

# Queensland Art Gallery Amendment Bill 2012

## Explanatory Notes for Amendments to be Moved During Consideration in Detail by the Honourable R M Bates MP

### Title of the Bill

The *Queensland Art Gallery Amendment Bill 2012*.

### Objectives of the Amendments

The objectives of the amendments are to include amendments recommended as a result of the scrutiny of the Bill by the Education and Innovation Parliamentary Committee.

Included in the Bill is an amendment to provide the Queensland Art Gallery Board of Trustees with the power to establish a committee of the Board – the foundation committee.

The current amendment enables the Board to decide matters about the foundation committee that are not provided for under the *Queensland Art Gallery Act 1987*, including, for example –

- (a) the name of the foundation committee; and
- (b) conditions of membership; and
- (c) the constitution for the foundation committee.

The Education and Innovation Committee has recommended that, given the foundation committee includes non-Board members, the Board be required to decide the name and conditions of membership to the foundation committee, and also to endorse the constitution for the foundation committee.

An amendment to the Bill at section 40C(6) is made to address this objective by placing a mandatory requirement on the Board to decide the abovementioned matters and to endorse the constitution of the foundation committee. The general power to allow the Board to determine other

matters about the foundation committee that are not provided for in the *Queensland Art Gallery Act 1987* (or the Amendment) is retained, as well as the power to dissolve the foundation committee.

### **Alternative Ways of Achieving Policy Objectives**

Amendment of the Bill is required to properly give effect to the policy objective.

### **Consistency with Fundamental Legislative Principles**

The amendments are consistent with fundamental legislative principles.

### **Estimated Cost of Government Implementation**

The amendments will not incur any additional costs. The Foundation's funding and administrative arrangements will remain the same and there will be no financial impacts on the Board under the new structure.

### **Consultation**

The Department of the Premier and Cabinet has been consulted and are in agreement with this action.

Officers of the Office of the Queensland Parliamentary Counsel have been consulted and have indicated that the amendments are minor in nature and can be progressed as amendments during consideration of the Bill in detail.

## **Notes on Provisions**

Clause 1 amends clause 7 of the Bill to insert a new subsection 40C(6); revise and renumber the existing 40C(6); and renumber 40C(7).

Clause 1 omits the existing subsections 40C(6)-(7) to insert a new subsection 40C(6) which provides that the Board must decide the name of the Foundation Committee and the conditions of membership to the Foundation Committee, and must also endorse the Constitution for the Foundation Committee.

Clause 1 inserts a new subsection 40C(7) which revises the existing subsection 40C(6) to continue to provide that the Board may decide other matters about the Foundation Committee that are not provided for under the *Queensland Art Gallery Act 1987*.

Finally clause 1 reinserts the existing subsection 40C(7) as subsection 40C(8). This subsection enables the Board to dissolve the Foundation Committee at any time.

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