

Changes to schools of arts legislation

Management of schools of arts has changed with the introduction of new, simplified legislation in 2018.

Why has the legislation changed?

There was an extensive review into the management of Crown lands, which found that schools of arts do not need to be regulated under their own legislation. This was the foundation for the NSW Government repealing the *Trustees of Schools of Arts Enabling Act 1902* (TSAE Act).

The new Act provides for modern and transparent management of Crown land, delivering better social, environmental and economic outcomes, and facilitating community engagement with Crown land.

How does the new Act impact the trust?

On 1 July, for trusts made up of individuals, the following took place:

1. each trust over institutional public trust land was abolished
2. a statutory land manager was created and trustees were appointed as board members
3. the statutory land manager was appointed as a Crown land manager, responsible for the care, control and management of land under the new Act.

In the case of an incorporated entity or council, it was directly appointed as a Crown land manager.

What is the difference between a statutory land manager and a Crown land manager?

A statutory land manager is a statutory corporation that can be appointed as a Crown land manager under the new Act. The affairs of a statutory land manager are managed by a board. Only individuals are appointed as board members.

A Crown land manager is responsible for the care, control and management of the land under the new Act.

A statutory land manager, a council, an incorporated entity, or other qualified persons may be appointed as a Crown land manager for specified Crown land.

What happens to current trustees?

How the trustee was appointed has determined the outcome.

If the trustee was appointed under section 14 of the TSAE Act

Each individual trustee of the abolished trust was automatically appointed as a board member of the statutory land manager or Crown land manager.

If the trustee was not appointed under section 14 of the TSAE Act

1. under the new Act, the Minister for Lands and Forestry will advertise for board members to create a statutory land manager. The board can have up to seven members and current trustees are welcome to apply; or
2. under the new Act, the Minister for Lands and Forestry may consider appointing a Crown land manager.

What support does the statutory land manager board receive?

The board has the expertise of departmental staff for support and advice. They also have continued access to loans and grant funding through the Crown Reserves Improvement Fund (formerly the Public Reserves Management Fund) and subsidised public liability, property damage and volunteers insurance through the Treasury Managed Fund.

What support does the Crown land manager receive?

The Crown land manager has the expertise of departmental staff for support and advice. They also have continued access to loans and grant funding through the Crown Reserves Improvement Fund (formerly the Public Reserves Management Fund) and, depending on the incorporated body articles of association and not-for-profit status, may be eligible for subsidised public liability, property damage and volunteers insurance through the Treasury Managed Fund.

How can I request more information?

If you would like clarification or assistance, please contact the department's school of arts project team on 1300 886 235 or email soaproject.team@crowmland.nsw.gov.au.

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