


~~Motion agreed to.~~

~~Bill read a first time.~~

~~Mr DEPUTY SPEAKER (Mr Ryan): Order! In accordance with standing order 131, the bill is now referred to the Community Affairs Committee.~~

QUEENSLAND ART GALLERY AMENDMENT BILL

Introduction and Referral to the Finance and Administration Committee

 **Hon. RG NOLAN** (Ipswich—ALP) (Minister for Finance, Natural Resources and the Arts) (7.43 pm): I present a bill for an act to amend the Queensland Art Gallery Act 1987 for particular purposes. I table the bill and the explanatory notes. I nominate the Finance and Administration Committee to consider the bill.

Tabled paper: Queensland Art Gallery Amendment Bill.

Tabled paper: Queensland Art Gallery Amendment Bill, explanatory notes.

I am pleased to introduce a bill which enables the board to establish a committee to carry on the crucial activities of the foundation for the benefit of the community. The foundation was originally formed in 1979 for the purpose of assisting the board to maintain, improve and develop the state collection of works of art and the facilities and operations of the Queensland Art Gallery. Specifically, the foundation was established to attract and encourage donations, gifts, bequests and other forms of assistance for the benefit of the gallery.

The foundation has been highly successful in achieving its objectives, with over 1,400 members and \$75,452,294 of donations and other monies raised since its inception. Each year the foundation receives donations, bequests and gifts of artworks from private and corporate donors, including \$2,064,000 received in 2010-11.

The foundation provides funds to the board for acquisition of artworks and development of exhibitions and programs, the size of which is dependent on donations received by the foundation, returns on investments, the needs of the gallery and artwork available for purchase. In 2010-11 \$4.39 million was expended on acquisitions.

The foundation conducts fundraising activities at the gallery. The foundation is currently governed by a council. In order to regularise its status, it is proposed that the foundation is subsumed into the board and that a newly created committee governs the foundation's activities.

I seek leave of the House to incorporate the remainder of this introductory speech in *Hansard*.

Leave granted.

Currently the Act allows the Board to delegate its powers to a committee consisting only of Board members. Amendments to the Act are required to enable the Board to establish a committee with broader membership, consisting of both Board and non-Board members to carry on the activities of the Foundation.

This approach allows the Board to retain control over the management and operations of the Foundation, given the large amount of government and private funds under management and avoids the need to create a new government body for the Foundation.

The Bill will include within the Board's functions, the development of the Gallery's collection.

The Foundation Committee will deal with any funds agreed by the Board to be managed and invested by the Foundation Committee for its fundraising purposes.

The Bill ensures that the Board will have control and flexibility over the governance arrangements for the Foundation Committee, including its composition, criteria for membership, responsibilities and meeting procedures.

The Foundation Committee will include at least two Board members. It may also include non-Board members, allowing Foundation members with the capacity to assist the Foundation achieve its objectives also to be represented if the Board considers that appropriate.

The Board will have power to delegate its powers to Foundation Committee members, for the purpose of performing the functions of the Foundation Committee i.e. to raise funds to assist in the fulfilment of the Board's functions.

The Foundation Committee will have the powers necessary to encourage gifts, donations, bequests and legacies of property for the benefit of the Board, but must not incur a debt.

The Bill provides that the Board is a charitable institution and deems gifts to the Foundation to be gifts to the Board. Private ancillary funds (PAFs) are the major source of donations to the Foundation. However, many PAFs are restricted to donating to charitable organisations. The Bill specifies that the Board is a charitable organisation to ensure that PAFs are able to make donations to the Foundation.

In terms of protection to Foundation Committee members, the Bill will extend the protection from civil liability afforded to Board members to committee members; and also extend liability for illegal borrowing by Board members to committee members.


The Bill will also extend provisions regarding Board members who have an interest in matters being considered by the Board, to committee members who have an interest in matters being considered by the committee.

The establishment of a committee of the Board to undertake the activities of the Foundation is the most reasonable and appropriate way to regularise the status of the Foundation and to limit any restrictions on the Foundation's ability to receive and deal with donations and bequests.

It also meets the preference expressed by existing donors and benefactors for the work of the Foundation to be transparent and distinct from the daily running of the Gallery.

Mr Speaker, I commend the Bill to the House.

First Reading

 **Hon. RG NOLAN** (Ipswich—ALP) (Minister for Finance, Natural Resources and the Arts) (7.45 pm): I move—

That the bill be now read a first time

Question put—That the bill be now read a first time.

Motion agreed to.

Bill read a first time.


Mr DEPUTY SPEAKER (Mr Ryan): Order! In accordance with standing order 131, the bill is now referred to the Finance and Administration Committee.

~~CIVIL PROCEEDINGS BILL~~

~~Consideration in Detail~~

~~Resumed from p. 3886.~~

~~Insertion of new clause~~

 **Mr LUCAS** (7.46 am): I move the following amendment—

5 ~~After clause 228~~

~~Page 138, after line 24—~~

~~insert—~~

~~'228A Amendment of s 65 (Enrolment and transfer of enrolment)~~

~~Section 65—~~

~~insert—~~

~~'(7) Subsection (8) applies if—~~

~~(a) a person is required to give notice under subsection (2) or (3); and~~

~~(b) the person gives notice—~~


~~(i) after the cut-off day for electoral rolls for an election or referendum and no later than 6p.m. on the day before the polling day for the election or referendum; and~~

~~(ii) to the commission but otherwise in compliance with subsection (2) or (3).~~

~~'(8) The person is taken to have given notice to the electoral registrar in compliance with subsection (2) or (3).'~~

~~Amendment agreed to.~~

~~Clause 229—~~

 **Mr LUCAS** (7.46 pm): I move the following amendment—

6 ~~Clause 229 (Amendment of s 106 (Who may vote))~~

~~Page 139, lines 7 to 9—~~

~~omit, insert—~~

~~'(2) Section 106(1) (d) (ii), from '5p.m.' to 'to'—~~

~~omit, insert—~~


~~'6p.m. on the day before the polling day, have given a notice to the commission or'.'~~

~~Amendment agreed to.~~

~~Clause 229, as amended, agreed to.~~

~~Clauses 230 to 234, as read, agreed to.~~

~~Clause 235—~~

 **Mr BLEIJIE** (7.46 pm): This clause inserts a new section 35A into the JP act to provide that justices of the peace and commissioners for declarations may sight proof of identity documents and record information in the proof of identity documents for the purposes of taking an affidavit or attesting to an instrument or document. This new section will oblige justices of the peace and commissioners for declarations when they record this information not to disclose it except in accordance with their function or as required by law and provide that justices of the peace and commissioners for declarations must take all reasonable steps to ensure that the information is kept in a security way.