

**SYDNEY OPERA HOUSE TRUST (AMENDMENT)
ACT.**

New South Wales



ANNO VICESIMO SECUNDO

ELIZABETHÆ II REGINÆ

Act No. 32, 1973.

An Act to provide that certain land occupied by the Sydney Opera House shall not be ratable under the Local Government Act, 1919, or the Metropolitan Water, Sewerage, and Drainage Act, 1924; for this and other purposes to amend the Sydney Opera House Trust Act, 1961; and for purposes connected therewith. [Assented to, 2nd May, 1973.]

BE

Sydney Opera House Trust (Amendment).

No. 32, 1973 **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. 1. This Act may be cited as the "Sydney Opera House Trust (Amendment) Act, 1973".

Commence-ment. 2. This Act shall commence on such day as may be appointed by the Governor in respect thereof and as may be notified by proclamation published in the Gazette.

Amendment of Act No. 9, 1961. 3. The Sydney Opera House Trust Act, 1961, is amended—

Sec. 2.
(Definitions.)

(a) (i) by omitting from section 2 the definition of "Appointed day";

(ii) by inserting at the end of the definition of "Opera House" in section 2 the words "and the site of such work and of any such alteration, enlargement, re-building, extension or addition";

(iii) by omitting from section 2 the definition of "Site";

Sec. 4.
(Objects, functions and powers of Trust.)

(b) (i) by omitting from section 4 (1) (a) the words "and the site";

(ii) by inserting at the end of section 4 the following new subsections :—

(5) The powers, authorities, duties and functions of the Trust in relation to the administration, care, control, management and maintenance of the Opera House (except the power to make by-laws under section 28) do

not

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not apply, and shall be deemed never to have No. 32, 1973
 applied, to or in respect of any part of the
 Opera House which has not been specified in
 a notification under subsection (2) or (4) of
 section 5.

(6) Subsection (5) does not apply, and shall be deemed never to have applied, to or in respect of any power, authority, duty or function relating to the making of any contract or arrangement or the granting of any right or privilege with respect to any part of the Opera House to the extent that any thing to be done in or on that part pursuant to the contract, arrangement, right or privilege is not to be done until after that part has been specified in a notification under subsection (2) or (4) of section 5 or unless the Minister for Public Works concurs in the doing of that thing in or on that part.

- (c) (i) by inserting in section 5 (1) after the word "When" the words "any part of";
- (ii) by omitting from section 5 (1) the word "shall" and by inserting instead the word "may";
- (iii) by omitting from section 5 (1) the word "such" and by inserting instead the words "that part of the";
- (iv) by omitting from section 5 (2) (a) the words "such work" and by inserting instead the words "the part of the work specified in the certificate";
- (v) by omitting from section 5 (2) (b) the words "such work and the site thereof or such specified part or parts of the work and the site thereof as may be" and by inserting instead the words "that part of the work as is";

(vi)

Sec. 5.
 (Authority
 of Trust
 of Sydney
 Opera
 House.)

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- (vi) by omitting section 5 (3);
- (vii) by omitting from section 5 (4) the words "and the site thereof" where firstly occurring;
- (viii) by omitting from section 5 (4) the words "vest the administration, care, control, management and maintenance of such work and the site thereof in the Trust in the manner provided in subsection two of this section" and by inserting instead the words "by proclamation published in the Gazette notify that the Trust is charged with the administration, care, control, management and maintenance of that part of the work";
- (ix) by inserting at the end of section 5 the following new subsection :—

(5) A notification under subsection (2) or (4) shall on and from the date of the notification operate to charge the Trust with the administration, care, control, management and maintenance of the part of the Opera House described in the notification.

Sec. 8.
(Casual
vacancies.)

- (d) (i) by omitting section 8 (1) (c) and by inserting instead the following paragraph :—
 - (c) becomes a temporary patient or a continued treatment patient, a protected person or an incapable person within the meaning of the Mental Health Act, 1958, or a person under detention under Part VII of that Act;
- (ii) by omitting from section 8 (1) (f) the words "and site" wherever occurring;

Sec. 17.
(Sydney
Opera
House
Manage-
ment
Account.)

- (e) by omitting from section 17 (3) the words "on the appointed day, and any moneys paid to the credit of the said Special Deposits Account after that day

shall,

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shall, if" and by inserting instead the words "on No. 32, 1973 any day which is the date of a notification under subsection (2) or (4) of section 5 shall, to the extent that";

(f) by omitting from section 25 the words "or site" wherever occurring; Sec. 25.
(Charges and admission fees.)

(g) by omitting from section 26 the words "or site" wherever occurring; Sec. 26.
(Hiring.)

(h) by inserting next after section 26 the following new section :— New sec.
26A.

26A. Notwithstanding any provision of the Local Government Act, 1919, or the Metropolitan Water, Sewerage, and Drainage Act, 1924, the land occupied by the Sydney Opera House (that part in respect of which a notification is published in the Gazette pursuant to subsection (1) of section 2c of the Sydney Opera House Act, 1960, excepted) is not ratable under either of those Acts. Certain land not ratable.

(i) (i) by omitting from section 28 (1) the words "and the site"; Sec. 28.
(By-laws.)

(ii) by omitting from section 28 (1) the words "or site" wherever occurring;

(iii) by omitting from section 28 (1) the words "or on the site" wherever occurring;

(iv) by omitting from section 28 (1) the words "or onto the site" wherever occurring;

(v) by omitting from section 28 (1) the word "in" wherever occurring (except in section 28 (1) (vii)) and by inserting instead the word "at";

(vi) by omitting from section 28 (1) (vii) the words "vested in or";

(vii)

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(vii) by omitting from section 28 (2) the words "one hundred dollars" and by inserting instead the matter "\$200";

(viii) by omitting section 28 (3) and (4) and by inserting instead the following subsections :—

(3) Every by-law made by the Trust shall be sealed with the common seal of the Trust and shall be submitted for the consideration and approval of the Governor.

(4) Section 41 of the Interpretation Act, 1897, applies in respect of a by-law as if this Act had been passed after the commencement of the Interpretation (Amendment) Act, 1969.

(5) A by-law shall not apply to a part of the Opera House which has not been specified in a notification under subsection (2) or (4) of section 5.

Schedule.

(j) (i) by omitting from paragraph (d) of the Schedule the word "in" and by inserting instead the word "at";

(ii) by omitting from paragraphs (e) and (f) of the Schedule the words "within the Opera House or on the site" wherever occurring and by inserting instead the words "at the Opera House".

TRANSFERRED