




Speech By
Hon. Leanne Enoch

MEMBER FOR ALGESTER

Record of Proceedings, 11 September 2024

ARTS (STATUTORY BODIES) AND OTHER LEGISLATION AMENDMENT BILL

Message from Governor

 **Hon. LM ENOCH** (Algester—ALP) (Minister for Treaty, Minister for Aboriginal and Torres Strait Islander Partnerships, Minister for Communities and Minister for the Arts) (11.27 am): I present a message from Her Excellency the Governor.

Mr DEPUTY SPEAKER (Mr Hart): The message from Her Excellency the Governor recommends the Arts (Statutory Bodies) and Other Legislation Amendment Bill. The contents of the message will be incorporated in the *Record of Proceedings*. I table the message for the information of members.

MESSAGE

ARTS (STATUTORY BODIES) AND OTHER LEGISLATION AMENDMENT BILL 2024

Constitution of Queensland 2001, section 68

I, DR JEANNETTE ROSITA YOUNG AC PSM, Governor, recommend to the Legislative Assembly a Bill intituled—


A Bill for an Act to amend the Libraries Act 1988, the Queensland Art Gallery Act 1987, the Queensland Museum Act 1970, the Queensland Performing Arts Trust Act 1977, the Queensland Theatre Company Act 1970 and the legislation mentioned in schedule 1 for particular purposes

GOVERNOR

Date: 10 September 2024

Tabled paper: Message, dated 10 September 2024, from Her Excellency the Governor, recommending the Arts (Statutory Bodies) and Other Legislation Amendment Bill 2024 [1805](#).

Introduction

 **Hon. LM ENOCH** (Algester—ALP) (Minister for Treaty, Minister for Aboriginal and Torres Strait Islander Partnerships, Minister for Communities and Minister for the Arts) (11.27 am): I present a bill for an act to amend the Libraries Act 1988, the Queensland Art Gallery Act 1987, the Queensland Museum Act 1970, the Queensland Performing Arts Trust Act 1977, the Queensland Theatre Company Act 1970 and the legislation mentioned in schedule 1 for particular purposes. I table the bill, the explanatory notes and a statement of compatibility with human rights. I nominate the Community Support and Services Committee to consider the bill.

Tabled paper: Arts (Statutory Bodies) and Other Legislation Amendment Bill 2024 [1806](#).

Tabled paper: Arts (Statutory Bodies) and Other Legislation Amendment Bill 2024, explanatory notes [1807](#).

Tabled paper: Arts (Statutory Bodies) and Other Legislation Amendment Bill 2024, statement of compatibility with human rights [1808](#).

I present the Arts (Statutory Bodies) and Other Legislation Amendment Bill 2024, a bill that amends the enabling legislation of the arts statutory bodies to enshrine a greater recognition of First Nations peoples and to modernise the governance of these key cultural organisations. Since the

passing of the historic Path to Treaty Act in May 2023 with bipartisan support, we have seen significant progress in building a more inclusive and equitable future for Queensland's Aboriginal peoples and Torres Strait Islander peoples, as part of a journey to reconciliation and healing. Working alongside our government's commitment to Path to Treaty, this bill sets out a range of provisions to ensure a greater recognition of First Nations peoples in the governing acts of these bodies.

Our state's leading arts and cultural entities—the Queensland Performing Arts Trust, Queensland Museum, Queensland Art Gallery and Gallery of Modern Art, the State Library of Queensland and the Queensland Theatre—play a significant role in engaging audiences and sharing the knowledge, stories and histories of Aboriginal and Torres Strait Islander peoples through performance, exhibitions, research and care for, and repatriation of, collections. The current acts, which have been in place for some 30 years, have only one single reference to First Nations peoples. These amendments are critical to ensure our leading cultural institutions fully realise their important role in working to elevate Aboriginal and Torres Strait Islander voices.

These provisions, which extend and define the roles of the arts statutory bodies, include: an overarching statement recognising First Nations—in particular, the value of First Nations art and cultures; and improving the guiding principles to give a detailed framework to guide each of the bodies in their work relating to First Nations communities, including a section which focuses on fair and transparent arrangements for First Nations art. These amended guiding principles will help to ensure our statutory bodies are leading the sector in Queensland as well as nationally. It includes taking a strong stance against fake First Nations art, which has seen artists in First Nations communities across the state not paid appropriately for their work, or having their stories and performance works changed without their authorisation.

The amendments will mandate that two board members for each of the bodies will be First Nations people. Of equal importance is the establishment of a First Nations committee to provide cultural leadership and governance and to advise the boards on how to integrate cultural knowledge into their decision-making. The First Nations committee will select its own members. This is in line with the acknowledgement that self-determination of Aboriginal and Torres Strait Islander peoples is a human right, as articulated through the United Nations Declaration on the Rights of Indigenous Peoples and as acknowledged in the Queensland Human Rights Act 2019.

Importantly, the bill seeks to modernise the acts to address governance provision and other key issues that have arisen since the legislation was enacted 30 years ago. These vital changes were developed through a governance working group and CEO forum to identify and analyse governance provisions—in particular, accountability and integrity elements. This includes amendments to allow the addition of external members to subcommittees and mechanisms to allow criminal history checks to take place as required by the statutory bodies.

For the QPAT Act, amendments include provisions for ticket scalping. These provisions incorporated feedback from counterparts interstate, where there is evidence that ticket-scalping legislative provisions have had an impact on deterring ticket scalping and reducing potential subsequent impact on ticketholders. These key governance amendments, alongside other changes to the acts, seek to clarify and modernise governance arrangements within each of the five arts statutory bodies. I am very proud to present this amendment to our arts statutory bodies legislation. I am confident that this will set a new benchmark in both contemporary governance approaches and First Nations initiatives.

I want to thank and acknowledge the First Nations Arts and Cultures Panel, who co-designed the amendments and shaped this important change. The panel's guidance to my department is deeply appreciated. I would also like to thank each of the arts statutory bodies who worked closely with my department in drafting this legislation. These First Nations and contemporary governance amendments demonstrate the importance of progressing the way we work to reflect the evolving nature of audiences and communities alike. I commend the bill to the House.

First Reading

Hon. LM ENOCH (Alger—ALP) (Minister for Treaty, Minister for Aboriginal and Torres Strait Islander Partnerships, Minister for Communities and Minister for the Arts) (11.33 am): 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.

Referral to Community Support and Services Committee

Mr DEPUTY SPEAKER (Mr Hart): In accordance with standing order 131, the bill is now referred to the Community Support and Services Committee.