

EXPLANATORY NOTE

Perth Theatre Trust Amendment Bill 2014

OVERVIEW

The purpose of the *Perth Theatre Trust Amendment Bill 2014* is to provide an explicit power for the Trust to promote or take part in promoting activities at Trust managed theatres. The proposed amendments are based on contemporary legislation and have been drafted so as not to limit the nature of the business arrangements that the Perth Theatre Trust (“PTT” or “the Trust”) can enter into.

The Trust’s programming has become an integral aspect of the way performing arts content in the State is created and managed as it complements the productions presented in PTT managed venues by the State’s major performing arts companies – the West Australian Ballet, West Australian Opera, West Australian Symphony Orchestra and Black Swan State Theatre Company.

PTT’s previous investment has facilitated product diversity; provided employment for local artists; presented international and national artists who would not come to Perth without PTT investment; and enabled product to be presented at the venues when there were no other bookings.

Through the provisions in the *Perth Theatre Trust Amendment Bill 2014* and in-line with the Government decision to bring venue management in-house, PTT will have the opportunity to increase the quantity and diversity of the performances on offer at its venues. This will directly benefit existing audiences and encourage new audiences as well as supporting the development of the local performing arts sector, including established and emerging companies and artists.

Through PTT’s investment, the community has access to a vast range of cultural experiences that enhance the cultural and economic life of Western Australia.

CLAUSE NOTES

Outlined below is a brief description of each clause of the *Perth Theatre Trust Amendment Bill 2014*.

Clause 1 – Short title

Clause 1 cites the short title of the Act.

Clause 2 – Commencement

This clause provides for the commencement of the Bill. Sections 1 and 2 come into operation on the day on which this Act receives Royal Assent. The remainder of the Bill comes into effect on a day to be fixed by proclamation.

Clause 3 – Act amended

Clause 3 states the primary purpose of the Bill is to amend the *Perth Theatre Trust Act 1976*.

Clause 4 – Section 16 amended

This clause contains new definitions of the terms used in the *Perth Theatre Trust Act 1979*.

Activity includes an event, performance or production;

Business arrangement means a company, a partnership, a trust, a joint venture, an arrangement or agreement for sharing profits or an arrangement or agreement for sponsorship;

Participate in a business arrangement includes form, promote, establish, enter into, manage, dissolve, wind-up and do anything incidental to the business arrangement;

Promoting, in relation to an activity, includes attracting, organising, commissioning, funding, investing in, supporting, marketing, advertising and acting as project manager.

The Bill further provides provisions for the Minister and Treasurer to approve the terms and conditions of business arrangements; or for the Treasurer to exempt any business arrangement or class of business arrangement.

Clause 5 – Section 23 amended

New clause:

This clause inserts a new subsection 23 6(A) after subsection 23 (5) stating that subsection 23(4) and 23(5) do not affect the operation of Section 16.