

This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.

I. P. K. VIDLER,
Clerk of the Legislative Assembly.

*Legislative Assembly Chamber,
Sydney, 20 March, 1969.*

New South Wales



ANNO OCTAVO DECIMO

ELIZABETHÆ II REGINÆ

***** ** *****

Act No. , 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.

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 :—

1. (1) This Act may be cited as the "Sydney Opera House Trust (Amendment) Act, 1969".
- (2) Short title, citation and commencement.

Sydney Opera House Trust (Amendment).

(2) The Sydney Opera House Trust Act, 1961, as 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.

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

Sec. 3. (Constitution 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.

15 (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.)

20 (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";

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

Subst. 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.

30 (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)

Sydney Opera House Trust (Amendment).

5 (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.

10 (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.

15 (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.

20 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.

25 (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.

30 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)

Sydney Opera House Trust (Amendment).

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

5 (b) A trustee shall cease to hold office as a trustee upon the day on which he attains the age of seventy years.

10 (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.

15 (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—

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

(ii)

Sydney Opera House Trust (Amendment)

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

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

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.

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

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

(h)

Sydney Opera House Trust (Amendment).

(h) by omitting paragraph (c) of subsection one of **Sec. 28.**
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.

BY AUTHORITY:

V. C. N. BLIGHT, GOVERNMENT PRINTER, NEW SOUTH WALES—1969

[5c]

No. , 1969.

A BILL

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.

[MR CUTLER—18 March, 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:—

1. (1) This Act may be cited as the "Sydney Opera House Trust (Amendment) Act, 1969".
- (2) Short title, citation and commencement.

Sydney Opera House Trust (Amendment).

(2) The Sydney Opera House Trust Act, 1961, as 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—

- 10 (a) by inserting at the end of subsection one of section three the following new paragraph :—
- 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.
- 15 (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";
- 20 (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";
- 25 (c) by omitting section six and by inserting in lieu thereof the following section :—
6. (1) The Trust shall consist of eight trustees who shall be appointed by the Governor on the nomination of the Minister.
- 30 (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)

Sydney Opera House Trust (Amendment).

5 (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.

10 (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.

15 (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.

20 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.

25 (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.

30 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)

Sydney Opera House Trust (Amendment).

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

5 (b) A trustee shall cease to hold office as a trustee upon the day on which he attains the age of seventy years.

10 (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.

15 (d) by omitting section seven; Sec. 7.
(Reconstitu-
tion 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—

20 (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,
25 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
30 House and site or any part thereof, or

(ii)

Sydney Opera House Trust (Amendment).

5 (ii) a pecuniary interest or benefit whether direct or indirect in or from any contract or arrangement with the Trust for the use or hire of the Opera House and site or any part thereof,

10 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";

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

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

20 (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.

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

Sec. 11.
(Procedure,
quorum,
etc.)

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

(h)

Sydney Opera House Trust (Amendment).

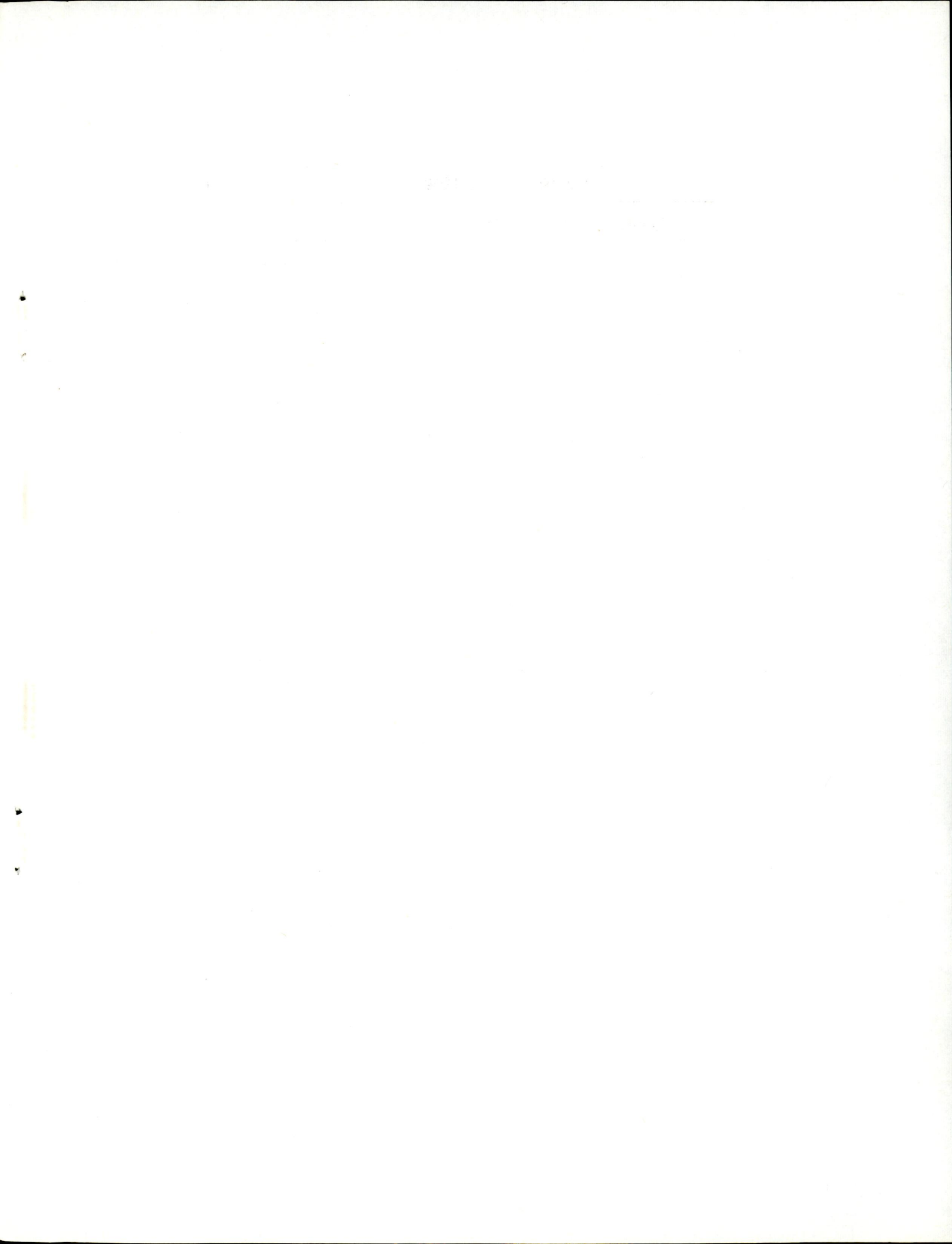
(h) by omitting paragraph (c) of subsection one of Sec. 28.
section twenty-eight. (By-laws.)

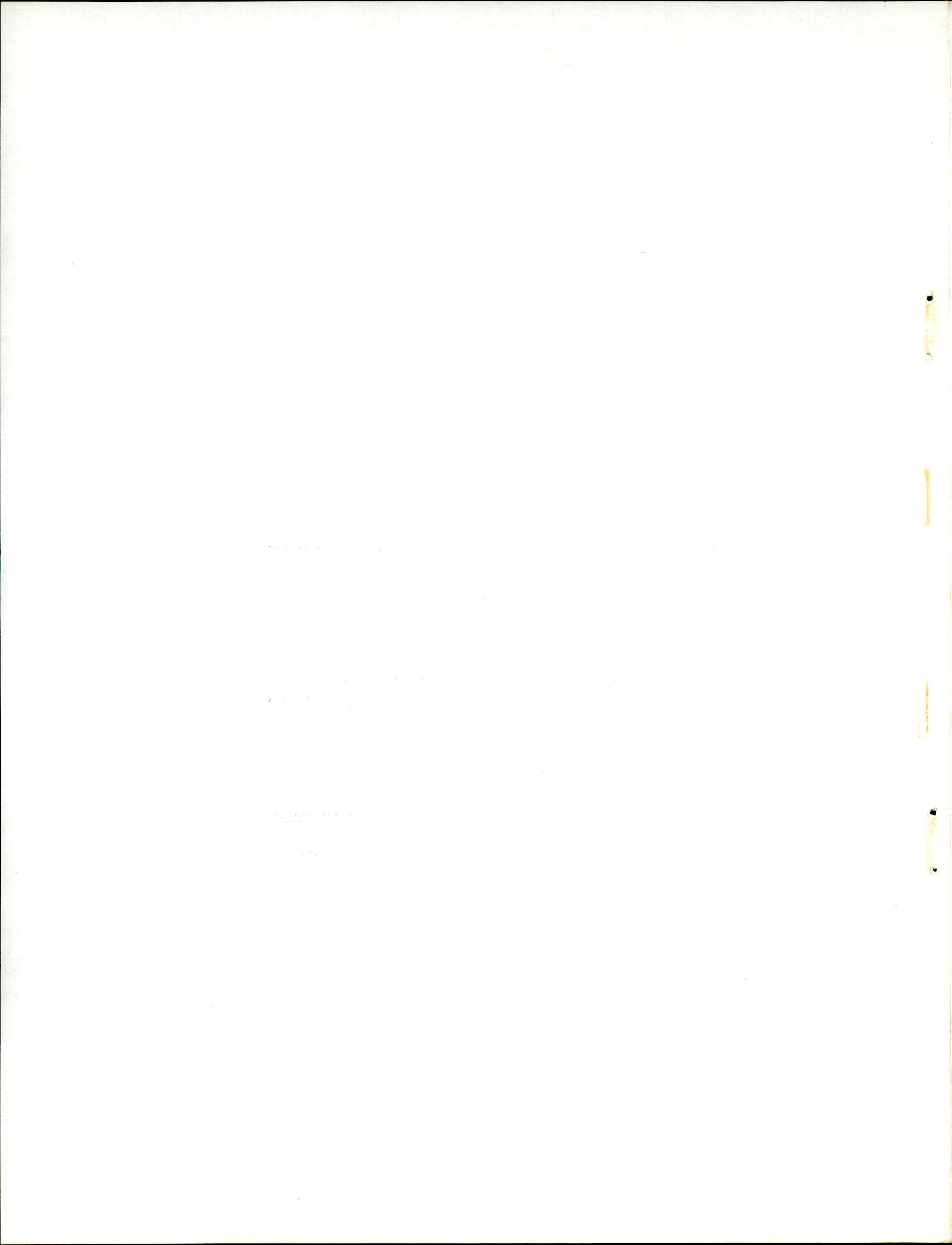
(2) The persons who held office as members of the Trust immediately before the commencement of this Act shall upon such commencement cease to hold office as such, but shall, if otherwise qualified, be eligible for reappointment as trustees.

BY AUTHORITY:

V. C. N. BLIGHT, GOVERNMENT PRINTER, NEW SOUTH WALES—1969

[5c]





SYDNEY OPERA HOUSE TRUST (AMENDMENT) BILL, 1969

EXPLANATORY NOTE

THE objects of this Bill are—

- (a) to terminate the first Sydney Opera House Trust;
- (b) to provide for the appointment thereafter of a permanent Trust comprising eight members divided into two groups to retire after two or four years respectively but their successors to be appointed for terms of four years;
- (c) to provide for the appointment by the Governor of a trustee as Chairman of the Trust;
- (d) to extend the present provision whereby the Trust is to be charged with the care, control and management of the Opera House and the site thereof upon the publication of a proclamation by the Governor that the work is complete to include provision whereby the Trust is likewise to be charged with the administration and maintenance of the Opera House and the site thereof;
- (e) to make other provisions consequent upon and ancillary to the foregoing.

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PROOF

No. , 1969.

A BILL

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.

[MR CUTLER—18 *March*, 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 :—

1. (1) This Act may be cited as the "Sydney Opera House Trust (Amendment) Act, 1969".
- (2) Short title, citation and commencement.

Sydney Opera House Trust (Amendment).

(2) The Sydney Opera House Trust Act, 1961, as 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—

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

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.

Amendment of Act No. 9, 1961.

Sec. 3.

(Constitution of

Sydney Opera House Trust.)

15 (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.)

20 (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";

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

Subst. 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.

30 (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)

Sydney Opera House Trust (Amendment).

5 (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.

10 (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.

15 (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.

20 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.

25 (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.

30 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)

Sydney Opera House Trust (Amendment).

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

5 (b) A trustee shall cease to hold office as a trustee upon the day on which he attains the age of seventy years.

10 (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.

15 (d) by omitting section seven ;

Sec. 7.
(Reconstitu-
tion 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—

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

(ii)

Sydney Opera House Trust (Amendment).

5 (ii) a pecuniary interest or benefit whether direct or indirect in or from any contract or arrangement with the Trust for the use or hire of the Opera House and site or any part thereof,

10 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";

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

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

20 (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.

25 (g) (i) by omitting from subsection two of section **Sec. 11.** eleven the word "eight" and by inserting in ^(Procedure, quorum, etc.) lieu thereof the word "five";

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

(h)

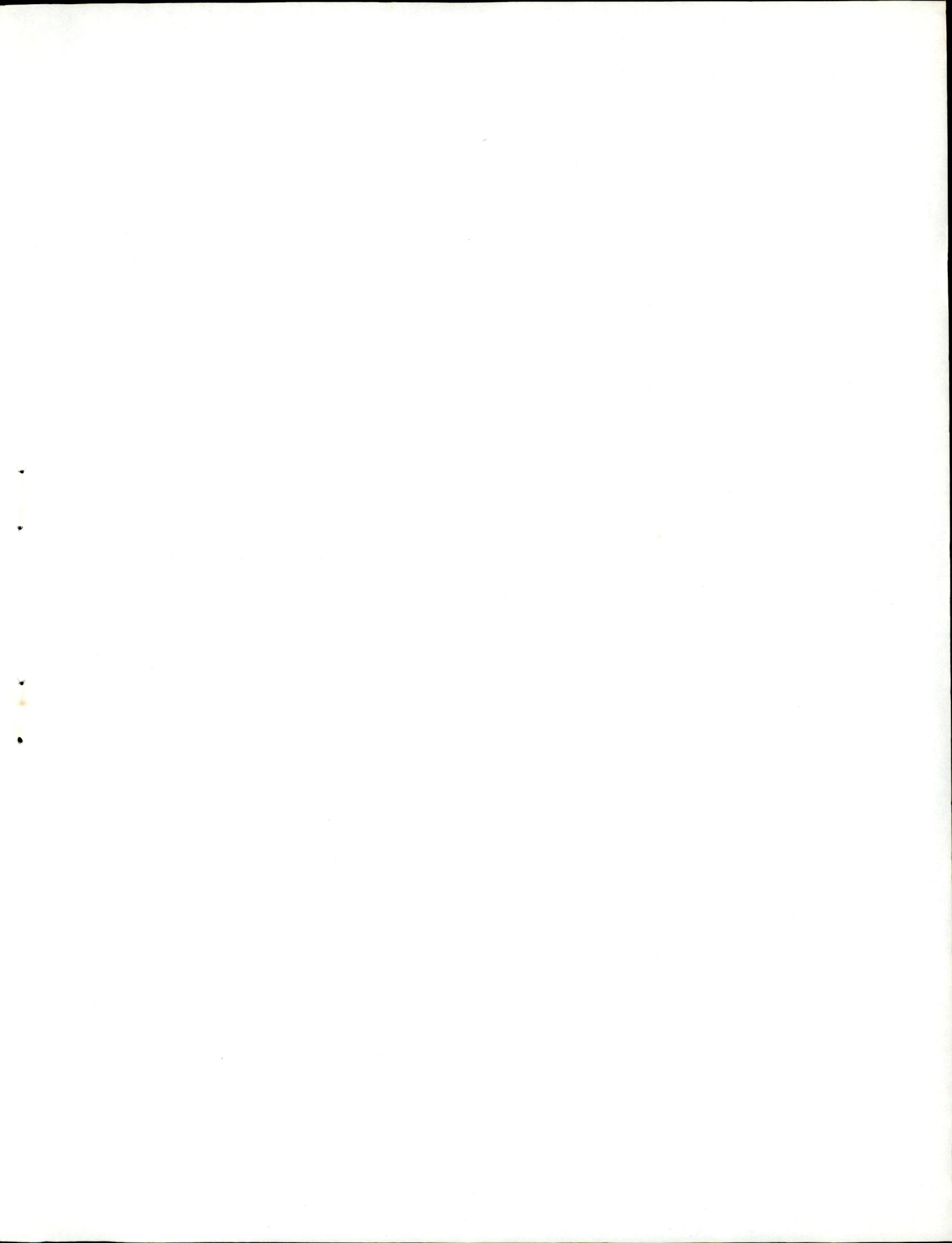
Sydney Opera House Trust (Amendment).

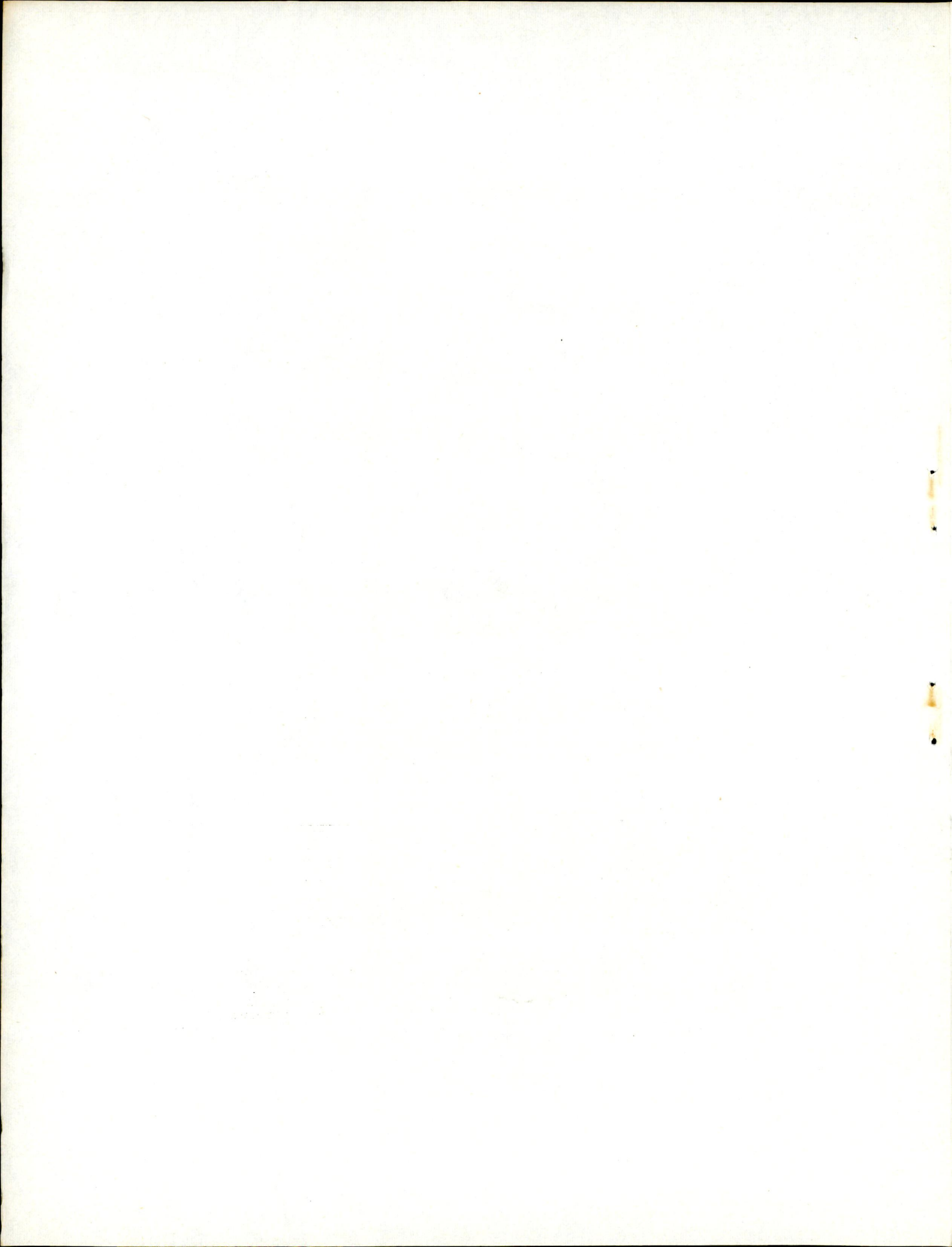
(h) by omitting paragraph (c) of subsection one of Sec. 28.
section twenty-eight. (By-laws.)

(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.

BY AUTHORITY:

V. C. N. BLIGHT, GOVERNMENT PRINTER, NEW SOUTH WALES—1969





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:—

1. (1) This Act may be cited as the "Sydney Opera House Trust (Amendment) Act, 1969".
- (2) Short title, citation and commencement.

Sydney Opera House Trust (Amendment).

(2) The Sydney Opera House Trust Act, 1961, as 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.

Amendment of Act No. 9, 1961.

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

Sec. 3.
(Constitution of Sydney Opera House Trust.)

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

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.

Sec. 5
(Vesting of Sydney Opera House in the Trust.)

(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”;

(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”;

Subst. sec. 6.

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

Trustees.

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

(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)

Sydney Opera House Trust (Amendment).

(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)

Sydney Opera House Trust (Amendment).

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

(b) A trustee shall cease to hold office 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.

Sec. 7.

(Reconstitution of Trust.)

(d) by omitting section seven;

Sec. 8.

(Vacancies—how caused.)

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

(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)

Sydney Opera House Trust (Amendment).

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

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

10. (1) The Chairman of the Trust shall be **Chairman.** 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.

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

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

(h)

Sydney Opera House Trust (Amendment).

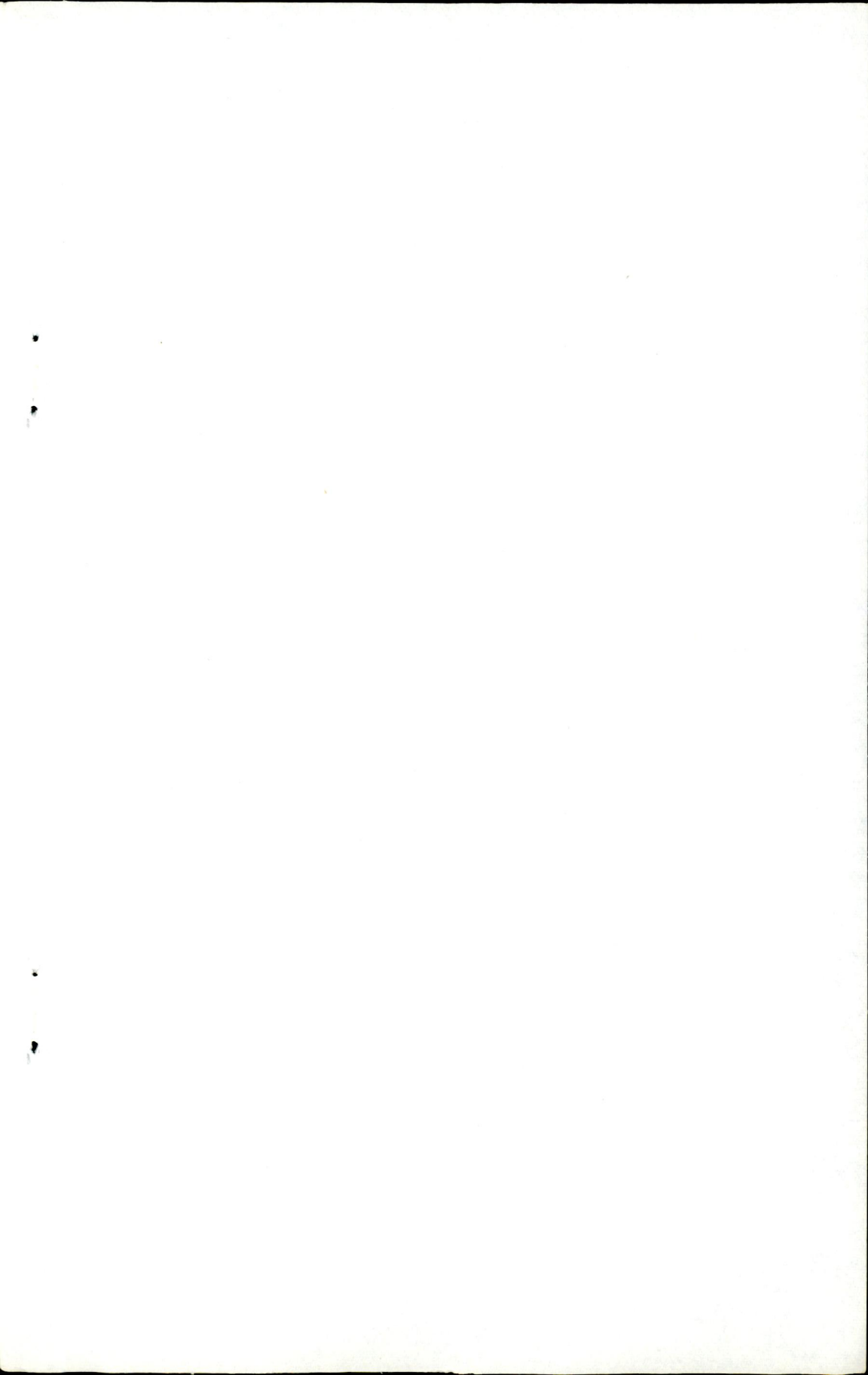
Sec. 28.
(By-laws.)

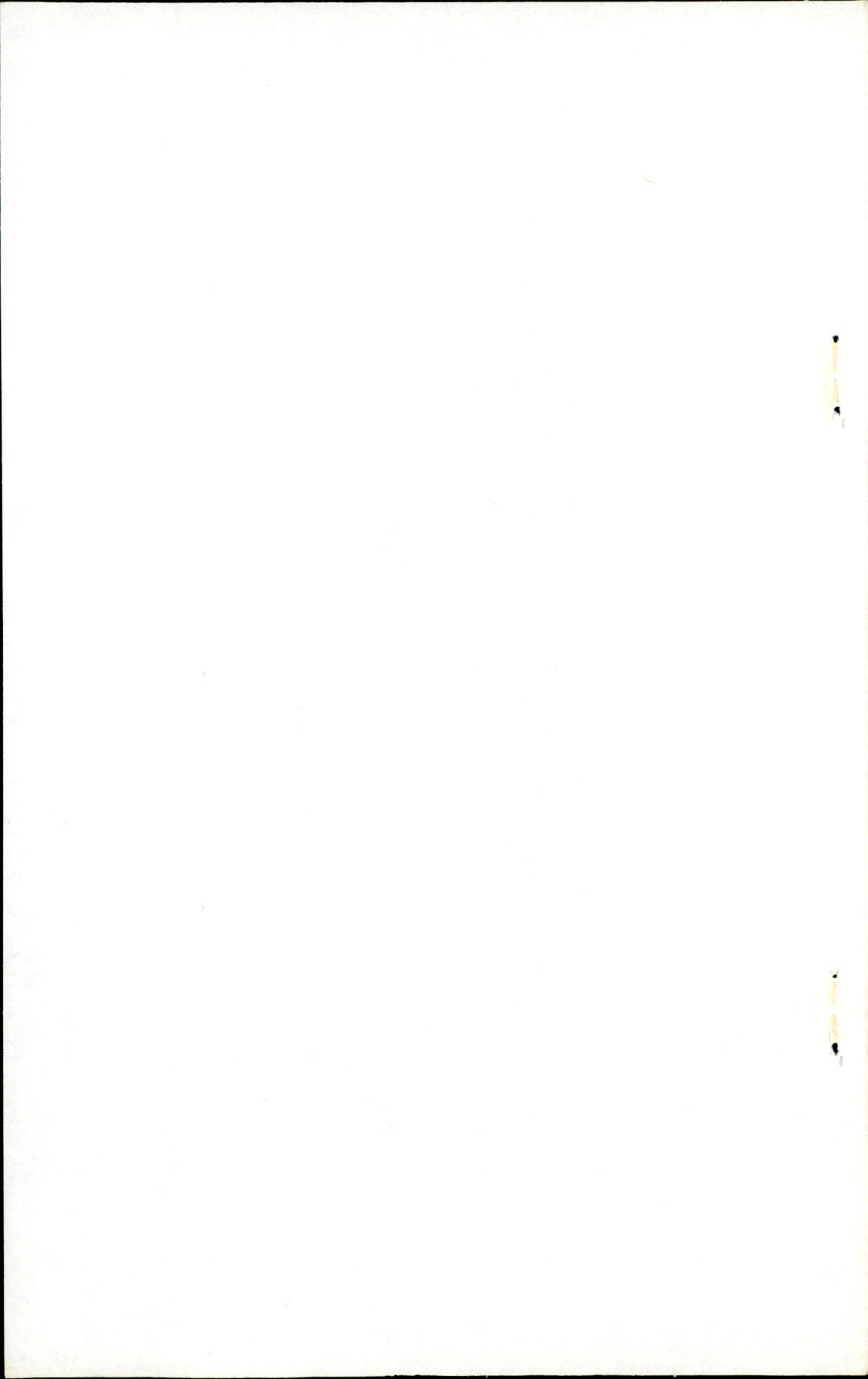
(h) by omitting paragraph (c) of subsection one of section twenty-eight.

(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.

BY AUTHORITY:

V. C. N. BLIGHT, GOVERNMENT PRINTER, NEW SOUTH WALES—1969





I certify that this PUBLIC BILL, which originated in the LEGISLATIVE ASSEMBLY, has finally passed the LEGISLATIVE COUNCIL and the LEGISLATIVE ASSEMBLY of NEW SOUTH WALES.

I. P. K. VIDLER,
Clerk of the Legislative Assembly.

*Legislative Assembly Chamber,
Sydney, 26 March, 1969.*

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:—

1. (1) This Act may be cited as the "Sydney Opera House Trust (Amendment) Act, 1969".
- (2) Short title, citation and commencement.

I have examined this Bill, and find it to correspond in all respects with the Bill as finally passed by both Houses.

L. A. PUNCH,
Chairman of Committees of the Legislative Assembly.

Sydney Opera House Trust (Amendment).

(2) The Sydney Opera House Trust Act, 1961, as 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.

Amendment of Act No. 9, 1961. **2.** (1) The Sydney Opera House Trust Act, 1961, as subsequently amended, is amended—

Sec. 3. (a) by inserting at the end of subsection one of section (Constitu-
tion of
Sydney
Opera House
Trust.) three the following new paragraph :—

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.

Sec. 5 (b) (i) by omitting from paragraph (b) of subsection (Vesting of
Sydney
Opera House
in the
Trust.) two of section five the words “care, control and management” and by inserting in lieu thereof the words “administration, care, control, management and maintenance”;

(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”;

Subst. sec. 6. (c) by omitting section six and by inserting in lieu thereof the following section :—

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

(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)

Sydney Opera House Trust (Amendment).

(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)

Sydney Opera House Trust (Amendment).

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

(b) A trustee shall cease to hold office 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.

Sec. 7.
(Reconstitution of Trust.)

(d) by omitting section seven;

Sec. 8.
(Vacancies—how caused.)

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

(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)

Sydney Opera House Trust (Amendment).

- (ii) a pecuniary interest or benefit whether direct or indirect in or from any contract or arrangement with the Trust for 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";
- (f) by omitting section ten and by inserting in lieu **Sec. 10.** thereof the following section :—

10. (1) The Chairman of the Trust shall be **Chairman.** 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.

- (g) (i) by omitting from subsection two of section **Sec. 11.** eleven the word "eight" and by inserting in (Procedure, quorum, etc.) lieu thereof the word "five";
- (ii) by omitting from paragraph (c) of subsection three of the same section the word ", vice-chairman";

(h)

Sydney Opera House Trust (Amendment).

Sec. 28.
(By-laws.)

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

(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.

In the name and on behalf of Her Majesty I assent to this Act.

A. R. CUTLER,
Governor.

*Government House,
Sydney, 2nd April, 1969.*



