

**CULTURAL INSTITUTIONS (MISCELLANEOUS
AMENDMENTS) BILL 1989**

NEW SOUTH WALES



EXPLANATORY NOTE

(This Explanatory Note relates to this Bill as introduced into Parliament)

The object of this Bill is to amend various Acts so as to standardise their provisions with respect to the constitutions of the governing bodies of the statutory authorities established by them.

The Acts to be amended consist of:

- (a) the Archives Act 1960;
- (b) the Art Gallery of New South Wales Act 1980;
- (c) the Australian Museum Trust Act 1975;
- (d) the Historic Houses Act 1980;
- (e) the Library Act 1939;
- (f) the Museum of Applied Arts and Sciences Act 1945; and
- (g) the Sydney Opera House Trust Act 1961.

Clause 1 specifies the short title of the proposed Act.

Clause 2 provides for the proposed Act to commence on a day or days to be appointed by proclamation.

Clause 3 is a formal provision that gives effect to the Schedule of amendments.

Clause 4 is a transitional provision that preserves and extends the terms of office of certain members of the governing bodies of the various cultural institutions. It also provides that a term of office that commences before or after the commencement of the proposed amendments is to be taken into account in determining the number of consecutive terms for which such a member has held office.

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SCHEDULE 1 - AMENDMENTS

Archives Act 1960 No. 46

The amendments to this Act will result in:

- (a) changes in the manner of appointment of 8 of the 9 members of the Archives Authority;
- (b) the requirement that the members must include at least one person who has knowledge of, or experience in, tertiary education;
- (c) the reduction, from 4 years to 3, of the term of office of a member;
- (d) the prohibition of members holding office for 4 consecutive terms;
- (e) the appointment of a member taking effect on 1 January of the year following that in which the appointment is made; and
- (f) the increase, from 4 to 5, of the number of members required to form a quorum at any meeting of the Authority.

Art Gallery of New South Wales Act 1980 No. 65

The amendments to this Act will result in:

- (a) the abolition of the existing upper age limit for the appointment of members of the Art Gallery Trust; and
- (b) the appointment of a member taking effect on 1 January of the year following that in which the appointment is made.

Australian Museum Trust Act 1975 No. 95

The amendments to this Act will result in:

- (a) the reduction, from 10 to 9, of the number of trustees forming the Australian Museum Trust;
- (b) the requirement that the trustees must include:
 - (i) at least one person who has knowledge of, or experience in, science; and
 - (ii) at least one person who has knowledge of, or experience in, education;
- (c) the abolition of the existing upper age limit for the appointment of trustees;
- (d) the reduction, from 4 years to 3, of the term of office of a trustee;
- (e) the prohibition of trustees holding office for 4 consecutive terms; and
- (f) the appointment of a trustee taking effect on 1 January of the year following that in which the appointment is made.

Historic Houses Act 1980 No. 94

The amendments to this Act will result in:

- (a) the increase, from 7 to 9, of the number of trustees forming the Historic Houses Trust;
- (b) the increase, from 5 to 7, of the number of trustees who are appointed by the Minister;

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- (c) the abolition of the existing upper age limit for the appointment of trustees;
- (d) the reduction, from 4 years to 3, of the term of office of a trustee;
- (e) the prohibition of trustees holding office for 4 consecutive terms;
- (f) the appointment of a trustee taking effect on 1 January of the year following that in which the appointment is made; and
- (g) the increase, from 4 to 5, of the number of trustees required to form a quorum at any meeting of the Trust.

Library Act 1939 No. 40

The amendments to this Act will result in:

- (a) the reduction, from 10 to 9, of the number of members of the Library Council;
- (b) the requirement that the members must include:
 - (i) at least one person who has knowledge of, or experience in, education; and
 - (ii) at least one person who has knowledge of, or experience in, local government;
- (c) the abolition of the existing upper age limit for the appointment of members;
- (d) the reduction, from 4 years to 3, of the term of office of a member;
- (e) the prohibition of members holding office for 4 consecutive terms;
- (f) the appointment of a member taking effect on 1 January of the year following that in which the appointment is made; and
- (g) the reduction, from 6 to 5, of the number of members required to form a quorum at any meeting of the Council.

Museum of Applied Arts and Sciences Act 1945 No. 31

The amendments to this Act will result in:

- (a) all trustees of the Museum of Applied Arts and Sciences being appointed by the Governor on the nomination of the Minister;
- (b) the requirement that the trustees must include:
 - (i) at least one person who has knowledge of, or experience in, the arts or sciences; and
 - (ii) at least one person who has knowledge of, or experience in, education;
- (c) the abolition of the existing upper age limit for appointment of trustees;
- (d) the reduction, from 4 years to 3, of the term of office of a trustee;
- (e) the prohibition of trustees holding office for 4 consecutive terms; and
- (f) the appointment of a trustee taking effect on 1 January of the year following that in which the appointment is made.

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Sydney Opera House Trust Act 1961 No. 9

The amendments to this Act will result in:

- (a) the increase, from 8 to 9, of the number of trustees of the Sydney Opera House Trust;
 - (b) the requirement that the trustees must include at least 2 persons who have knowledge of, or experience in, the performing arts;
 - (c) the abolition of the existing upper age limit for the appointment of trustees;
 - (d) the reduction, from 4 years to 3, of the term of office of a trustee;
 - (e) the prohibition of a trustee holding office for 4 consecutive terms; and
 - (f) the appointment of a trustee taking effect on 1 January of the year following that in which the appointment is made.
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