the object of, and guiding principles for, this Act.’.	8
		9
Clause 27	Amendment of s 19 (Disposal of abandoned property)	10
	Section 19(1)(a), ‘complex’—	11
	<i>omit, insert</i> —	12
	‘centre’.	13
Clause 28	Amendment of s 44 (Draft strategic and operational plans)	14
	(1) Section 44(1), ‘4 months’—	15
	<i>omit, insert</i> —	16
	‘2 months’.	17
	(2) Section 44(2) to (4)—	18
	<i>renumber</i> as section 44(3) to (5).	19
	(3) Section 44—	20
	<i>insert</i> —	21
	‘(2) In preparing the draft plans the trust must consult with the Minister.’.	22
		23

Clause 29	Amendment of s 60 (Complex taken to be public place)	1
	(1) Section 60, heading, ‘ Complex ’—	2
	<i>omit, insert—</i>	3
	‘ Centre ’.	4
	(2) Section 60(2) and (3), ‘complex’—	5
	<i>omit, insert—</i>	6
	‘centre’.	7
Clause 30	Insertion of new pt 8	8
	After section 66—	9
	<i>insert—</i>	10
	‘PART 8—TRANSITIONAL PROVISIONS	11
	‘67 Definition for pt 8	12
	‘In this part—	13
	“commencement” means commencement of this section.	14
	‘68 Duration of certain appointments	15
	‘(1) This section applies to a person who was a member of the trust immediately before the commencement.	16 17
	‘(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).’.	18 19 20 21

**PART 6—AMENDMENT OF ROYAL QUEENSLAND
THEATRE COMPANY ACT 1970**

		1
	PART 6—AMENDMENT OF ROYAL QUEENSLAND THEATRE COMPANY ACT 1970	2
Clause 31	Act amended in pt 6	3
	This part amends the <i>Royal Queensland Theatre Company Act 1970</i> .	4
Clause 32	Amendment of title	5
	Title, ‘Royal’—	6
	<i>omit.</i>	7
Clause 33	Amendment of s 1 (Short title)	8
	Section 1, ‘Royal’—	9
	<i>omit.</i>	10
Clause 34	Insertion of new ss 1A and 1B	11
	After section 1—	12
	<i>insert—</i>	13
	‘1A Object of Act	14
	‘The object of this Act is to contribute to the cultural, social and intellectual development of all Queenslanders.	15 16
	‘1B Guiding principles for achieving the object	17
	‘The principles intended to guide the achievement of the object of this Act are the following—	18 19
	(a) leadership and excellence should be provided in the arts of the theatre;	20 21
	(b) there should be responsiveness to the needs of communities in regional and outer metropolitan areas;	22 23
	(c) respect for Aboriginal and Torres Strait Islander cultures should be affirmed;	24 25

Arts Legislation Amendment Bill 2003

- (d) children and young people should be supported in their appreciation of and involvement in the arts of the theatre;
1
2
- (e) diverse audiences should be developed;
3
- (f) capabilities for life-long learning about the arts of the theatre should be developed;
4
5
- (g) opportunities should be supported and enhanced for international collaboration and for cultural exports, especially to the Asia-Pacific region;
6
7
8
- (h) content relevant to Queensland should be promoted and presented.’.
9
10

Clause 35 Amendment of s 2 (Definitions) 11

(1) Section 2— 12

insert— 13

‘**“financial year”** see section 40A.’. 14

(2) Section 2, definition “theatre company”, ‘Royal’— 15

omit. 16

Clause 36 Replacement of s 3 (Theatre company) 17

Section 3— 18

omit, insert— 19

‘3 Theatre company 20

‘The entity formerly called the Royal Queensland Theatre Company continues in existence under the name Queensland Theatre Company.’. 21
22

Clause 37 Amendment of s 10 (Duration of appointment) 23

Section 10(1), ‘5 years’— 24

omit, insert— 25

‘3 years’. 26

Clause 38	Amendment of s 12 (Functions of the theatre company)	1
	Section 12—	2
	<i>insert—</i>	3
	‘(3) In performing its functions the theatre company must have regard to the object of, and guiding principles for, this Act.’	4
		5
Clause 39	Insertion of new s 40A	6
	After section 40—	7
	<i>insert—</i>	8
	‘40A Financial year	9
	‘The financial year of the theatre company is from 1 January to 31 December.’	10
		11
Clause 40	Amendment of s 44 (Draft strategic and operational plans)	12
	(1) Section 44(1), ‘4 months’—	13
	<i>omit, insert—</i>	14
	‘2 months’.	15
	(2) Section 44(2) to (4)—	16
	<i>renumber</i> as section 44(3) to (5).	17
	(3) Section 44—	18
	<i>insert—</i>	19
	‘(2) In preparing the draft plans the theatre company must consult with the Minister.’	20
		21
Clause 41	Amendment of s 54 (Annual report)	22
	Section 54(a) to (d), after ‘relevant’—	23
	<i>insert—</i>	24
	‘financial’.	25

Clause 42	Insertion of new pt 8	1
	After section 67—	2
	<i>insert—</i>	3
	‘PART 8—TRANSITIONAL PROVISIONS	4
‘68	Definition for pt 8	5
	‘In this part—	6
	“commencement” means commencement of this section.	7
	“former name” means the Royal Queensland Theatre Company.	8
‘69	Duration of certain appointments	9
	‘(1) This section applies to a person who was a member of the theatre company immediately before the commencement.	10 11
	‘(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).	12 13 14 15
‘70	References to theatre company by former name	16
	‘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.’.	17 18 19