

AUSTRALIAN CAPITAL TERRITORY

FESTIVAL AUSTRALIA INCORPORATION ORDINANCE 1976

EXPLANATORY MEMORANDUM

The proposed Festival Australia Incorporation Ordinance 1976 will amend the Festival Australia Incorporation Ordinance 1973-1975 to overcome the invalidity of the election held in May 1975 for the second Board of Governors of Festival Australia. Because the size of the Board had proved unwieldy, the Board resolved that six persons only should be elected to the second Board.

The apparent inconsistency between the Board's resolution and paragraph 9(1)(d) of the Constitution of Festival Australia which takes the form of a Schedule to the Ordinance and provides that fourteen persons are to be elected to the Board was not drawn to the attention of the Returning Officer appointed for the election. The election was held for six positions only and subsequent advice obtained from the Attorney-General's Department confirmed the invalidity of the election.

The proposed Ordinance provides for the appointment to the Board of the six persons previously 'elected', their appointment to take effect on and from 1 July 1975 and to expire on 30 June 1978 or at such time as elections for members of the Board are held, whichever first occurs.

The Board's membership will consist of the Minister for the Capital Territory, the City Manager, a Member of the Legislative Assembly elected by the Assembly, an officer of the Department of the Capital Territory and the following six persons:

Mrs M.M. Anthony	Mr L.W. Engledow
Mr A.J. Birch	Mr H.D. O'Clery
Mr P.R. Carrodus	Ms J. Warren

The six appointments specified above are deemed to have commenced on 1 July 1975, the date from which those persons involved in the nugatory election would have held office.

Provision is also made for a representative from each of the Departments of the Prime Minister and Cabinet and Treasury to be appointed as occasion requires by the respective Secretaries to those Departments.

The Legislative Assembly has agreed to the draft Ordinance.



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Minister's Initials