

South Australia

Public Corporations (Australian Children's Performing Arts Company) (Dissolution and Revocation) Regulations 2021

under the *Public Corporations Act 1993*

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1—Short title

These regulations may be cited as the *Public Corporations (Australian Children's Performing Arts Company) (Dissolution and Revocation) Regulations 2021*.

2—Commencement

These regulations come into operation on 30 June 2022.

3—Dissolution of Australian Children's Performing Arts Company

The Australian Children's Performing Arts Company, established by the *Public Corporations (Australian Children's Performing Arts Company) Regulations 2001* as a subsidiary of the Minister for the Arts, is dissolved.

4—Transfer of assets and liabilities of Australian Children's Performing Arts Company

- (1) The assets, rights and liabilities of the Australian Children's Performing Arts Company immediately before its dissolution are vested in or attached to the Minister for Education.
- (2) The Minister for Education may, by notice in the *Gazette*, declare that a reference in an Act, instrument, contract, agreement or other document to the Australian Children's Performing Arts Company will have effect as if it were a reference to the Minister, or to a body specified by the Minister in the notice.
- (3) The following provisions apply in connection with the operation of subregulation (1):
 - (a) nothing in that subregulation—
 - (i) constitutes a breach of, or default under, an Act or other law; or

- (ii) constitutes a breach of, or default under, a contract, agreement, understanding or undertaking; or
 - (iii) constitutes a breach of a duty of confidence (whether arising by contract, in equity or by custom or in any other way); or
 - (iv) constitutes a civil or criminal wrong; or
 - (v) terminates an agreement or obligation or fulfils any condition that allows a person to terminate an agreement or obligation, or gives rise to any other right or remedy; or
 - (vi) releases a surety or other obligee wholly or in part from an obligation;
- (b) that subregulation will have effect despite the terms of any contract, agreement, understanding or undertaking and without the need for any other act or consent.
- (4) In this regulation—

Minister for Education means the Minister responsible for the administration of the *Education and Children's Services Act 2019*.

Schedule 1—Revocation of *Public Corporations (Australian Children's Performing Arts Company) Regulations 2016*

The *Public Corporations (Australian Children's Performing Arts Company) Regulations 2016* are revoked.

Made by the Governor

with the advice and consent of the Executive Council
on 9 December 2021

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