

## TASMANIAN ORCHESTRA (AGREEMENT).

### No. 11 of 1948.

AN ACT to authorise the execution by the State of an agreement with the Australian Broadcasting Commission and the Councils of the Cities of Hobart and Launceston with respect to the establishment and maintenance of an orchestra, to be known as the Tasmanian Orchestra; and to make provision for the carrying out of the agreement by the parties to the agreement, and for other matters incidental thereto.

[14 April, 1948.]

**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:—

- Short title.**        **1** This Act may be cited as the *Tasmanian Orchestra (Agreement) Act 1948.*
- Interpre-  
tation.**            **2** In this Act, unless the contrary intention appears—  
                           “Commission” means the Australian Broadcasting Commission constituted under the *Australian Broadcasting Act 1942\** of the Commonwealth;  
                           “*The Minister*” means the Chief Secretary.
- Execution of  
Agreement.**        **3** The execution by the Minister, on behalf of the State, of an agreement (in this Act referred to as “the Agreement”) substantially in accordance with the heads of agreement set out in the schedule, is hereby authorised.
- Power to  
carry out  
Agreement.**        **4** The Minister may do or cause to be done all such acts and things as may be required or necessary for the carrying out of the Agreement on the part of the State.
- Councils  
deemed to  
have power  
to enter into  
Agreement.**        **5** The Hobart City Council and the Launceston City Council, respectively, shall, by virtue of this section and without further authority, be deemed to have full power and authority to enter into and execute the Agreement, as parties thereto, for and on behalf of the corporations of the said cities, and to do and cause to be done all such acts and things as may be

\* No. 33 of 1942.

required or necessary for the carrying out of the Agreement on the part of the said councils, including the payment out of the revenues of the said councils of any contributions payable by them to the Commission under the Agreement.

6—(1) Subject to this section, the Treasurer shall, on the certificate of the Minister, pay to the Commission out of the Consolidated Revenue (which, to the necessary extent, is hereby appropriated accordingly) such sums, not exceeding in the whole the sum of £15,000, as may be necessary for the purpose of meeting any contributions payable by the Minister under and for the purposes of the Agreement. Financial provisions.

(2) The payments to be made by the Treasurer under the authority of this section shall not exceed the sum of £5,000 in any one financial year.

## THE SCHEDULE.

### THE TASMANIAN ORCHESTRA.

#### *Heads of Agreement.*

1. There shall be established by the Commission in this State, as from the first day of March, 1948, for a period of three years, an orchestra to be known as the Tasmanian Orchestra which, when augmented to its maximum strength for subscription concerts shall be known as the Tasmanian Symphony Orchestra (in this schedule referred to as "the orchestra").
2. The management and control of the orchestra shall be exercised by the Commission, and the Commission shall appoint the conductor and all playing members thereof and shall pay all salaries and allowances incidental thereto in accordance with an agreement between the Commission and the Australian Musicians' Union.
3. The costs and expenses of the maintenance of the orchestra shall be defrayed by annual contributions to be made by the parties to the Agreement as follows:—

The Minister	£5,000 per annum.
The Commission	£13,250 per annum.
Hobart City Council	£500 per annum.
Launceston City Council	£250 per annum.

Provided that neither the Hobart City Council nor the Launceston City Council shall, in any year after the first year of the operation of the Agreement, be liable for payment of any contribution under this paragraph unless such Council has first declared, by resolution of the Council, that it is of the opinion that the management and control of the orchestra is being carried on and exercised in a satisfactory manner.

Provided further that the Minister shall not be liable for the payment of any contribution under the Agreement unless, at the relevant time, he is satisfied that the management and control of the orchestra is being carried out and exercised in such a manner as to ensure that the best possible use is made of the orchestra, and so certifies, in writing, to the Treasurer.

4. The parties to the Agreement shall not be liable for payment of any moneys in excess of the contributions mentioned in paragraph 3 of this schedule.
5. The Commission shall have the control and administration of all moneys contributed by the other parties to the Agreement.

6. The contributions payable by the Treasurer, the Hobart City Council, and the Launceston City Council shall be payable quarterly at such times as may be specified in the Agreement.
7. The Commission shall keep proper books of accounts relating to the operations of the orchestra, and statements of receipts and expenditure shall be rendered by the Commission to the Advisory Committee referred to in paragraph 8 of this schedule quarterly, or at such other intervals as the said Committee shall require.
8. There shall be constituted, for the purposes of the Agreement, an Advisory Committee (in this schedule referred to as "the Committee"). The Committee shall consist of six persons appointed by the Governor of whom—
  - (a) two shall be nominated by the Minister;
  - (b) two shall be nominated by the Commission;
  - (c) one shall be nominated by the Hobart City Council; and
  - (d) one shall be nominated by the Launceston City Council.
9. At its first meeting the Committee shall appoint one of its members to be the Chairman of the Committee.
10. The Chairman shall preside at all meetings of the Committee and shall have a deliberative vote.
11. All questions arising at meetings of the Committee shall be decided by a majority of the votes of the members present and voting thereon, and in the case of an equality of votes on any question, the Chairman shall have a second or casting vote.
12. In the absence of the Chairman from any meeting of the Committee, the members present shall elect one of their number to preside at that meeting, and the member so elected, while so presiding, shall have all the powers and authorities of the Chairman of the Committee.
13. The Committee shall meet at Hobart not less than once in every three months during the currency of the Agreement, and the Chairman shall call a special meeting of the Committee whenever requested, in writing, so to do by any member of the Committee.
14. The Committee shall cause proper minutes of its meetings to be kept, and shall forward copies thereof to the Minister, the Chairman of the Commission, and the Town Clerks of the Cities of Hobart and Launceston, respectively, as soon as practicable after each meeting of the Committee.
15. The Committee shall keep the Minister continuously and fully informed with respect to all matters under its control and management, and the Minister shall, at any time, be entitled to require the Committee to supply him with any information which he thinks necessary in relation to such matters, and the Committee shall supply that information accordingly.
16. The Minister shall be entitled to summon a special meeting of the Committee at any time, and to attend all meetings thereof, and to confer with the Committee, and shall have the right at any meeting to obtain any information which he requires relating to the operations and affairs of the Committee.
17. There shall be provided by the orchestra during each year a minimum of twenty-eight concerts, as follows:—

	Hobart.	Launceston.	Devonport.	Burnie.	Total.
Orchestral Subscription Concerts .....	4	2	....	....	6
Orchestral Concerts (at popular prices) .....	8	2	1	1	12
Schools' Orchestral Concerts .....	2	2	1	1	6
Orchestral Concerts (to be presented at the larger schools) .....	2	2	....	....	4
	<u>16</u>	<u>8</u>	<u>2</u>	<u>2</u>	<u>28</u>

18. The Hobart City Council and the Launceston City Council will make available to the Commission without charge the Hobart City Hall and the Albert Hall, Launceston, respectively, whenever required by the Commission for public or subscription concerts by the orchestra.
19. Subject to paragraph twenty of this schedule, the orchestra shall comprise twenty-four persons as set forth in the table hereunder; but shall be augmented by the Commission to thirty-one persons for concerts at popular prices, and further augmented for the presentation of subscription concerts:—

First Violins and Leader .....	4
Second Violins .....	3
Violas .....	2
Celli .....	2
Bass .....	1
Flute .....	1
Oboe .....	1
Clarinets .....	2
Bassoon .....	1
Horn .....	1
Trumpets .....	2
Trombones .....	2
Percussion .....	1
Piano .....	1

20. Notwithstanding paragraph 19, the size of the orchestra may, for any particular purpose, be varied in order to meet any special conditions, such as the size of the hall and stage, hotel accommodation, and other factors which may make it necessary to use a smaller combination in lieu of the full orchestra.
21. The orchestra shall present works by Australian composers, as directed by the Commission.

## CROWN LANDS (MISCELLANEOUS PROVISIONS).

No. 12 of 1948.

AN ACT to authorise the Commissioner of Crown Lands to lease certain Crown land to the Australian Newsprint Mills Limited, and to make provision for matters incidental thereto.

[14 April, 1948.]

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 *Crown Lands (Miscellaneous Provisions) Act 1948*.

(2) This Act shall be incorporated with the *Crown Lands Act 1935\**, in this Act referred to as the Principal Act.

\* 26 Geo. V. No. 35. For this Act, as amended to 1936, see Reprint of Statutes, Vol. IV., p. 1000. Subsequently amended by 3 Geo. VI. No. 8, 4 Geo. VI. No. 47, 7 Geo. VI. No. 57, 9 Geo. VI. No. 22, and 10 Geo. VI. No. 52.

Short title and incorporation.