

(2) Nothing in this section shall take away from the Governor or from any officer in the service of the Crown any right at common law or under the *Public Service Act* 1923* or the *Audit Act* 1918† to control or direct the Government Printer and the other servants of the Crown employed in or in connection with the Government Printing Office.

23 This Act shall be deemed to have come into force on the first day of July, 1948, and all contracts and payments duly made in respect of the Government Printing Office on and since that day shall be deemed to have been duly made in accordance with this Act. Commencement of Act.

* 13 Geo. V. No. 25. For this Act, as amended to 1947, see annual volume for 1948, Appendix C.

† 9 Geo. V. No. 3. For this Act, as amended to 1936, see Reprint of Statutes, Vol. I., p. 237. Subsequently amended by 1 Geo. VI. No. 63, 3 Geo. VI. No. 34, and 11 Geo. VI. No. 70.

NATIONAL THEATRE AND FINE ARTS SOCIETY.

No. 15 of 1949.

AN ACT to provide for the Encouragement of the
Fine Arts, the Establishment of a National Theatre,
and the Preservation of the Theatre Royal.

[12 April, 1949.]

WHEREAS the State should assist the use and enjoyment of the fine arts by the people of Tasmania: PREAMBLE.

And whereas the building known as the Theatre Royal in the City of Hobart (in this Act called "the Theatre") should be preserved as a place of historic interest:

And whereas the persons named in the first schedule have associated themselves with others to foster the fine arts, particularly by the establishment of a national theatre and arts centre in the City of Hobart, and have called themselves the National Theatre and Fine Arts Society of Tasmania (in this Act called "the Society"):

And whereas it is expedient that the Theatre, being at present for sale, should be purchased and used by the Society for the purpose of a National Theatre and Arts Centre:

Be it therefore enacted by His Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:—

1 This Act may be cited as the *National Theatre and Fine Arts Society Act* 1949. Short title.

Incorporation of Society.

2—(1) The persons named in the first schedule shall be entitled to receive from the Governor a Charter of Incorporation under the Seal of the State, creating them and their successors according to the Charter a body corporate with a common seal and perpetual succession by the name of the Council of the National Theatre and Fine Arts Society of Tasmania (in this Act called “the Council”).

(2) The Charter shall include provisions to the same effect as those set out in the second schedule.

(3) It is hereby declared that the Charter granted in accordance with this Act shall be as effective for all purposes as if it were granted by His Majesty under the Great Seal of the United Kingdom.

Corporation enabled to purchase Theatre Royal.

3 The right of John Bruce Piggott named in the first schedule and of the Tasmanian Division of the Arts Council of Australia under an option of purchase on the Theatre given by the Theatre Royal Company Proprietary Limited to the said John Bruce Piggott for and on behalf of the said Tasmanian Division and expiring on the thirtieth day of April 1949 shall on the grant of the Charter vest in and be enforceable by the Council.

Appropriation in aid of the purchase: Restraint on alienation.

4—(1) There shall be paid out of the Consolidated Revenue Fund (which, to the necessary extent, is hereby appropriated accordingly) a grant of twelve thousand pounds to the Council towards the purchase of the Theatre.

(2) The Council may, with the consent of the Treasurer, borrow money on the security of the Theatre, but save as aforesaid the Council shall not sell, mortgage, or charge the Theatre; and no process of execution whatsoever shall be commenced against the Theatre without notice to the Treasurer.

Audit.

5 The accounts of the Council shall be subject to the provisions of the *Audit Act 1918**.

Council to govern the Society.

6 The management of the affairs of the Society shall be vested in the Council and by-laws of the Council made with the consent of the Governor shall be binding on all members of the Society in respect of their membership.

* 9 Geo. V. No. 3. For this Act, as amended to 1936, see Reprint of Statutes, Vol. I., p. 237. Subsequently amended by 1 Geo. VI. No. 63, 3 Geo. VI. No. 34, and 11 Geo. VI. No. 70.

THE FIRST SCHEDULE.

Charles Ellis Davies, of Mawhera-avenue, Sandy Bay, in the City of Hobart, company director; Olive Grant Burn, wife of Alan Burn, of 22 Parliament-street, Sandy Bay, in the said City, M.Sc., B.E., A.M.I.E. (Aust.), Professor of Engineering in the University of Tasmania; John Whitburn Nicholls, of 13a Brophy-street, New Town, in the said City, musician; and John Bruce Piggott, of Waimea-avenue, Sandy Bay, in the said City, legal practitioner.

THE SECOND SCHEDULE.

PROVISIONS TO BE CONTAINED IN THE CHARTER.

1. *Objects.*

The objects of the Council shall be to the following effect:—

To develop in Tasmania and its Dependencies a greater knowledge, understanding, and practice of the fine arts exclusively, and in particular and without limiting the generality hereof—

- (a) to increase the accessibility of the fine arts to the public throughout the State;
- (b) to advise and co-operate with Government Departments, local authorities, and other bodies on any matters concerned directly or indirectly with these objects;
- (c) to acquire the Theatre Royal and preserve it as a place of historic interest with power to extend and modify the existing building and there to build up and maintain a National Theatre and Arts Centre;
- (d) to bring to the State visiting artists and professional companies, at its own expense or by such inducements and guarantees as it thinks fit;
- (e) to encourage co-operation between the practitioners of the fine arts;
- (f) to provide at country centres dramatic and musical performances and exhibitions of works of art, and to send out performers and companies;
- (g) to assist local amateur and professional groups;
- (h) to improve the standard of the execution of the fine arts;
- (j) to provide teaching;
- (k) to maintain the Society for all who wish to assist in the attainment of these objects; and
- (l) to form, or assist the formation of, special societies with similar objects.

2. *Constitution.*

- (a) A council of thirty-four members comprising—
 - (i) six elected by the members of the Society generally or if the Council so decides three by the members in the Northern Division and three by the members in the Southern Division;
 - (ii) six elected by affiliated societies divided into three groups by the Council according as they are connected with music, drama, and pictorial and sculptural art, each group to elect two;
 - (iii) six appointed by the Governor;
 - (iv) two elected by the Tasmanian Division of the Arts Council of Australia;
 - (v) one elected by the Hobart Repertory Society;
 - (vi) one elected by the Launceston Players' Society;
 - (vii) one elected by the Tasmanian Branch of the Fellowship of Australian Writers;
 - (viii) one appointed by the Trustees of the Tasmanian Museum and Botanical Gardens;
 - (ix) the Lord Mayor of the City of Hobart and the Mayor of the City of Launceston;
 - (x) the Vice-Chancellor of the University of Tasmania;
 - (xi) the Chairman of the Scenery Preservation Board;
 - (xii) the State Librarian;
 - (xiii) the Director of Education;
 - (xiv) the Director of Adult Education;

- (xv) one nominated by the Australian Broadcasting Commission established under the *Australian Broadcasting Act 1942** of the Commonwealth; and
- (xvi) two co-opted by the Council.
- (b) The term of office of members shall be as the Governor thinks fit to provide in the Charter.
- (c) Until such time as the necessary elections and appointments take place, the Council shall consist of the persons named in the first schedule as if elected by the Society, the persons who are members by virtue of their office, and Bernard McCann of Pottery-road, Lenah Valley, in the City of Hobart, theatre manager; Kenneth Johnstone Binns, of 6 Doyle-avenue, New Town, in the said City, Deputy Under-Treasurer; and Malcolm Peter Crisp, of 10 Anglesea-street, in the said City, Crown Solicitor, as if appointed by the Governor:
 Provided that no members may be co-opted before all other places in the Council are filled.

3. *Amendment of Constitution.*

Power shall be reserved to the Governor by Letters Patent to amend the Constitution of the Council so far as is necessary by reason of any changes affecting the bodies electing or appointing its members or the offices to which membership is attached, including the coming into existence of similar bodies or offices that should be similarly represented.

4. *Constitutional Defects.*

The Council is not to be affected in the exercise of its powers by any failure to elect or appoint a member or by the ceasing to exist of any body or society entitled to elect or appoint a member.

5. *Organization.*

The Council shall have an Executive Committee, a Chairman and Vice-Chairman, a Secretary, and a Treasurer.

* No. 33 of 1942 as amended by No. 39 of 1946.

WEST TAMAR WATER.

No. 16 of 1949.

AN ACT to make Better Provision for the Supply of Water within the Municipality of Beaconsfield and to provide Financial Assistance therefor by the State and to that end to amend the *Beaconsfield Water Act 1938.* [12 April, 1949.]

BE it enacted by His Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:—

1—(1) This Act may be cited as the *West Tamar Water Act 1949.*