

SYDNEY OPERA HOUSE TRUST
(AMENDMENT) ACT.

New South Wales



ANNO OCTAVO DECIMO

ELIZABETHÆ II REGINÆ

Act No. 24, 1969.

An Act to provide for the reconstitution of the Sydney Opera House Trust; for this purpose and other purposes to amend the Sydney Opera House Trust Act, 1961, as subsequently amended; and for purposes connected therewith. [Assented to, 2nd April, 1969.]

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows :—

Short title,
citation
and com-
mencement.

1. (1) This Act may be cited as the "Sydney Opera House Trust (Amendment) Act, 1969".

(2)

Sydney Opera House Trust (Amendment).

(2) The Sydney Opera House Trust Act, 1961, as No. 24, 1969 subsequently amended and as amended by this Act, may be cited as the Sydney Opera House Trust Act, 1961–1969.

(3) This Act shall commence upon a day to be appointed by the Governor and notified by proclamation published in the Gazette.

2. (1) The Sydney Opera House Trust Act, 1961, as subsequently amended, is amended—

Amendment
of Act No.
9, 1961.

(a) by inserting at the end of subsection one of section three the following new paragraph :—

Sec. 3.

(Constitu-
tion of
Sydney
Opera House
Trust.)

In the exercise and discharge of its powers, authorities, duties and functions the Trust shall, notwithstanding anything contained in this Act, be subject to the control and direction of the Minister.

(b) (i) by omitting from paragraph (b) of subsection two of section five the words “care, control and management” and by inserting in lieu thereof the words “administration, care, control, management and maintenance”;

Sec. 5

(Vesting of
Sydney
Opera House
in the
Trust.)

(ii) by omitting from subsection three of the same section the words “care, control and management” and by inserting in lieu thereof the words “administration, care, control, management and maintenance”;

(c) by omitting section six and by inserting in lieu thereof the following section :—

Sub.t. sec. 6.

6. (1) The Trust shall consist of eight trustees who shall be appointed by the Governor on the nomination of the Minister.

Trustees.

(2) The trustees shall be divided into two groups of four and the trustees to be included in each of such groups shall be as determined by the Governor.

(3)

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(3) The trustees comprised in such one of the two groups aforesaid as the Governor may determine shall, subject to this Act, hold office as trustees for a term of two years from the commencement of the Sydney Opera House Trust (Amendment) Act, 1969, and shall if otherwise qualified be eligible for reappointment.

(4) The trustees comprised in the other of the two groups aforesaid shall, subject to this Act, hold office as trustees for a term of four years from the commencement of the Sydney Opera House Trust (Amendment) Act, 1969, and shall if otherwise qualified be eligible for reappointment.

(5) Upon the second anniversary of the date of commencement of the Sydney Opera House Trust (Amendment) Act, 1969, and thereafter every two years, there shall take office as trustees four persons who shall have been appointed by the Governor on the nomination of the Minister.

The trustees appointed under this subsection shall, subject to this Act, hold office as trustees for a term of four years from the date upon which they take office under this subsection and if otherwise qualified shall be eligible for reappointment.

(6) Where a vacancy occurs in the office of a trustee before the expiration of his term of office the casual vacancy so arising shall be filled by a person appointed thereto by the Governor on the nomination of the Minister.

The trustee filling any such casual vacancy shall, subject to this Act, hold office as trustee for the residue of his predecessor's term of office and shall if otherwise qualified be eligible for reappointment.

(7) (a) No person of or above the age of seventy years shall be eligible for appointment as a trustee.

(b)

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(b) A trustee shall cease to hold office ^{No. 24, 1969} as a trustee upon the day on which he attains the age of seventy years.

(8) Nothing contained in the Sydney Opera House Trust (Amendment) Act, 1969, shall prejudice or affect in any way the continuity of the body corporate established under this Act under the name of "The Sydney Opera House Trust" but such body corporate shall continue notwithstanding the provisions of the Sydney Opera House Trust (Amendment) Act, 1969.

(d) by omitting section seven;

Sec. 7.
(Reconstitution of Trust.)

(e) (i) by inserting at the end of subsection one of section eight the following new paragraph :—

Sec. 8.
(Vacancies—how caused.)

(f) accepts or continues to hold after appointment as a trustee—

(i) a position or employment with, or, whether in an honorary capacity or otherwise, membership of, the board or committee of management of any corporation, society, authority, organisation or association which is a party or becomes a party to a contract or arrangement with the Trust for the use or hire of the Opera House and site or any part thereof, or

(ii) a pecuniary interest or benefit whether direct or indirect in or from any contract or arrangement with the Trust for
the

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the use or hire of the Opera House and site or any part thereof,

and the Minister in the circumstances of the case considers that the office of the trustee should become vacant.

(ii) by omitting from subsection two of the same section the words "nominated trustee or appointed";

Sec. 10. (f) by omitting section ten and by inserting in lieu thereof the following section :—

Chairman. 10. (1) The Chairman of the Trust shall be such trustee as the Governor on the nomination of the Minister may appoint as Chairman.

(2) At every meeting of the Trust at which he is present the chairman shall preside. In the absence of the chairman from any meeting of the Trust, the trustees present at the meeting shall select from amongst their number a chairman to preside at that meeting.

Sec. 11. (g) (i) by omitting from subsection two of section eleven the word "eight" and by inserting in lieu thereof the word "five";

(ii) by omitting from paragraph (c) of subsection three of the same section the word "vice-chairman";

Sec. 28. (h) by omitting paragraph (c) of subsection one of section twenty-eight.

(By-laws.)

(2) The persons who held office as members of the Trust immediately before the commencement of this Act shall upon such commencement cease to hold office as such, but shall, if otherwise qualified, be eligible for reappointment as trustees.