



ANNO VICESIMO SECUNDO

**ELIZABETHAE II REGINAE**

A.D. 1973

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**No. 66 of 1973**

**An Act to amend the Adelaide Festival Theatre Act,  
1964-1970.**

*[Assented to 6th December, 1973]*

BE IT ENACTED by the Governor of the State of South Australia, with the advice and consent of the Parliament thereof, as follows:

**Short titles.**

1. (1) This Act may be cited as the "Adelaide Festival Theatre Act Amendment Act, 1973".

(2) The Adelaide Festival Theatre Act, 1964-1970, is hereinafter referred to as "the principal Act".

(3) The principal Act, as amended by this Act, may be cited as the "Adelaide Festival Theatre Act, 1964-1973".

**Commence-  
ment.**

2. This Act shall come into operation on a day to be fixed by proclamation.

**Amendment of  
principal Act,  
s. 2—  
Interpretation.**

3. Section 2 of the principal Act is amended by inserting immediately after the definition of "the trustees" the following definition:—

"the vesting day" means the vesting day fixed pursuant to section 28a of the Adelaide Festival Centre Trust Act, 1971-1973.

4. Section 3 of the principal Act is amended by inserting in subsection (4) after the passage "the Festival Theatre" the passage "where that cost was incurred before the vesting day".

Amendment of principal Act, s. 3—  
Power to construct Festival Theatre.

5. Section 4 of the principal Act is amended by striking out the word "The" being the first word in that section and inserting in lieu thereof the passage "Until the vesting day, the".

Amendment of principal Act, s. 4—  
Vesting and control of Festival Theatre.

6. Section 7 of the principal Act is amended—

Amendment of principal Act, s. 7—

(a) by inserting in subsection (1) after the passage "an amount" the passage "with any amount so paid pursuant to this section as in force before the commencement of the Adelaide Festival Theatre Act Amendment Act, 1973,";

Further financial provision.

(b) by striking out from subsection (1) the figures "\$3,950,000" and inserting in lieu thereof the passage "in the aggregate, \$4 900 000";

(c) by striking out subsection (2);

(d) by striking out from subsection (3) the passage "subsection (2) and subsection (4) of";  
and

(e) by striking out subsection (4) and inserting in lieu thereof the following subsection:—

(4) If the Treasurer is satisfied that the amount expended by the council in the exercise of the powers conferred on it by section 3 of this Act exceeds \$7 000 000 as a consequence of an alteration of or addition to the Festival Theatre approved of by the Treasurer the Treasurer may in addition to the amounts authorized by this section to be paid to the council pay to the council an amount equal to the cost to the council of those alterations or additions.

7. The following sections are enacted and inserted in the principal Act immediately after section 7 thereof:—

Enactment of ss. 7a and 7b of principal Act—

7a. (1) On and after the vesting day no further moneys shall be payable by the Treasurer to the council pursuant to section 7 of this Act except any such moneys as are required to be so paid by the Treasurer to satisfy any liability incurred by the Treasurer pursuant to that section before the vesting day.

Financial arrangements consequential on the vesting of the Theatre in the Adelaide Festival Centre Trust.

(2) Nothing in subsection (1) of this section shall affect any liability of the council—

(a) to make the payments to the Treasurer as are required by subsection (4) of section 5 of this Act as modified by paragraph (a) of subsection (2) of section 6 of this Act;

and

(b) to make payment to the Treasurer as required by subsection (4) of section 6 of this Act.

Payment by  
Treasurer.

7b. The Treasurer may pay to A. V. Jennings Industries (Australia) Limited, in this section referred to as "the Company", an amount not exceeding \$42 840 in accordance with an arrangement entered into by the Treasurer and the Company with respect to certain expenditure incurred by the Company in relation to overtime payments in connection with the construction of the Festival Theatre.

Repeal of  
s. 8 of  
principal Act.

8. Section 8 of the principal Act is repealed.

Amendment of  
principal Act,  
s. 17—  
The Adelaide  
Festival  
Theatre Appeal  
Fund, etc.

9. Section 17 of the principal Act is amended by inserting immediately after subsection (4) the following subsections:—

(4a) As soon as practicable after the vesting day the trustees shall pay to the Adelaide Festival Centre Trust, established by the Adelaide Festival Centre Trust Act, 1971-1973, the balance, if any, of the moneys standing to the credit of the fund on that day and the receipt of the Trust for any moneys so paid shall be a good and sufficient discharge to the trustees.

(4b) On and from the vesting day all works of art, purchased or acquired by the council out of moneys provided from the fund, shall vest in and belong to the Adelaide Festival Centre Trust.

(4c) All moneys received by the Adelaide Festival Centre Trust from the trustees of the fund pursuant to subsection (4a) of this section, shall, by force of this subsection, pass to the Trust freed from any trust and shall be used and applied by the Trust for the purchase or acquisition of works of art for or in connection with the Festival Theatre or for any purpose ancillary to that purchase or acquisition.

In the name and on behalf of Her Majesty, I hereby assent to this Bill.

M. L. OLIPHANT, Governor