

The MSO believes in developing the future of the artform by supporting the next generation of musicians, composers, and conductors.

The Orchestra continued its partnership with the Australian National Academy of Music (ANAM), delivering performance and learning opportunities for emerging instrumentalists who in 2023 participated in the MSO's Music & Ideas program (including six soloists in the Ears Wide Open series), joined repertoire reading sessions, undertook arts management seminars, and performed alongside the MSO in November's Ryman Healthcare Spring Gala: Symphonic Tales.

Similarly, the MSO's partnership with Melbourne Youth Orchestras, welcomed their students to the stage in a curtain raiser performance at the Sidney Myer Free Concerts, and performed side-by-side with the MSO's musicians presenting works by Wagner and Stravinsky in Hamer Hall, conducted by Johannes Fritzsche, as well as performing to hundreds of children in our Classic Kids: A Symphonic Christmas performances. Working with the Australian Youth Orchestra, the MSO once again delivered its String Fellowship program to two aspiring musicians who undertook workshops, mock and casual auditions, and participated in a side-by-side rehearsal and panel discussion.

During the year, the MSO also hosted workshops for the Australian Conducting Academy, with emerging conductors Carlo Antonioli, Nathaniel Griffiths, Ingrid Martin, Leonard Weiss, and Sam Weller, working under the mentorship of Benjamin Northey, and in October, delivered the University of Melbourne, Melbourne Conservatorium of Music Composers workshop for three emerging composers.

Celebrating 20 Years with Cybec Foundation

For 20 years, the MSO has partnered with Cybec Foundation in support of emerging artists, thanks to a lasting bond forged between the MSO and long-term MSO subscriber, computer science pioneer and founder of Cybec Foundation, Roger Riordan AM (1934-2019).

Making an incredible impact on the orchestral sector, in 2023 the Foundation supported three of the MSO's programs: Cybec 21st Century Australian Composers Program, and the positions of Cybec Young Composer in Residence, and Cybec Assistant Conductor.

At the Cybec Showcase, held annually at the beginning of each year, the MSO and Cybec Foundation celebrated two decades of working together with a special anniversary concert. Conducted by Cybec Assistant Conductor, Carlo Antonioli, the concert featured the premieres of four exciting new compositions from Naomi Dodd, Joseph Franklin, Christopher Healey, and Julia Potter, who all participated in the 2022 Cybec 21st Century Australian Composers program.

Each year, one of the Cybec 21st Century Australian Composers program participants is appointed as the MSO Cybec Young Composer in Residence for the following year, with Melissa Douglas the Cybec Young Composer in Residence for 2023.

The Cybec Composer programs have supported the commissioning and performance of more than 80 new orchestral works over the 20-year partnership. Alumni from the programs include Anne Cawrse, Natalie Williams, Lachlan Skipworth, Melody Eötvös, and Alex Turley. All have progressed to widely diverse creative practices and the MSO has offered subsequent commissions to many graduates of the program.

On reaching the 20-year milestone, Kay Attali from Cybec Foundation reflected that "the late Roger Riordan, who founded the Cybec Foundation, recognised the value of creative exploration and diversity, even when the result was not his taste in music; a long-time MSO subscriber, Roger strongly believed in providing opportunities for promising young talent. Since Roger's death in 2019, the Foundation is proud to have continued his legacy."

"Cybec Foundation's continued support has enabled our nationally-recognised initiatives to become exemplars for artist development programs within the sector. This fruitful partnership has also contributed to the MSO's reputation as one of the strongest advocates for new Australian music."

– Sophie Galaise, MSO Managing Director





L-R: 2023 MSO Academy participants Emily Beauchamp, Cian Malikides, Alyse Faith and Oliver Crofts

MSO Academy

Launched in 2022 with the support of Platinum Patron and the MSO's Co-Deputy Chair, Di Jameson OAM and her partner Frank Mercurio, the MSO Academy continued its vital support of young artists across 2023. The pioneering development program bridges the gap for Australia's next generation of orchestral talent, providing a pathway to a professional career via a paid placement with the MSO including mainstage performance opportunities, chamber music performances, and Learning and Engagement programs.

The 2023 musicians selected to participate were Emily Beauchamp (violin), Alyse Faith (flute), Oliver Crofts (clarinet) and Cian Malikides (trombone). Selected highlights of the extensive mainstage concerts they performed in across the year include Chinese New Year, Sidney Myer Free Concert 3—*Carmina Burana*, The Ryman Healthcare Season Opening Gala: Zenith of Life, Metropolis: Stabat Mater, Secret Symphony, Art of the Score: Music of Hans Zimmer, and Star Wars: A New Hope, among many others.

Additionally, Academy members performed as part of MSO's annual regional touring program, with performances in Wyndham, Whitfield, Shepparton, Wangaratta, Warrnambool, Hamilton, and Horsham. Members also performed at TarraWarra Estate in December with the world premiere of a new work, *Water. Ruins. Everything. (or, the quaking zone)* by Joseph Franklin, commissioned by MSO Supporting Partner TarraWarra Estate.

In May, Academy members had a unique opportunity to learn from and perform with musicians of the London Symphony Orchestra during their tour to Melbourne, including a performance class with LSO musicians Bindi McFarlane (violin) and Paul Milner (bass trombone), and a creative music making session inspired by Debussy's *La Mer*. Additional professional development included a session on understanding First Nations issues in Australian music by Noongar violist and MSO guest conductor Aaron Wyatt.

The MSO Academy is supported by Platinum Patrons Di Jameson OAM and Frank Mercurio.

"The opportunity to be part of the MSO Academy was something I had dreamt of since hearing of its launch! I was incredibly fortunate to be selected for the 2023 program, following on from 3 years of training at the Australian National Academy of Music. There are so many performance highlights from my time in the Academy, such as Strauss' *Alpine Symphony* and Rachmaninov's *Symphony 2* with Jaime Martín at Hamer Hall. Further highlights include collaborating with First Nations composers, playing chamber music at St Paul's Cathedral, a masterclass with musicians of the London Symphony Orchestra as well as touring to regional Victoria. It has been a most inspiring year for me."

— Oliver Crofts, clarinet, 2023 MSO Academy

"MSO Academy gave me the opportunity to play regularly throughout the year in the MSO. I felt very included, encouraged, and supported as a professional musician as part of the flute section. It has directly led to further professional work as a casual in the MSO and other orchestras in Australia and has been hugely beneficial to my career and development of my orchestral playing."

— Alyse Faith, flute, 2023 MSO Academy

Snare Drum Award

At the end of August, the MSO was delighted to announce that Aidan Ritchie was the winner of the MSO's 2023 Snare Drum Award. Aidan is an orchestral and contemporary percussionist, who recently completed his Bachelor of Music at the Melbourne Conservatorium of Music.

As part of the competition, each finalist was required to perform *Whirl* by Katy Abbott (MSO's 2024 Composer in Residence), specially commissioned for this event. As winner, Aidan receives percussion equipment and the opportunity to undertake a one-year mentorship with the MSO.

Established by MSO percussionist Robert Cossom in 2004, the MSO Snare Drum Award is designed to encourage the pursuit of excellence in snare drum performance. Open to undergraduate tertiary students from Australia and New Zealand, this award provides an exclusive opportunity for applicants to further develop audition skills and performance techniques in a professional environment.

The MSO's Snare Drum Award is very generously supported by Tim and Lyn Edward, Cecilie Hall, an anonymous donor, and the late Hon. Michael Watt KC. The MSO is also grateful to Mastro Snare Drums, Zildjian, Evans, and Just Percussion for donating the Award prizes.



2023 Snare Drum Award Winner, Aidan Ritchie

Discovering the Joy of Music



The MSO works to create the full lifecycle of experiences—from inspirational first encounters at any age, to a lifelong love of music. In 2023, the MSO once again delivered key programming throughout the season, inviting audiences to experience the creative excellence of the orchestral artform, and explore the behind-the-scenes world of the MSO.

The MSO presented three of its much-loved, ‘musically illustrated’ lectures, Ears Wide Open to 2,200 people, and 57 pre-concerts talks to almost 7,000 people in 2023.

For the littlest audience members, the MSO continued to deliver its hugely popular Jams for Juniors events to more than 6,000 youngsters over 51 workshops, and its Classic Kids concerts introduced almost 5,000 primary school aged children to some of the world’s best loved orchestral works.

Behind the scenes, the MSO continued its Work Experience program for secondary school students, offering two weeks across the year for 55 budding arts management workers.

MSO for Schools

Designed to inspire students and support the work of teachers in the classroom, the 2023 MSO for Schools program included concerts for students of all ages and abilities, learning resources for generalist and specialist music teachers, and pathways for schools that have never engaged with the MSO.

Across the year, the program included exciting mainstage concerts Bunggul, Forces of Nature, and The Making of the Orchestra. Offering students the chance to go behind the music, the MSO presented two open rehearsals with conductors Xian Zhang and Jessica Cottis, along with Meet the Music: Finsterer and Vaughan Williams. Thanks to the generosity of an anonymous donor, tickets to MSO for Schools concerts remained at \$9 each, continuing to make these learning experiences accessible for all.

In regional Victoria, MSO for Schools concerts, interactive performances and workshops for young musicians engaged more than 2,700 students in the communities of Shepparton, Wangaratta, Bendigo, Horsham, and Hamilton. Additionally, two specially curated digital broadcasts (Forces of Nature and The Making of the Orchestra), along with downloadable teacher resources packs, reached students virtually in schools across the State.

Ensuring disadvantaged and diverse schools had equal access to MSO learning programs, the Schools Concert Experience Excursion Subsidy engaged 1,523 students from government primary and secondary schools with an Index of Community Socio-educational Advantage below 1000, and included subsidies for 37 buses, and staffing expenses.

MSO for Schools, and the MSO Schools Concert Experience Excursion Subsidies are supported by Crown Resorts Foundation and the Packer Family Foundation. Downloadable teacher resources were created with the support of the Victorian Department of Education’s Strategic Partnerships Program.

Melbourne Music Summit

The four-day Melbourne Music Summit took place in July and was designed to support and inspire educators of all types through keynote addresses, open rehearsals and performances, and conversations with leading music educators and artists of the MSO.

Teachers from across Victoria had the option to attend sessions in person at Iwaki Auditorium or to join live online. In 2023, a new seating format for teachers attending in person was introduced which saw them seated amongst the musicians while the Orchestra rehearsed. This was an extraordinary immersive experience for those attending in person and watching online.

The accessibility of the Summit’s overall format was particularly well received by participants, along with the opportunity to learn rehearsal, conducting and direction techniques in a professional orchestral setting. A suite of digital resources and recordings were created throughout the Summit, which remain freely available on the MSO for Schools website. The Melbourne Music Summit was supported by MSO Principal Partner, Emirates, and the Victorian Department of Education through the Strategic Partnerships Program and the City of Melbourne.

“I loved the session exploring rehearsal techniques for vocal and instrumental ensembles... I will be able to take many of these ideas, some of which I had not come across before, and put them directly into my own practice as an ensemble leader and conductor. “

– Melbourne Music Summit attendee



The Pizzicato Effect

In 2023, the MSO made the difficult decision to conclude *The Pizzicato Effect* program.

Launched in 2009, 'Pizzi' provided music education in the City of Hume at no cost to participants for up to 70 students each year. The program allowed for a safe, positive, inspiring, fun, and high-aspiring learning environment that promoted engagement with school and community life. Alongside English, primary school students in the 2023 cohort represented many language groups, including, Arabic, Turkish, Uyghur, Vietnamese, Farsi, and Kurdish.

In 2023, 67 students learned to play the violin, viola, or cello, guided by a dedicated team of Teaching Artists, taking part in the Beginner, Junior, Senior or Chamber Ensemble. On Wednesday 21 June, the *Pizzi* community came together for the mid-year concert, a much-loved opportunity to demonstrate achievement to an appreciative audience. Similarly, on 16 August, the students had a second performance opportunity, playing in a special celebration concert at Meadows Primary School.

The MSO remains a passionate advocate for music education and will continue to support Victoria's students and teachers, and extends its heartfelt gratitude to all those who have been part of the success of *The Pizzicato Effect* over the past 14 remarkable years, including Meadows Primary School (who graciously opened their doors from the program's inception), and all the volunteers, supporters, donors, and funders whose generosity made the program possible.

A special tribute goes out to the exceptional Teaching Artists, whose unwavering passion and commitment has fostered an environment of safety, compassion, and growth for every *Pizzi* student. Their tireless efforts have not only nurtured the students' musical talents but have also helped shape them into confident and resilient individuals.

The MSO is also extremely grateful to the many individuals and organisations who have supported *The Pizzicato Effect* over the past 14 years, including in 2023, the Hume City Council's Community Grants program, The Marian and E.H. Flack Trust, Flora and Frank Leith Charitable Trust, Australian Decorative And Fine Arts Society, and many generous individual donors.

The MSO also thanks Second Bite, Bows for Strings, Northpoint Centre, and its Development Partner, Berry Street. This program would not have been possible without their support.

Finally, the MSO extends its heartfelt gratitude to the extraordinary students and their families who embraced *The Pizzicato Effect*. It is through their dedication that this program has thrived, creating a vibrant community of young musicians who inspired us all.

"The first time I got to take my cello home, I was so excited that I could not sleep. Thank you Pizzi for everything."

– Pizzi Student

"Pizzi is a way to collaborate thoughts and feelings in music. At first I didn't know any music or how to play my instrument, but Pizzi has taught me that."

– Pizzi Student

"I'm so grateful to have learned about music here, 2 times a week, for 6 years! Time goes by quickly when you're having fun and playing music at Pizzi!!! xoxo."

– Pizzi Student

"As a young musician, I also attended a weekly string orchestra program. The training I received left a lasting impact on me, and I attribute the musician I am today to that experience. Every day that I have taught at *The Pizzicato Effect*, I've hoped that my students will look back on this chapter of their lives with the same gratitude and joy, carrying this part of their journey with them into their musical futures."

– Sage Rogan, Teaching Artist, Senior Ensemble

In 2023, the MSO invited audiences to explore the behind-the-scenes world of the MSO through its popular Music & Ideas program. Incorporating MSO's public, non-performance activity including open rehearsals, panel discussions and participatory events, Music & Ideas is designed to enhance the audience experience of an upcoming MSO concert across accessibly-priced ticketed and free events, both online and in-person.

In 2023, the MSO presented 12 Music & Ideas events including open rehearsals with MSO Chief Conductor Jaime Martín and international guest conductor, Chloé van Soeterstède; masterclasses with MSO Soloist in Residence Siobhan Stagg, in-demand singer, Toby Spence, and violinist, Ray Chen; Sir Simon Rattle In Conversation as part of the LSO's tour to Melbourne; and celebrated International Women's Day with a panel discussion hosted by Leigh Sales and featuring Sascha Kelly, Emma Muir-Smith, Dr Priya Srinivasan, and Jessica Wells; among many other events.

The MSO's Music & Ideas program is supported by the City of Melbourne, with the digital livestream made possible by the Crown Resorts Foundation and the Packer Family Foundation.

Sir Simon Rattle In Conversation was proudly presented by MSO Premier Partner, Ryman Healthcare.

"Straight to the heart and soul of musical expression. Ray's masterclass builds deep foundations and technical leverage encouraging and challenging the musicians to greater awareness and insight into performance [with] cheeky humour. Well done all. What a privilege to be able to watch this online!"

– YouTube Viewer



Reflecting our Diversity



The MSO is committed to creating innovative artistic programs which reflect the diversity of its community both as audiences and artists, and where audiences recognise themselves in MSO's artistic endeavours and performances. A highlight of this is the MSO's East meets West program—one of the Orchestra's flagship initiatives—a year-long celebration that brings traditional and contemporary Eastern music and musicians to the Australian stage.

2023 Chinese New Year Concert and new partnership with the Sichuan Symphony Orchestra

A cornerstone of the MSO's 2023 East meets West program, the 10th Anniversary Chinese New Year Concert took place on Saturday 4 February 2023 at Hamer Hall in celebration of the Year of the Rabbit.

The concert was led by one of the most influential conductors in China's musical landscape, Artistic Director and Chief Conductor of the Sichuan Symphony Orchestra, Darrell Ang. The program featured beloved Sichuan soprano Meigui Zhang, pianist Angela Li, and musicians from the Australian Dunhuang Arts Academy with music inspired by the natural beauty of Sichuan Province. It was recorded for broadcast and released across the year on MSO.LIVE.

As part of this landmark event, a new, three-year collaboration agreement was signed between the MSO and its sister state orchestra, the Sichuan Symphony Orchestra, entailing a multi-faceted exchange program between the two orchestras. Partnership activities will include co-commissioning of Australian and Chinese works, sharing of knowledge in administration and operations, promotion of each other in home countries, and opportunities for musicians and chief conductor exchanges.

The MSO's Chinese New Year Concert was proudly supported by the Consulate General of the People's Republic of China, Ministry of Culture and Tourism China, Li Family Trust, National Foundation for Australia-China Relations, and our East meets West consortium of partners and donors.

"I am thrilled to announce this exciting cross-cultural collaboration and formalise the symbiotic relationship between our two great orchestras and between the State of Victoria and the Sichuan Province. The partnership will provide wonderful development and learning opportunities for the players of the SSO as well as the broader team that manages the SSO organisation. We look forward to sharing our music, our traditions and culture in this mutual exchange program."

– Mr Wu Lingfeng, President, Sichuan Symphony Orchestra

Mosaics—Contemporary Sounds of Melbourne at the Sidney Myer Music Bowl

The MSO's second Sidney Myer Free Concert of 2023 opened with *Ascension*—a fanfare commissioned for the occasion composed by the 2023 Cybec Young Composer in Residence, Melissa Douglas—and over the course of the evening, celebrated the city's musical diversity.

Following Stuart Greenbaum's *90 Minutes Circling the Earth: Hymn to Freedom*, the MSO was joined on stage by four dynamic artists from Melbourne's outer suburbs, each performing one of their original works, developed in partnership with GRID Series. Showcasing the diversity of Melbourne's thriving music scene, performances included Ag Johnson's authentic and heartfelt African storytelling, Nomad's Pasifika-Māori soul, hip hop and jazz influences, HVSH's multi-faceted, genre-crossing sounds and distinctive tenor, and Elaura's neo-soul and alt R&B vocal stylings.

The night culminated in the world premiere of an MSO Commission *Agam (The Interior Landscape)*. Presented by Sangam, *Agam* comprised three intertwined ancient, contemporary, and futuristic stories of Tamil Australians who live and work on the unceded lands of the Kulin Nations. Weaving together an anti-colonial perspective, this intercultural performance framed music as dance, visuals and storytelling to explore marginality, home, and belonging, and was created by Priya Srinivasan, Hari Sivanesan, Uthra Vijay, Sridhar Chari and Alex Turley with Sri Andal and Tulsidas Goswami.



"Mosaics was a night of celebration with MSO's programming facilitating a space for pride in diversity and inviting audiences to include contemporary pieces and tonal traditions outside the Western Canon into their understanding of 'classical music'."

– Arts Hub, 20 February 2023



Ngaiire x MSO

In March, Ngaiire x MSO brought together Ngaiire’s dazzling, futuristic R&B sound with the Orchestra, under the baton of Nicholas Buc. The performance drew on her career and latest album—the critically-acclaimed *3*—arranged for orchestra by award-winning composer and MSO’s 2022 Cybec Young Composer in Residence, Alex Turley.

Hailing from the Eastern Highlands and New Ireland provinces of Papua New Guinea, Ngaiire came to national attention as a contestant on Australian Idol and since then, her work, filtered through her experiences as a First Nations woman, has seen her garner multiple award nominations. Ngaiire is also a visual artist and creator, weaving this aspect of her creativity throughout her performances.

This performance took place a day after Mo’Ju X MSO, in a weekend which celebrated the incredible diversity of Australia’s most exciting contemporary artists.

International Guest Artists and Ensembles

CHINA

Darrell Ang conductor
Haochen Zhang piano
Meigui Zhang soprano
Xian Zhang conductor

FRANCE

Chloé van Soeterstède conductor

GERMANY

Johannes Fritzsich conductor

INDONESIA

Arya Adithya double bass
Bhudi Ngurah conductor
Yogyakarta Gamelan Ensemble

MEXICO

Carlos del Cueto presenter

NEW ZEALAND

Jud Arthur baritone
Michelle Nicolle vocalist

SINGAPORE

Li-Wei Qin cello

SOUTH KOREA

Clara-Jumi Kang violin
Joyce Yang piano

SPAIN

Jaime Martín conductor
Javier Perianes piano

SWITZERLAND

Elena Schwarz conductor

UNITED KINGDOM

Isobel Howard violin
Chad Kelly conductor
Jack Liebeck violin
London Symphony Orchestra
Sir Simon Rattle OM CBE conductor & presenter
Toby Spence tenor

USA

George Daugherty conductor
Jazz at Lincoln Center Orchestra
Wynton Marsalis trumpet
Daniel Schlosberg conductor
Esther Yoo violin



AUSTRALIAN PREMIERE

ALL RISE BY WYNTON MARSALIS AND
JAZZ AT LINCOLN CENTER ORCHESTRA

Engaging our Community



The MSO believes in the power of music to unite, inspire, and transform communities, and is committed to developing pathways to prioritise audience-focused outcomes that align with community goals, and remove barriers to participation.

In 2023, the MSO's annual Sidney Myer Free Concerts drew more than 26,000 people to the Sidney Myer Music Bowl and reached a broadcast audience of more than 176,000 people with a diverse range of programming, from Tchaikovsky, to the orchestral world premiere of works by emerging artists from Melbourne's west.

Established for Season 2022, Friends of the MSO continued to offer a variety of membership levels for audiences wishing for a deeper engagement with the Orchestra, with 721 members in 2023 (up from 379 in 2022). Our revived student membership program also saw 558 student members for the year. Complementing this was the continuation of the MSO's *Encore Magazine*. Printed biannually it included a range of stories and articles about all things MSO including interviews with artists, musician profiles, essays on composers and their compositions, and insight into the people that make the musical magic happen on stage.

The MSO continued its focus on collaborating with Australia's leading non-orchestral artists. Bringing depth to programming, particularly through the MSO Presents series, the Orchestra collaborated with contemporary musical artists and acts with performances such as George Michael: Freedom!—opening doors to new audiences and pushing the perceived boundaries of what an orchestra means in contemporary society.

Geelong Series and Geelong Friends of the MSO

In 2023, the MSO was again the only Australian orchestra to offer a full series of concerts in a second city. Performing in Geelong's splendid Costa Hall, the MSO presented a program which included Mozart and Beethoven Bliss, Reflected Light, Prodigies: Mozart and Mendelssohn, Rachmaninov's Rhapsody, and a performance of the Ryman Healthcare Winter Gala: Ray Chen performs Tchaikovsky with Chief Conductor, Jaime Martín.

Championing our Geelong series is the wonderful Geelong Friends of the MSO. Playing an important part in supporting the Orchestra and ensuring the continuation of the annual series of concerts, the Geelong Friends help promote the MSO and its activities in the Geelong community. Benefits of a membership include invitations to post-concert events, and opportunities to hear the Orchestra at work in open rehearsals, among others.

Relaxed Performances

The MSO presented three relaxed performances in 2023—The Making of the Orchestra, Forces of Nature, and A Symphonic Christmas—to more than 2,200 people. Elements of the performances were adapted to reduce anxiety and discomfort with special resources available to enhance the concert experience such as:

- Online pre-concert guidebooks including a downloadable Visual Story
- A relaxed attitude to noise and movement during the concert
- Lights stay on during the concert
- Open doors and chill-out break areas
- General admission seating with space for freedom of movement
- Friendly, trained staff.

The MSO has been at the forefront of staging accessible performances and was the first major Australian orchestra to present a relaxed performance specially designed for people experiencing autism spectrum disorders or sensory and communication disorders.

Symphony in a Day

Each year, the MSO delivers its Symphony in a Day program which sees amateur, community musicians rehearse and perform alongside musicians of the MSO in a professional performance of well-known classical works.

Performing to a Hamer Hall audience of more than 600 people, in 2023, 40 community members came together with the MSO and conductor, Johannes Fritzsch, to prepare and present Elena Kats-Chernin's *Momentum*, Tchaikovsky's *Romeo and Juliet*, and excerpts from *Swan Lake*. Welcoming community musicians from all over Victoria (and one from Tasmania!) including Corpus Medicorum, and the Geelong, Bendigo, Wangaratta, Gippsland, and Zelman Symphony Orchestras, over two rehearsals, the musicians practiced the works, learning from their MSO counterparts.

Performing Side-by-Side

The MSO is dedicated to sharing its expertise, providing valuable opportunities for community members to learn directly from musicians.

In March, MSO guest conductor Aaron Wyatt led the MSO and the Goulburn Valley Concert Orchestra in a side-by-side rehearsal at St Augustine's Hall, Shepparton. Together, the orchestras rehearsed Korngold's *The Sea Hawk* and Shostakovich's Symphony No.5 *Finale*, with community musicians benefiting from the unique opportunity to play with and learn from world-class musicians.

In June, the next generation of orchestral musicians from the Melbourne Youth Orchestras joined members of the MSO and esteemed conductor Johannes Fritzsch for a very special performance. To an audience of more than 470 people, 56 young musicians performed Stravinsky's glittering *Firebird Suite* and Wagner favourite, *Lohengrin: Prelude*.

"The rehearsal with MSO was one of the best I have been to. Every person learned something from the whole experience, and it was just a brilliant rehearsal. I left there on an absolute cloud 9."

– Wade, Goulburn Valley Concert Orchestra Librarian/
Percussionist



The MSO with the cast of George Michael: Freedom! at the Sidney Myer Music Bowl (photo Laura Manariti)



MSO Chorus



The MSO Chorus is one of Australia's premier symphonic choruses and for more than half a century, has been the voice of the MSO's choral repertoire. Under Chorus Director Warren Trevelyan-Jones, the MSO Chorus is comprised of 190 volunteer members, with rehearsals taking place once a week. In 2023, Chorus members undertook a combined total of almost 23,000 hours of work throughout the year.

Kick-starting the year, the MSO Chorus undertook its annual Chorus Weekend, where over two days, members participated in a variety of activities focusing on their vocal technique and preparing for the upcoming concerts. Highlights included welcoming world-renowned chorus director, Simon Halsey (City of Birmingham Symphony Orchestra, UK) to work on Britten's *War Requiem* and share his experiences, while Australian contralto, Liane Keegan, provided vocal training, and Benjamin Northey spent time with members preparing *Carmina Burana*.

Throughout 2023, the MSO Chorus appeared in 11 performances across 7 programs with the MSO including *All Rise: Jazz at Lincoln Center Orchestra with Wynton Marsalis and the MSO*, *Eumeralla, a war requiem for peace*, *Carmina Burana*, Britten's *War Requiem*, and Disney's *Frozen*. In preparation for *All Rise*, Chorus members undertook a special workshop with the Jazz at Lincoln Center Orchestra Chorus specialist.

Alone, the MSO Chorus made its annual appearance at the Anzac Day service at the Shrine of Remembrance, and returned in November for a performance to commemorate Remembrance Day performing works including *The Old Hundredth* by Ralph Vaughan Williams, and *Advance Australia Fair*. In June, conducted by Warren Trevelyan-Jones, the Chorus performed Rachmaninov's *All Night Vigil* at St Mary's Star of the Sea in West Melbourne with Nicholas Cowall (cantor and language coach), Irving Dekterev (tenor), and Helen Hill (mezzo-soprano).

2023 saw the MSO Chorus perform side-by-side with the Consort of Melbourne, and Dhungala Children's Choir and some members were invited to join the Melbourne Bach Choir for their performance of Mahler's Symphony No.2. In November, Warren Trevelyan-Jones was invited to lead a rehearsal with the Ballarat Choral Society sharing his skills and knowledge with local community members.

The MSO Chorus is proudly supported by the Estate of Halinka Tarczynska-Fiddian and Creative Victoria.

"It was a great weekend and the day with Simon [Halsey] was amazing. The War Requiem will be appreciably better because of it. I'm looking forward to it!"

– MSO Chorus Member

"To be sure, this is not at all easy music for a volunteer chorus and children alike to master, but they more than met the challenge, and both performed with conviction and class."

– *Classic Melbourne*, 15 April 2024 (Britten's War Requiem)

"The MSO Chorus brought plenty of vigour and clarity to the score's arduous vocal demands..."

– *The Age*, 20 February 2023 (*Carmina Burana*, Sidney Myer Free Concert)



190
MEMBERS



22,885
HOURS (combined volunteer hours across all performances and rehearsals)



14
PUBLIC
PERFORMANCES



9
BROADCASTS



92%
AUDIENCE
SATISFACTION



92%
SINGER
SATISFACTION

MSO on the Road



In 2023 the MSO undertook a year-long program of regional touring across Victoria, delivering on its commitment to ensure access to world-class orchestral music and learning opportunities for regional communities.

Reaching a total of 7,981 people, the 2023 tour visited eight regional communities: Shepparton, Warragul, Warrnambool, Hamilton, Horsham, Ballarat, Bendigo, and Wangaratta. A range of opportunities were offered including mainstage evening concerts, schools' programs, hands-on workshops, side-by-side rehearsals, special digital schools' concerts, and pre-concert talks.

Demonstrating significant demand for high-quality orchestral musical experiences in the regions, every mainstage performance across the touring schedule was extremely well attended, with close to capacity audiences attracted at each venue. An accessible and contrasting program of orchestral repertoire was performed including Mozart's Clarinet Concerto, Mendelssohn's *The Hebrides* and Sculthorpe's *Kakadu*.

Offering pathways for children to connect with orchestral music, the MSO was delighted to have reached 2,448 students across the following 13 specially-curated activities:

- 8 'MSO for Schools' interactive concerts for primary and secondary levels
- 2 on-demand digital performances for regional schools
- 1 hands-on workshop for school-level musicians
- 2 interactive in-school performances

Collaborative rehearsals with community ensembles played a key role in extending musical engagement beyond the concert hall. These activities provided valuable learning opportunities for students and community members alike.

Two new First Nations orchestral works had their regional premieres as part of the 2023 tour: *Miringama* by Yuin composer Brenda Gifford and *Wiidhaa* by Yuwaalaraay, Gamilaraay, Yorta Yorta and Yuin composer, James Henry.

The MSO's 2023 regional touring program was supported by Creative Victoria (Touring Victoria), the Freemasons Foundation of Victoria, the Fairley Foundation, the Angior Family Foundation, the Robert Salzer Foundation, the William and Lindsay Brodie Foundation, the Gwen and Edna Jones Foundation, and the Ray and Joyce Uebergang Foundation.

*"Thank you, Aaron [Wyatt], for your direction and encouragement during the workings of Korngold's *The Sea Hawk* and Shostakovich's *Symphony No.5 Finale*. You were amazing—inspiring, generous and talented, as were all the MSO players. I really appreciated your thorough knowledge of the pieces, and all the nuances for the different sections of the orchestra. The emanating sounds of the large ensemble and the quality of musicians lifted everyone's confidence. Some of us were delighted to catch up with familiar faces from workshops past. Thank you MSO."*

– Helen, Goulburn Valley Concert Orchestra President

"Thank you, MSO, for sharing you immense skills and collective love of music with us ♡ ... and also bringing that talent and passion on the road!"

– Lan Smith-Charnley, audience member





Singing the agreement with West Java Province, L-R: Chief of the Bureau for the Government and Regional Autonomy and Regional Secretary of the Province of West Java, Yulia Dewita, S.T., M.P.P.M., PH.D; Governor of West Java, His Excellency Ridwan Kamil; Head of Tourism and Culture Agency of West Java, Benny Bachtiar; Melbourne Symphony Orchestra Managing Director, Dr Sophie Galaise; Australia's Ambassador to Indonesia, Ms Penny Williams PSM; Investment and Strategic Partnership Director (Indonesia) at Victorian Government Trade and Investment Southeast Asia, Huda Albanna

Forum for Symphonic Music, Beijing

In mid-November, the MSO's Managing Director, Sophie Galaise, was invited to attend the inauguration of the World Association for Performing Arts (WAPA) and present at the 2023 Beijing Forum for Symphonic Music conference. An initiative of MSO partner, the National Centre for Performing Arts (Beijing), WAPA is a new international professional non-profit organisation consisting of 30 member organisations from 19 countries, including the MSO.

Representing Australia as part of the cohort of 300 participants from 187 international art institutions in 30 countries and regions worldwide, it was the first time this event has come together in person since 2019. Sophie presented in the session "New Talents and New Works: A Contemporary Vision for Symphonic Music", and whilst there, signed the extension of the MSO's collaboration agreement with the National Centre for the Performing Arts (Beijing) to 2026.

The MSO greatly thanks the National Foundation for Australia-China Relations for their support of this visit.

Youth Music Camp and Arts Management Workshops, Indonesia

In May, a delegation of MSO musicians and management staff travelled to Yogyakarta, and for the first time, to Bandung in West Java, for 12 days of cross-cultural engagement, delivering the MSO's annual Youth Music Camp and Arts Management Workshops in both locations.

In Yogyakarta, MSO musicians Sarah Curro (violin), Kirstin Kenny (violin), Katharine Brockman (viola), Michelle Wood (cello), and Rohan Dasika (double bass) led a series of strings workshops with local musicians from across the province, culminating in a collaborative performance on Wednesday 17 May. The three-day arts management workshop was presented by MSO management team representatives and was attended by a diverse range of people in the performing arts and arts management sector from government, universities, cultural institutions, and communities. For the first time, these instrumental and arts management programs were also delivered in Bandung.

While in Bandung, a partnership proposal plan between the MSO and the West Java Province was signed, supporting the Implementation Program of the cooperation between West Java and the Victorian Government. Demonstrating an outcome of the relationship between the two governments, Australia's Ambassador to Indonesia, Ms Penny Williams PSM and His Excellency Ridwan Kamil, Governor of the West Java Province, attended and witnessed the signing ceremony.

Agreement with the Royal Academy of Music

In September, the High Commissioner to the UK, the Hon Stephen Smith announced a new international agreement between the MSO and the Royal Academy of Music. The three-year program of collaboration and exchange aims to enrich the training of the Royal Academy and MSO Academy members, preparing Australia and the UK's most exceptional young musicians for professional performance careers on the international stage.

With the first intake to commence in 2025, the MSO Academy and Royal Academy will take part in an annual exchange program that will facilitate up to five members of each Academy spending two weeks with their international counterparts, deepening people-to-people links across the Australian and British music industries.

While in residence, the members will have the opportunity to rehearse and perform with their hosts and receive lessons from relevant Academy faculty. Members will collaborate on a chamber music project that will include public performances in London and Melbourne with a program that features a new work written for the ensemble by the MSO's Cybec Young Composer in Residence and one work written by a Royal Academy composition student.

The MSO is incredibly grateful to everyone who made this possible including MSO musicians Rachael Tobin (cello) and Freya Franzen (violin) who performed with the Royal Academy's Jack Liebeck (violin) and Isobel Howard (viola), the Australian Government through the Australian Cultural Fund, Law Squared as the MSO's new International Law Firm Partner, and the MSO's Co-Deputy Chair Di Jameson OAM who, as a lead benefactor of the MSO Academy, travelled with the MSO for this important event.

"This is a great moment in Australia's deep cultural relationship with the United Kingdom. The Royal Academy of Music and the Melbourne Symphony Orchestra are cultural powerhouses in the UK and Australia. This greater exchange of people and skills will strengthen the quality of art fostered at these great institutions."

– The Hon Stephen Smith, High Commissioner to the UK



Signing the agreement with the Royal Academy of Music, L-R: Rachael Tobin, MSO Associate Principal Cello; Freya Franzen, MSO Second Violin; Elisabeth Bowes, Deputy Head of Mission, United Kingdom; Professor Jonathan Freeman-Attwood CBE, Principal of the Royal Academy of Music; Sophie Galaise, MSO Managing Director; The Hon Stephen Smith, High Commissioner to the UK; Di Jameson OAM, MSO Co-Deputy Chair; Jack Liebeck, Royal Academy of Music; Isobel Howard, Royal Academy of Music

Sharing our Music with the World



ABC Classic FM

The MSO is proud to partner with ABC Classic to share its performances on radio throughout Australia and via digital streaming around the world, in a combination of live and pre-recorded broadcasts to an estimated 1 million listeners in 2023.

All the MSO's Sidney Myer Free Concerts were broadcast live, while many concerts were recorded and broadcast throughout the year including the Ryman Healthcare Spring Gala: Symphonic Tales, Northern Reflections: Sibelius and Shostakovich, Strauss' *Alpine* Symphony, Debussy and Sutherland, and Brahms and Dvorak: Friends and Admirers, among others.

MSO.LIVE

Launched in late 2020, the MSO's digital content viewing platform, MSO.LIVE, continued across 2023 delivering performances and learning and engagement events to viewers in 88 countries.

Functioning as a digital gateway into the MSO's offering, MSO.LIVE increases access to the orchestral artform beyond the physical concert hall, providing a centralised, integrated portal through which music-lovers can engage with the MSO.

In total, 13 concerts from 2023 were showcased on the platform including the MSO's 20th Anniversary Cybec Showcase, all the Sidney Myer Free Concerts, Britten's *War Requiem*, Chinese New Year Concert, *Symphonie Fantastique*, and the MSO's Ears Wide Open series.

MSO.LIVE is generously supported by Perpetual Foundation – Alan (AGL) Shaw Endowment and the Margaret Lawrence Bequest.

Welcoming the Quad Fellows to Melbourne

At the beginning of June, the MSO was pleased to be involved with the Quad Fellowship, an initiative of Schmidt Futures and the governments of Australia, India, Japan, and the United States which brings together the next generation of scientists and technologists committed to advancing innovation and collaboration.

Sharing the work of the MSO through a special dinner and performance, the MSO's First Nations Creative Chair, Deborah Cheetham Fraillon AO immersed the cohort of 100 Quad Fellows in an evening of First Nations culture and artistic achievement. The Fellows experienced a visual art exhibition curated by Noongar man and conductor Aaron Wyatt, then performances featuring Deborah, the Melbourne Ensemble, Yorta Yorta woman and double bassist Allara Briggs-Pattison, and Basil Pyne.

The MSO and LSO Live

In May, the MSO announced an extension to its partnership with the London Symphony Orchestra, which will see the establishment of a new in-house record label for the MSO, expanding the Orchestra's international reach in more than 200 countries through LSO Live's distribution channels.

Under the musical direction and baton of Chief Conductor Jaime Martín, the label will showcase the distinct talents of Australian musicians, artists and composers including the growing influence of First Nations musicians who continue to break new ground with the MSO. The MSO is only the sixth partner (and the first in the Asia-Pacific region) to join the LSO Live group of labels.

“As we look to celebrate 25 years of LSO Live, we are delighted to partner with the Melbourne Symphony Orchestra to help realise their own ambitions and produce recordings that capture the performances they bring to the stage.”

– Kathryn McDowell CBE DL, Managing Director,
London Symphony Orchestra

MSO's Indonesian Interns

For the month of October, and as part of the MSO's ongoing collaboration agreement with the Government of the Special Regional of Yogyakarta, the Orchestra welcomed two interns from Indonesia, Arya Adithya (Adit) and Daniel Pongsamma.

Adit (double bass) and Daniel (operations) worked alongside Orchestra staff and musicians on a range of activities including rehearsing, setting up concerts, and travelling on the MSO's regional tour. Adit and Daniel were participants in the MSO's 2022 instrumental and arts management workshops in Yogyakarta and it was pleasing to welcome them to Melbourne to continue their learning.

The MSO is very grateful to the Department of Foreign Affairs and Trade Victoria State Office, led by Director, Mr Tim Kane, and the Indonesian Consul General, Mr Kuncoro Waseso, who with the MSO, hosted an event to celebrate this internship as a model for future knowledge sharing, and Australia's close ties with Indonesia.



Sir Simon Rattle OM CBE conducts the London Symphony Orchestra in Melbourne (photo Laura Manariti)



Creative Alliances



Collaboration is at the heart of the MSO, elevating our performances, nurturing talent, and enriching the cultural fabric of Victoria and beyond. It brings together diverse musicians, composers, conductors, and other artists to share unique perspectives and skills. This fosters innovation, enriches the creative process and results in captivating performances that resonate with audiences.

The MSO was delighted to work together once again with the Shrine of Remembrance to deliver MSO Chorus performances to commemorate ANZAC and Remembrance Days, and in association with ConcertLab to stage *The Music of Hans Zimmer* presented by *Art of the Score*.

The MSO also collaborated with corporate partners to deliver outstanding audience experiences such as Premier Partner Ryman Healthcare to deliver a range of in-residence performances (including the opening of the new Deborah Cheetham Retirement Village in Ocean Grove), with LifeSpace Probiotics to present *Symphonic Flow Yoga*, and with Patient Wolf to create the Sir Andrew Davis Negroni, with ingredients selected by none other than the MSO's Conductor Laureate himself.

London Symphony Orchestra

Marking the official launch of the MSO's landmark partnership with the London Symphony Orchestra, in May the MSO was delighted to present the LSO in Melbourne. In a fitting finale to their three-city Australian tour, the LSO delivered two incredible concerts—Adams, Debussy and Ravel, and Mahler 7, proudly presented by MSO Premier Partner, Ryman Healthcare, with internationally revered conductor and LSO Music Director, Sir Simon Rattle OM CBE.

The four-year partnership between the MSO and the LSO enables cross-cultural collaboration between the two countries, further strengthening partnerships and enhancing the deep people-to-people links in the arts and cultural sectors. This includes reciprocal touring in Australia and the UK, facilitating emerging artist exchanges and co-commissioning performances and activities, including digital innovations, such as LSO Live and MSO.LIVE.

Maria Callas: A Concert in Hologram

On 7 December, tradition and technology came together to create operatic alchemy in presentation of Maria Callas: *A Concert in Hologram*. Callas was one of the greatest sopranos that ever lived and marking 100 years since her birth, the MSO together with the European Union, presented a concert which melded state of the art 3D technology and digitally remastered recordings of her most loved arias.

This collaboration showcased technological innovation, while also celebrating and strengthening the enduring cultural ties between Australia and the European Union. Projects such as these are vital agents of cultural diplomacy, fostering mutual understanding and appreciation across diverse cultures.

The MSO is very grateful to His Excellency Gabriele Visentin, EU Ambassador to Australia for his wonderful partnership on this project, and thank everyone who's efforts made this spectacular night possible.

Wynton Marsalis and Jazz at Lincoln Center Orchestra

Nine-time GRAMMY® Award-winning trumpeter Wynton Marsalis is one of the world's most popular jazz musicians, receiving countless accolades throughout his decades-long career. The MSO was once again delighted to collaborate with his Jazz at Lincoln Center Orchestra (JLCO) on a tour that featured performances both with the MSO and alone.

Jazz at Lincoln Center Orchestra with Wynton Marsalis: *A Journey through Jazz* took audiences on a journey through some of the biggest hits from the history of jazz, while *All Rise: Jazz at Lincoln Center Orchestra with Wynton Marsalis* and the MSO performed the Australian premiere of Marsalis' *Symphony No.1, All Rise*. This performance was conducted by Benjamin Northey and along with Marsalis and JLCO, also featured vocalists Emma Pearson, and Michelle Nicole, as well as the Consort of Melbourne, and MSO Chorus.

“Even before a note is played, it's impossible not to be dazzled by the scale of Wynton Marsalis' *Symphony No.1, All Rise*. The mere sight of 180 performers occupying every inch of the stage at Hamer Hall on Friday night was enough to inspire awe.”

– *The Age*, 25 August 2023

“Fantastic night listening to the MSO perform some of Hans Zimmer’s greatest scores. We particularly loved the light-hearted format of the MC’ing and the educational elements the team added throughout the night. Definitely a format we’d like to experience again. Thank you!”

– Audience member





The MSO under the baton of Nicolas Buc perform The Music of Hans Zimmer (photo Laura Manariti)

Our Donors

I would like to extend our heartfelt gratitude to our incredible family of patrons, funding partners, and donors for your outstanding generosity and unwavering support throughout 2023.

With support from Federal, State and local governments, along with almost 14,000 private grants and individual gifts, the MSO has continued its mission of enriching lives through music, fostering artist development, and delivering captivating musical experiences for our community as showcased in this report.

Whether in our concert halls, on regional tours, or at our well-attended post-concert patron lounges and special events, you have shared your stories, introduced us to your loved ones, become guardians and ambassadors, and engaged closely with our musicians and the music that moves you. Your warmth and generosity, coupled with your active participation and feedback, mean the world to our team and the entire Orchestra. We are deeply grateful.

As well as the enormous highs experienced across the year, there were challenging times for us all. As is the passage of life, we were saddened to hear of the passing of some of our dear supporters, including our life members Mr Marc Besen AC, and more recently Mr Harold Mitchell AC.

It has, however, been a privilege to remain connected with partners and families who continue to attend our concerts and events and see new circles of patrons come together to share their love of music.

A special acknowledgment goes to our remarkable MSO musicians, our Board and our colleagues across the organisation who continue to support our Philanthropy team. Through great collaboration, we have celebrated numerous achievements, central among them being the generous reception given to Maestro Jaime Martín in his second season as our beloved Chief Conductor. The praise and admiration received from you and Maestro Martín himself speak volumes about the strength, sound, and energy of the MSO and its connection to our community in 2023. The bond between the podium, stage and seating radiates enormous affection and warmth, and we all recognise how very special this is.

Once again, I extend my sincere thanks to every one of our supporters for all that you do. In every way, your connections and contributions have been instrumental in ensuring the continued success of our esteemed Orchestra. Thank you.

Suzanne Dembo

Director, Philanthropy & External Affairs

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Rachael Tobin

HONORARY APPOINTMENTS

Life Members
 John Gandel AC and Pauline Gandel AC
 Sir Elton John CBE
 Harold Mitchell AC
 Lady Potter AC CMRI
 Jeanne Pratt AC
 Michael Ullmer AO and Jenny Ullmer
 Anonymous
MSO Ambassador
 Geoffrey Rush AC
**The MSO honours the memory
 of Life Members**
 The late Mr Marc Besen AC and
 the late Mrs Eva Besen AO
 John Brockman OAM
 The Honourable Alan Goldberg AO QC
 Roger Riordan AM
 Ila Vanrenen

MSO BOARD

Chairman
 David Li AM
Co-Deputy Chairs
 Di Jameson OAM
 Helen Silver AO
Managing Director
 Sophie Galaise
Board Directors
 Shane Buggle
 Andrew Dudgeon AM
 Martin Foley
 Lorraine Hook
 Margaret Jackson AC
 Gary McPherson
 Farrel Meltzer
 Edgar Myer
 Glenn Sedgwick
 Mary Waldron
Company Secretary
 Oliver Carton

Our Partners

The MSO Corporate Partnerships team continued a growth trajectory in 2023, increasing our partner portfolio to pre-pandemic levels and achieving the second-highest cash and in-kind revenue in 25 years.

This excellent result was driven by strong rates of partner renewal, increased partner investment and terms, and the securing of 8 new partners, to bring a total of 39 partners into the MSO community. In February, we celebrated 20 years of Principal Partnership with Emirates in front of an audience of 11,500 at our Sidney Myer Music Bowl Free Concert performance of *Carmina Burana*—a truly spectacular way to commemorate our long-standing relationship.

Premier Partner Ryman Healthcare expanded their commitment to the MSO in their fifth year of partnership, becoming Naming Rights holders of our Gala Series, and Presenting Partners of our London Symphony Orchestra and Icon Series concerts. We are truly delighted to grow our collaboration with Ryman Healthcare and look forward to working with them again in 2024.

A key focus of the year was the expansion of commercial partnerships into international markets. We announced our first international partner, Law Squared, who joined us as our International Law Firm Partner. Law Squared will assist the MSO in key UK-based activity and engagement with younger audiences as part of a broader ‘next-gen’ strategy.

Alignment to purpose- and program-specific partnerships continued in 2023. In their sixth year of partnership, Major Partners Equity Trustees refined their partner alignment to our successful NAIDOC Week program. We attracted

12 partners to our East meets West program, with new partners Australia China Art Foundation, Melbourne Owners Corporation Services, Austar, and R&F Property joining the East meets West consortium.

The MSO continued to strengthen our corporate hospitality and activation offering, with French champagne house Champagne Deutz starting their inaugural year as Official Champagne Partner. Champagne Deutz joins TarraWarra Estate, Karen Wang Weddings and Flowers, Sam Baking High, and Patient Wolf as a suite of partners providing best-in-class events. We also expanded into VIP ticketing packages for the first time, providing money-can’t-buy experiences at our George Michael: Freedom! concert.

We extend our heartfelt gratitude to our very exceptional partners, who represent the very best in their industry. Their continued commitment to the MSO has truly provided a bedrock of support as we continue to strive for commercial growth. We would particularly like to recognize Emirates, who celebrated two decades of Principal Partnership with us in 2023—long-standing partnerships such as these, which connect deeply on values and purpose, are truly to be cherished.





















































We anticipate an outstanding year in 2024 with our partners and look forward to driving further innovation within the partner space.

Jayde Walker
Director of Business Development

East meets West Program Supporters

PROGRAM SUPPORTERS		
<div><div>Consulate General of the People's Republic of China in Melbourne</div><div>Ministry of Culture and Tourism China</div><div> FAMILY TRUST</div><div></div></div>		
SUPPORTING PARTNERS	CONSORTIUM PARTNERS	SUPPORTERS
<div></div>	<div></div>	<div><p>Xiaojian Ren & Qian Li</p><p>Mr Wanhua Chu & Dr Shirley Chu</p></div>

Thank you to our Partners

PRINCIPAL PARTNER	INTERNATIONAL LAW FIRM PARTNER	VENUE PARTNER	ORCHESTRAL TRAINING PARTNER
	LAW  SQUARED		
GOVERNMENT PARTNERS		PREMIER PARTNERS	
   		 	
 Department of Education  		 Australia's No.1 Probiotic 	
MAJOR PARTNERS			
    			
EDUCATION PARTNERS		MEDIA AND BROADCAST PARTNERS	
 		    	
SUPPORTING PARTNERS			
     			
    			
    			
TRUSTS AND FOUNDATIONS			
     			
  			
The Sir Andrew and Lady Fairley Foundation, The Angior Family Foundation, The William and Lindsay Brodie Foundation, The Gwen and Edna Jones Foundation, Flora & Frank Leith Trust, Perpetual Foundation – Alan (AGL) Shaw Endowment, Sidney Myer MSO Trust Fund, The Ray and Joyce Uebergang Foundation.			

Our Management

EXECUTIVE

Sophie Galaise*
Managing Director

Judith Clark
Executive Assistant, Office of the Managing Director (until Sep 2023)

Justine Battistella
Executive Assistant, Office of the Managing Director (from Sep 2023)

PROGRAMMING

John Nolan*
Director of Programming (until Aug 2023)

Warren Trevelyan-Jones
Chorus Director

Katharine Bartholomeusz-Plows
Head of Artistic Planning

Andrew Groch
Artistic Planning Manager

Grace Ip
Programming Coordinator (from Jan 2023)

Mindy Meng Wang
East meets West Programming Lead (from Aug 2023)

Rory Jeffes
International Engagement Advisor

Luke Speedy-Hutton
Orchestra Library Manager

Veronika Reeves
Orchestra Librarian

Jennifer Powell
Orchestra Librarian

LEARNING & ENGAGEMENT

Nicholas Bochner
Head of Learning & Engagement

Jennifer Lang
Head of Learning & Engagement (until Jan 2023)

Keturah Haisman
Schools Program Lead (from Mar 2023)

Erica Dawkins
Emerging Artist Lead (from Mar 2023)

Emma Muir-Smith
Pizzicato Effect Program Lead (Feb–Aug 2023)

Chloe Sanger
Lead Teaching Artist – The Pizzicato Effect (until Jan 2023)

ARTISTIC OPERATIONS

Guy Ross*
Chief Operating Officer

Simonette Turner
Head of Orchestra Management

Callum Moncrieff
Head of Touring & Chorus

Nina Dubecki
Orchestra Manager

Eljo Agenbach
Assistant Orchestra Manager

Meg Bowker
Orchestra & Chorus Coordinator (from May 2023)

Stephen McAllan
Associate Producer & Artist Liaison

Mark Sutcliffe
Executive Producer MSO Presents

Erika Noguchi
Producer MSO Presents

Steele Foster
Head of Media & Production

Brenton Burley
Production Manager (from Sep 2023)

Daniel Boaden
Production Coordinator

Rory Wilson
Production Coordinator (until Jul 2023)

Renn Picard
Production Coordinator (from Aug 2023)

Samantha Meuleman
Digital Content Producer

Adam Weitzer
Digital Content Administrator (from Jan 2023)

Fiona McDonald
Head Of People and Culture (until Jul 2023)

Alexandra Fitzgerald
People & Culture Business Partner

PHILANTHROPY & EXTERNAL AFFAIRS

Suzanne Dembo*
Director Philanthropy & External Affairs

Caroline Buckley
Head of External Affairs

Nickie Warton
Head of Philanthropy (until Sep 2023)

Charlotte Crocker
Philanthropy: Administration & Programs Lead

Rosemary Shaw
Philanthropy: Campaigns & Communications Lead (until Aug 2023)

Catherine Hempenstall
External Affairs: Grants & Reporting Lead

Keith Clancy
Donor Liaison

PARTNERSHIPS

Jayde Walker*
Director of Business Development

Christopher Cassidy
Senior Manager Corporate Partnerships

Aidan Furst
Partnerships Manager

Olivia Ouyang
East meets West Engagement Lead

MARKETING

Dylan Stewart*
Director of Marketing & Sales

Clare Douglas
Head of Marketing & Communications

Emiko Hunt
Digital Marketing Manager (until Aug 2023)

Sally Hern
Campaign Marketing Manager

Phil Paschke
Digital Project Manager

Katya Dibb
Graphic Designer

Emily Plater
Marketing Coordinator (until Apr 2023)

Claudia Biaggini
Marketing Coordinator (from Apr 2023)

Laura Pemberton
Digital Content Coordinator

Stephanie Sheridan
Marketing Administrator (until Dec 2023)

Prue Bassett
Publicity Manager

SALES

Shannon Toyne
Head of Sales & Customer Experience

Sarah Camm
Box Office Manager

Nicole Rees
Ticketing Operations & Insights Lead

Marta Arquero
Box Office Operations Coordinator

Rowan Donaldson
Box Office Supervisor

Abbey Barnes
Box Office Supervisor (until May 2023)

Sam Harvey
Database Administrator

FINANCE

Sharon Li*
Chief Financial Officer

Emily Zhang
Financial Controller (until Dec 2023)

Jyothi Kokirala
Accountant (until Feb 2023)

Zoe Gao
Accountant (Feb–Aug 2023)

Eric Lai
Accounts Officer

Lynn Tejano
Payroll & Finance Officer

Shayal Kumar
Payroll & Finance Officer (from Dec 2023)



Dr Sophie Galaise

MANAGING DIRECTOR

Dr Sophie Galaise joined the MSO as its first female Managing Director in April 2016.

She has been on the board of Symphony Services International since 2013 and was elected Chair in November 2021. She is a member of the Advisory Council of the Harvard Business Review, the Australian Institute of Company Directors (AICD) and the CEO Institute in Australia. Sophie is also a member of the International Advisory Committee of the only Master in International Arts Management (MMIAM), a program offered by Southern Methodist University (Dallas), SDA Bocconi (Milan) and HEC (Montreal). This unique program trains the next generation of managers and prepares them to work abroad or with foreign organisations.

Two-time winner of the 100 Women of Influence Awards, in 2019 (Australian Financial Review/Qantas) and 2015 (AFR/Westpac), Sophie is renowned for her extensive global experience working with orchestras, not only at the executive level, but also as a professional musician and musicologist.

Sophie was invited to participate in the 2019 Perpetual Stanford CEO Study Tour in San Francisco. Along with other leaders from Australia, North America, and Europe, she took part in a week of activities with the Stanford's Centre on Philanthropy and Civil Society (PACS). In December 2021, *Musical America* magazine recognised Sophie amongst the world "Top 30 Professionals of the Year; Heroes of the pandemic", for her leadership in response to the pandemic, her unwavering dedication to the MSO and more broadly to the performing arts sector.

In October 2022, Sophie was appointed Honorary Consul of Canada in Melbourne and in November 2022, The Asia Society Australia honoured her with an Asia Game Changer 2022 Award.

Prior to her appointment to the MSO, Sophie was Chief Executive Officer of the Queensland Symphony Orchestra. Previous roles include Executive Director of the Quebec Symphony Orchestra, Executive Director and Artistic Director of the Orford Arts Centre and Music Coordinator for the Quebec Arts Council.

Starting her career as a flautist in Germany, Sophie worked in Switzerland and France with Pierre Boulez. Native from Quebec, Canada, Sophie has a PhD in Musicology from the University of Montreal and an Executive MBA from McGill University/HEC Montreal.





Corporate Governance





David Li AM

CHAIRMAN

Member of:
MSO Finance Committee
MSO Foundation Committee
MSO Governance Committee
MSO Learning & Engagement Committee
MSO Music Hub Committee

David Li is a Shanghai-born musician and entrepreneur. David completed his postgraduate study in Advanced Performing Arts at the Victoria College of Arts, University of Melbourne and was a recipient of the Australia China Council Grant and BP Scholarship in the 1980s.

Following a successful phase of his life as a career violinist, David transitioned into business, becoming a market leader in building materials manufacturing, a property developer, and an investor with a highly diversified portfolio.

David has been a Board Member of MSO since 2013. He is a benefactor of the Sir Zelman Cowen School of Music, Monash University, Patron of Monash Medical Research, and a Council Member of Monash University Philanthropy Funding Council.

David was conferred the Honorary Fellowship of Monash University in 2019. He was awarded a member of the Order of Australia (AM) on the Queen's Birthday 2019 in recognition of his significant service to the performing arts. David is married with two children.

Appointed 01 July 2013
Appointed Chairman 30 April 2021



Di Jameson OAM

CO-DEPUTY CHAIR

Chair MSO Finance Committee
Member of:
MSO Foundation Committee
MSO Governance Committee
MSO Investment Sub-Committee

Di Jameson commenced her professional life as a mining analyst going on to found Horsey Jameson Bird a highly respected business and accountancy practice in 1992. Di has enjoyed a successful career in the financial sector spanning more than 40 years and is a well known financial commentator and public speaker.

She is a CFP and Registered Tax Agent and divides her time between Horsey Jameson Bird, mentoring young professionals, her various music interests and not for profit roles.

Di was awarded an OAM in the King's Birthday 2023 Honours List for her service to the arts and business.

Appointed 10 April 2018
Appointed Co-Deputy Chair 30 April 2021



Helen Silver AO

CO-DEPUTY CHAIR

Chair MSO Governance Committee
Member of:
MSO Music Hub Committee

Helen Silver has worked at the highest levels of the public and private sectors. From 2013 for eight years, she worked for Allianz Australia where her last role was Deputy Managing Director. Prior to joining Allianz, Helen had worked in executive roles in the NAB, Victorian and Commonwealth public service, culminating as Secretary of the Department of Premier and Cabinet. Helen retired from full time executive roles in March 2022.

Helen is a non-executive director of Crown Melbourne and PEXA Group Limited. Helen also works with the Arts and the Creative industries as Chair of the Australian Children's Television Foundation.

Appointed 14 January 2015
Appointed Co-Deputy Chair 30 April 2021



Shane Buggle

DIRECTOR

Member of:

MSO Finance Committee

MSO Music Hub Committee

Shane Buggle has more than 35 years' experience in the finance sector, spending 25 years at ANZ in a variety of roles including Chief Financial Officer, and has also held senior roles at Zurich Financial Services and PricewaterhouseCoopers.

He holds a Bachelor of Commerce from University College Dublin, and an honorary doctorate, LL.D, from Monash University. He is a fellow of both the Chartered Accountants Australia and New Zealand, and Chartered Accountants Ireland, and is a member of the Australian Institute of Company Directors.

Shane was a member of Council of Monash University from 2007 to 2018 and was a Deputy Chancellor of Monash University from 2015 to 2018.

Appointed 18 August 2021



Andrew Dudgeon AM

DIRECTOR

Member of:

MSO Foundation Committee

Andrew Dudgeon is a qualified military jet and helicopter pilot. Andrew spent the first half of his career as an officer in the Australian Defence Force. He commanded Australian and Coalition forces on operations in the Middle East and Afghanistan and rose to the rank of Brigadier.

Appointed a Member of the Order of Australia in 2008, Andrew has since held several Chief Executive, Managing Director, and leadership roles in global companies such as Rolls Royce, QANTAS, and Bombardier. He is currently a Partner at McKinsey & Company.

A Fellow of the Royal Aeronautical Society, Andrew is also a Director of The American Australian Association and the tech startup WithYouWithMe, tackling the issue of Veteran unemployment.

Appointed 27 February 2019



Martin Foley

DIRECTOR

Martin Foley joined the Board in 2023. As a former Minister in the Victorian Parliament across a range of portfolios—including the Creative Industries—he brings a background of working with government, community and stakeholders in the Arts and Cultural communities. He worked closely with key Major Performing Arts organisations over the time he was in Government—including responding to the challenges of Covid 19 pandemic.

Martin sits on several other Arts organisations Boards, and chairs Alfred Health. He has a Master of Commerce from the University of Melbourne. He is also working with Monash University Faculty of Medicine, Nursing and Health Sciences approach to Mental Health reform. Martin longs to see a St Kilda Premiership before he dies.

Appointed 22 March 2023



Lorraine Hook

DIRECTOR (EMPLOYEE-ELECTED)

Violinist Lorraine Hook joined the MSO in 1986 after studying in Melbourne, Germany, and London, and plays in the First Violin Section. Lorraine is actively involved in Chamber Music including performing in Tokyo in 2019.

She enjoys teaching privately, has tutored for the Melbourne and Australian Youth Orchestras, and was an MSO mentor for the Master of Music Orchestral Performance at Melbourne University Conservatorium of Music. Lorraine's orchestral experience includes the Royal Philharmonic, City of London Sinfonia, London Festival Orchestra, Tasmanian Symphony Orchestra, Academy of Melbourne, and Australia Pro Arte.

Lorraine is Graduate of the Australian Institute of Company Directors (GAICD).

Appointed 27 February 2019



Margaret Jackson AC

DIRECTOR

Chair MSO Music Hub Committee

Member of:

MSO Foundation Committee

MSO Governance Committee

Margaret Jackson is a Director of Barefoot to Boots and Interplast Australia and an advisor to a number of financial entities.

Margaret has an extensive list of previous roles including Chairman of the Defence Employer Partnering Network, Chairman of Spotless Group Holdings, Chairman of Qantas, FlexiGroup Ltd, Chairman of Ansett Aviation Training Ltd, the Victorian Transport Accident Commission, the Prince's Trust Australia, the Malthouse and the Playbox, and President of Australian Volunteers International. She has also served as a Director of The Australian and New Zealand Banking Corporation, Pacific Dunlop Limited, John Fairfax Holdings Limited, BHP, and Telecom.

Margaret was awarded a Companion of the Order of Australia in the General Division (AC) in June 2003 for service to business in diverse and leading Australian corporations and to the community in the area of support for medical research, the arts and education. She also received the Centenary Medal in 2001 for service to Australian society in business.

Appointed 8 May 2015



Gary McPherson

DIRECTOR

Chair MSO Learning & Engagement Committee

Gary McPherson is the Ormond Professor of Music at the Melbourne Conservatorium of Music, the University of Melbourne.

Trained at the universities of Sydney and Indiana he has held professorial positions in the United States, Hong Kong, and Australia.

A former President of the Australian and International Societies for Music Education he has published over 250 academic publications and produced 14 books through Oxford University Press.

Gary served as Director of the Melbourne Conservatorium of Music from 2009 to 2019 and currently teaches and undertakes research on a range of issues related to music performance science and music psychology.

In 2021 he was awarded an Honorary Doctorate from Lund University (Sweden) for his contribution to music and music research internationally.

Appointed 18 August 2021



Farrel Meltzer

DIRECTOR

Member of:

MSO Foundation Committee

Farrel Meltzer founded Wingate in 2004 after a successful career as an investment banker, including positions as head of ANZ Private Bank and Group Managing Director of Investec Bank (Australia) Ltd.

Recognised as one of Australia's outstanding specialised financial service innovators and business builders, Farrel's experience spans property investment and financing, listed equities, corporate and consumer debt and private equity.

Farrel serves on several boards, investment and risk management committees and is an advisor to and confidant of many of Australia's substantial private investment groups and families. He is a Chartered Accountant and holds a B.Com, B.Acc (cum laude) and Adv Dip Banking (cum laude). Farrel is active in community affairs and a former board member of Jewish Care Victoria and the Jewish Museum of Australia Foundation.

He credits Wingate's success to it having been guided by a measured approach to risk and a deep sense of responsibility to co-investors, partners, and clients.

Appointed 22 November 2022



Edgar Myer

DIRECTOR

Member of:

MSO Foundation Committee

MSO Investment Sub-Committee

Edgar Myer is an Investment Director at Yulgilbar Group of Companies, a family office that invests across various asset classes and operating businesses. Before moving into investment management, Edgar practiced as a solicitor at Gilbert + Tobin, which included a secondment to Cravath, Swaine & Moore in New York City.

Edgar also has experience as a company director across a number of philanthropic initiatives, including as Chairman of the Conference of Australian and Indonesian Youth, and serves as a member of the Asialink Council and the Kenneth Myer Innovation Fellowships Committee. He is married with one child.

Appointed 17 March 2023



Glenn Sedgwick

DIRECTOR

Member of:

MSO Foundation Committee

MSO Finance Committee

Glenn Sedgwick serves on the Board of Equity Trustees Holdings Limited, and its Audit, Responsible Entity Compliance and Strategy Committees. He is a Director of the Victorian Managed Insurance Agency and is Chair of the Audit and Risk Committee as well as being a member of the Capital and Risk Committee.

Previously he was a Partner at Accenture specialising in Financial Services. He has worked in the UK, Europe, Hong Kong, and Mainland China. Glenn has previously chaired private companies in the Tourism and Financial Services sectors. Glenn is a Fellow of the Institute of Chartered Accountants and a Fellow of the Institute of Company Directors.

Appointed 10 April 2018



Mary Waldron

DIRECTOR

Member of:

MSO Learning & Engagement Committee
MSO Music Hub Committee

Mary previously served in Chair and Directorship roles at the Melbourne Recital Centre, Opera Australia, Macfarlane Burnet Institute for Medical Research and Public Health, Chartered Accountants Australia and New Zealand, The Australian-Ireland Fund, and the Centre for Ethical Leadership advisory board.

She is a current non-Executive Director and Chair of Audit, Risk and Compliance of Zurich Australia and NZ and Chair of Audit and Finance at Crown Melbourne Limited.

Mary has more than 35 years' experience providing audit, risk, and professional services to Australian and Global Companies, in addition to Global executive leadership roles with deep operational, risk management and technology experience. She is a former Partner of PwC, EY and Andersen and held senior leadership roles, her last executive role was as Global Chief Risk Officer PwC.

She is a member of the Australian Institute of Company Directors and Chief Executive Women and is a fellow of the Institute of Chartered Accountants Australia and New Zealand, and Chartered Accountants Ireland. She holds a Bachelor of Economics and Social Studies from Trinity College Dublin and is a Fellow of the Vincent Fairfax Centre for Ethical Leadership.

Appointed 5 April 2023

This statement outlines the MSO's corporate governance practices and compliance in line with Australia Council for the Arts' Five Essential Governance Principles for Arts Organisations, authored by Dr Judith S. MacCormick and Bruce Rolph, published by the Australia Council for the Arts, January 2021.

To ensure sound governance of the organisation, the MSO Board works to:

1. Ensure alignment of actions and decisions towards delivering on the organisation's mission, while demonstrating its values.
2. Contribute to the development of a sound strategic plan to deliver on the vision and identified outcomes.
3. Monitor and review activities and the organisation's financial position and remunerate fairly and responsibly.
4. Manage risk and compliance, along with ensuring reporting requirements are met.
5. Engage with stakeholders and instill the right organisational culture.

In 2023, the primary role of the Board of Directors was to guide the implementation of the MSO's strategic objectives to ensure reserves are suitably replenished and a long term, financially sustainable future for the Orchestra can be secured.

Key activities undertaken by the Board in 2023 included:

- Oversight on the wellbeing of MSO's people and the Orchestra's financial position.
- Approval of the 2025–2028 Strategic Plan.
- Approval of the MSO's new Vision, Mission and Values.
- Approval of the four-year agreement between the MSO and Royal Academy of Music (UK).
- Approval of the extension to the agreement between the MSO and the National Centre for Performing Arts (NCPA; Beijing).
- Completion of the biennial external Board evaluation.
- Oversight of the MSO's capital project, the MSO Music Hub.
- Review of the MSO's investment framework and appointment of new fund manager.

The MSO also works to reflect the communities with whom it engages. In establishing measurable objectives for achieving diversity in the areas of, but not limited to, gender, age, ethnicity, disability and cultural background, the MSO will be able to assess and report on its progress and achievements.

Throughout the year, the Board delegates the management of the organisation to the Managing Director and Senior Management team, and governs each of the MSO's significant business streams, supported by Board sub-committees. Membership of the sub-committees includes Board members, Senior Management and external representatives as required. The Chair of each sub-committee acts as a Board interface by representing the Board and reporting back at full Board meetings.

The current sub-committee structure includes five sub-committees, each chaired by a different Board member, with the following areas of responsibility:

1. Governance Committee

– Chair, Helen Silver AO

- Overall Governance
- Board recruitment, division of roles and performance
- Succession planning
- Managing Director assessment and compensation

2. Finance Committee

– Chair, Di Jameson OAM

- Audit
- Earned income streams
- Organisational risk
- Review of management framework
- Driving diversity in audiences, government funding, performance revenue streams/profitability

The MSO's Finance Committee independently verifies and safeguards the integrity of its organisational risk compliance reporting and ensures the financial records of the MSO have been properly maintained. It provides a true and fair view of the short- and long-term financial position and performance of the Orchestra, based on a sound system of risk management and internal control.

3. Foundation Committee

– Chair, Glenn Sedgwick (to June 2023)
and Farrel Meltzer (from June 2023)

- Contributed revenue streams
- The structure of MSO Foundation Committee
- Development portfolios: Philanthropy, Corporate
- Sponsorship, Trusts and Foundations
- Fundraising campaigns
- MSO investments and investment strategy

The purpose of the Foundation Committee is to raise and accumulate capital to ensure the long-term viability and financial security of the MSO, and to fund special initiatives.

4. Learning and Engagement Committee

– Chair, Gary McPherson

- Strategy and assessment of effective programs and policy
- Champion for Music Education – advocacy

5. Music Hub Committee

– Chair, Margaret Jackson AC

The medium-term purposes of the Committee are to oversee the fundraising strategy and the development of the Music Hub at 63-69 City Road, Southbank, Victoria.

The MSO sets out an expectation that directors are deeply connected to the mission of the organisation, and as a result will participate in and support the Company's operations, for example as a subscriber and by regular attendance at concerts and special events. Furthermore, directors have represented the MSO at numerous events during the year.

MSO directors' positions are on an honorary basis, and non-executive directors and the Company Secretary do not receive remuneration for their roles as directors of the Company. Board members all make philanthropic gifts.

External Representatives

The MSO Board of Directors wish to acknowledge the following external representatives for the MSO Board sub-committees for their significant contribution in 2023:

Oliver Carton (Company Secretary)

Caroline Stuart (Board Observer)

Governance Committee:

Carolyn Baker

Learning and Engagement Committee:

Robert Breen

Simon Warrender

Alice Rudd

The Hon Chris Pearce MP

Finance Committee:

Kristen Hilton

Lisa Maimone

Board Skills

A summary of Board skills, which includes the mix of professional competencies, including those trained as classical musicians, and diversity of its membership, is updated with each Board appointment. Currently, the MSO Board includes directors with a range of skills including:

- Not-For-Profit
- Arts Management
- Finance, Accounting and Investment
- Business and Commercial Experience (Public Companies and Small Business)
- Law
- Government Relations
- Marketing
- Governance
- Music and Cultural Industries
- Sustainability
- Fundraising
- IT and Digital
- Risk Management and Compliance

An MSO employee-elected director is also included on the Board, elected for a three-year term.

Internal Assessment

The following MSO Management sub-committees are charged with the responsibility of meeting throughout the year to oversee the MSO's internal review and self-assessment processes:

1. MSO Artistic Committee

The MSO Artistic Committee is comprised of the Director of Programming, Chief Operating Officer and management representatives, the Chief Conductor, Concertmaster(s), and elected musicians. Its main purpose is to review:

- All performances including soloists, conductors and programming choices.
- Orchestral performance standards.
- Annual repertoire and season plans.

2. Two MSO Consultative Committees

Two MSO Consultative Committees for musicians and administrative staff. The committees' roles include the discussion of day-to-day MSO operations as they relate to the Musicians and Staff Enterprise Agreements.

- The Musicians Consultative Committee consists of members of the Players' Committee and Players' Executive, plus management representatives including the Chief Operating Officer.
- The Staff Consultative Committee includes representatives from across administrative staff, including the Chief Operating Officer.

3. MSO Chorus Committee

The MSO Chorus Committee, made up of eight singers, management representatives, and the Chief Operating Officer, meets to discuss engagement opportunities for the Chorus, programming and issues of artistic quality and performance standards.

4. Occupational Health and Safety Committee

The Occupational Health and Safety Committee consists of two elected Health and Safety representatives from the Orchestra, plus the Chief Operating Officer and representatives from across the Orchestra, Staff and Chorus. The committee monitors standards of occupational health, safety and rehabilitation and initiates plans and procedures with a view to minimising the effects of workplace hazards. The MSO continues to work diligently to maintain a formal and transparent procedure for managing the artistic proficiency of its orchestral musicians. This process continues to be refined.

2023 Board And Sub-Committee Meetings

DESCRIPTION	NO OF MEETINGS
Board Meeting	6
Finance Committee	6
Foundation Committee	4
Governance Committee	3
Learning and Engagement Committee	4
Music Hub Committee	4



Financial Report

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Directors' Report

FOR THE YEAR ENDED 31 DECEMBER 2023

The Directors present their report together with the financial report of Melbourne Symphony Orchestra Pty Limited (the Company) for the year ended 31 December 2023 and the auditor's report thereon.

DIRECTORS

The Directors of the Company during the financial year and until the date of this report are as follows:

Name	Date of Appointment
David Li AM (Chairman)	1 July 2013 (Chairman from 30 April 2021)
Diane Jameson OAM (Co-Deputy Chair)	10 April 2018 (Co-Deputy Chair from 30 April 2021)
Helen Silver AO (Co-Deputy Chair)	14 January 2015 (Co-Deputy Chair from 30 April 2021, resigned 14 January 2024)
Margaret Jackson AC	8 May 2015 (Co-Deputy Chair from 15 January 2024)
Shane Buggle	18 August 2021
Andrew Dugdeon AM	27 February 2019
Martin Foley	22 March 2023
Daniel Gorog	19 February 2014 (Resigned 19 February 2023)
Sophie Galaise (Managing Director)	21 April 2016
Lorraine Hook	27 February 2019
David Krasnostein AM	12 August 2014 (Resigned 14 June 2023)
Gary McPherson	18 August 2021
Farrel Meltzer	22 November 2022
Edgar Myer	17 March 2023
Hyon-Ju Newman	14 February 2017 (Resigned 12 May 2023)
Glenn Sedgwick	10 April 2018 (Resigned 10 April 2024)
Mary Waldron	05 April 2023

COMPANY SECRETARY

Mr Oliver Carton

Appointed 16 February 2004 (Resigned 31 December 2023)

Mr Demetrio Zema

Co-secretary from 01 January 2024

Appointed 21 March 2024

PRINCIPAL ACTIVITIES

During the financial year, the principal activities of the Melbourne Symphony Orchestra were:

- the performance of symphonic music on stage;
- live-streaming music experiences via digital channels;
- delivery of learning and community outreach activities on-stage and online.

There was no significant change in the nature of the activities of the Company during the year.

REVIEW AND RESULTS OF OPERATIONS

The total comprehensive income for the year ending 31 December 2023 was a surplus of \$213,019 (2022: \$2,367,279). The impact of the change in fair value of financial assets was a gain of \$215,213 in 2023, compared to a loss of \$828,093 in 2022. The Company received \$116,607 in donations of endowment nature in 2023 (2022: \$768,483), in addition to \$350,000 capital donations of special purposes (2022: \$2,350,000).

The Company continued to face operational and financial challenges due to the impact of the skill shortages and inflation with Australia's rising cost of living, and the Company's operating result for the year was a deficit of (\$468,801) (2022: \$76,889). This is before recognising the impact of the change in fair value of financial assets, special purpose donations for future capital project recognised as income in the current year, and capital protected bequests and endowed gifts.

The table below presents the operating result for the Melbourne Symphony Orchestra for the year ended 31 December 2023.

THE MELBOURNE SYMPHONY ORCHESTRA MANAGEMENT OPERATING STATEMENT

	2023	2022
Revenues	\$	\$
Public Funding ¹	14,929,934	19,095,026
Private Funding ²	5,746,311	5,801,595
Earned Income ³	18,259,455	10,338,882
Other	1,435,266	698,504
Total Income	40,370,965	35,934,007
Expenses		
Employee Expenses	22,328,700	20,428,546
Artistic Programming and production	12,199,925	8,989,927
Marketing Expenses	2,392,121	2,889,503
Other Expenses	3,919,020	3,549,143
Total Expenses	40,839,766	35,857,118
Operating Surplus prior to fair value adjustment, endowment and capital donations	(468,801)	76,889
Donations of Endowment Nature	116,607	768,483
Special Purposes Donations	350,000	2,350,000
Changes in Fair Value of Financial Assets	215,213	(828,093)
Surplus	213,019	2,367,279

1. Public Funding — Revenue received from Government Sources

2. Private Funding — Revenue received from Sponsorships and Donations

3. Earned Income — Revenue received from Tickets Sales and Hires

SIGNIFICANT CHANGES IN THE STATE OF AFFAIRS

In the opinion of the Directors, there were no significant changes in the state of affairs of the Company that occurred during the year under review.

ENVIRONMENTAL REGULATION

The Company's operations are not subject to any significant environmental regulations under either Commonwealth or State legislation. However, the Board believes that the Company has adequate systems in place for the management of its environmental requirements and is not aware of any breach of those environmental requirements, as they apply to the Company.

DIVIDENDS

No dividends were paid, declared or recommended during or since the end of the financial year.

INDEMNIFICATION AND INSURANCE OF OFFICERS AND AUDITORS

Indemnification

Since the end of the previous financial year, the Company has not indemnified, nor made a relevant agreement for indemnifying against a liability, any person who is or has been an officer or auditor of the Company.

Insurance premiums

During the financial year, the Company has paid premiums in respect of Directors' and Officers' liability, legal expenses, and insurance contracts. Since the end of the financial year, the Company has paid or agreed to pay premiums in respect of such insurance contracts for the year ended 31 December 2024. Such insurance contracts insure persons who are or have been Directors or Officers of the Company against certain liabilities (subject to certain exclusions).

Directors have not included details of the nature of the liabilities covered or the amount of the premium paid as such disclosure is prohibited under the terms of the contract.

MATTERS SUBSEQUENT TO THE END OF THE FINANCIAL YEAR

Unless otherwise stated in this report, no matter or circumstance has arisen since 31 December 2023 that has significantly affected, or may significantly affect:

- (a) the Company's operations in future financial years, or
- (b) the results of those operations in future financial years, or
- (c) the Company's state of affairs in future financial years.

AUDITOR'S INDEPENDENCE DECLARATION

A copy of the auditor's independence declaration as required under s. 60-40 of the Australian Charities and Not for Profits Commission Act 2012 is set out on page 5.

Signed in accordance with a resolution of the Directors:



David Li AM
Chairman
Melbourne
24 April 2024

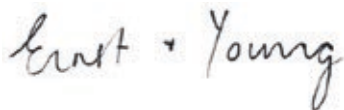


Sophie Galaise
Managing Director
Melbourne
24 April 2024

Auditor's independence declaration to the directors of Melbourne Symphony Orchestra Pty Limited

In relation to our audit of the financial report of Melbourne Symphony Orchestra Pty Limited for the financial year ended 31 December 2023, and in accordance with the requirements of Subdivision 60-C of the *Australian Charities and Not-for-profits Commission Act 2012*, to the best of my knowledge and belief, there have been:

- a. No contraventions of the auditor independence requirements of any applicable code of professional conduct; and
- b. No non-audit services provided that contravene any applicable code of professional conduct.



Ernst & Young



Alison Park
Partner
24 April 2024

Statement of Comprehensive Income

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FOR THE YEAR ENDED 31 DECEMBER 2023

	Note	2023 \$	2022 \$
REVENUES			
Government Funding – direct	3a	656,045	5,123,416
Government Funding – via parent entity	3b	14,273,889	13,971,610
Ticket sales	4	17,620,402	9,950,023
Sponsorship and donation revenue	5	5,950,091	8,681,240
Other revenue	6	2,074,319	1,087,363
Other income from financial assets	7	262,826	238,838
Change in fair value of financial assets		215,213	–
Total Revenues		41,052,785	39,052,490
EXPENSES			
Employee expenses		22,328,700	20,428,546
Artists fees and expenses		5,785,069	2,988,030
Marketing expenses		2,392,121	2,889,503
Production expenses		6,414,856	6,001,897
Selling expenses		492,531	337,326
Depreciation and amortisation	8	196,646	214,799
Orchestra service fee		100,000	100,000
Other expenses		3,129,843	2,897,017
Financial Asset Revaluation Loss		–	828,093
Total Expenses		40,839,766	36,685,211
Surplus		213,019	2,367,279
TOTAL COMPREHENSIVE INCOME		213,019	2,367,279

Statement of Financial Position

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2023 Annual Report

AS AT 31 DECEMBER 2023

	Note	2023 \$	2022 \$
CURRENT ASSETS			
Cash and cash equivalents	16	4,466,404	6,565,322
Other financial assets	11	6,480,905	4,996,104
Receivables	9	363,783	458,257
Other	10	2,051,537	1,148,900
TOTAL CURRENT ASSETS		13,362,629	13,168,583
NON-CURRENT ASSETS			
Property, plant and equipment	12	13,636,256	13,709,783
Intangible assets	13	108,132	135,995
Capital Work-in-Progress		–	89,970
TOTAL NON-CURRENT ASSETS		13,744,388	13,935,748
TOTAL ASSETS		27,107,017	27,104,331
CURRENT LIABILITIES			
Payables	14	5,230,552	5,019,802
Unearned Revenue		4,966,227	5,705,456
Provisions	17	3,948,369	3,492,243
TOTAL CURRENT LIABILITIES		14,145,148	14,217,501
NON-CURRENT LIABILITIES			
Provisions	17	973,957	1,111,937
Interest bearing loan		–	–
TOTAL NON-CURRENT LIABILITIES		973,957	1,111,937
TOTAL LIABILITIES		15,119,105	15,329,438
NET ASSETS		11,987,912	11,774,893
SHAREHOLDERS' EQUITY			
Contributed equity	15	438,002	438,002
MSO Reserves	22	11,549,910	11,336,891
TOTAL SHAREHOLDERS' EQUITY		11,987,912	11,774,893

The Statement of Financial Position should be read in conjunction with the accompanying notes to the financial statements.

Statement of Changes in Equity

FOR THE YEAR ENDED 31 DECEMBER 2023

	Contributed Equity (Note 15)	Retained Surplus / (deficit) (Note 22(a))	MSO Foundation Reserves (Note 22(b))	Total Equity
SHAREHOLDERS' EQUITY	\$	\$	\$	\$
As at 31 December 2021	438,002	(1,685,705)	10,655,317	9,407,614
Total comprehensive income	–	2,367,279	–	2,367,279
Transferred to reserves	–	(257,151)	257,151	–
As at 31 December 2022	438,002	424,423	10,912,468	11,774,893
Total comprehensive income	–	213,019	–	213,019
Transferred to reserves	–	(166,552)	166,552	–
As at 31 December 2023	438,002	470,890	11,079,020	11,987,912

Statement of Cash Flows

FOR THE YEAR ENDED 31 DECEMBER 2023

	Note	2023 \$	2022 \$
CASH FLOWS FROM OPERATING ACTIVITIES			
Receipts from government funding (incl GST)		16,351,789	21,094,504
Receipts from ticket sales		16,281,671	12,219,445
Receipts from sponsorships (incl GST) and donations		5,888,647	9,579,681
Receipts from other revenue		2,582,462	1,252,436
Interest received		54,965	12,391
Payments to suppliers, employees and artists (incl GST)		(42,255,420)	(37,541,024)
NET CASH FLOWS (USED IN)/PROVIDED BY OPERATING ACTIVITIES		(1,095,887)	6,617,433
CASH FLOWS FROM INVESTING ACTIVITIES			
Transfers to financial assets		(1,000,000)	–
Proceeds from sale of financial assets		–	6,000,000
Payment for Capital Work-in-Progress		–	(72,134)
Payment for property, plant and equipment		(3,031)	(13,608,715)
NET CASH FLOWS USED IN INVESTING ACTIVITIES		(1,003,031)	(7,680,849)
NET DECREASE IN CASH HELD		(2,098,918)	(1,063,416)
Cash & Cash equivalents at the beginning of the financial year		6,565,322	7,628,738
CASH & CASH EQUIVALENTS AT THE END OF THE FINANCIAL YEAR	16	4,466,404	6,565,322

The Statement of Cash Flows should be read in conjunction with the accompanying notes to the financial statements.

Notes to the Financial Statements

FOR THE YEAR ENDED 31 DECEMBER 2023

1. CORPORATE INFORMATION

The financial report of the Company for the year ended 31 December 2023 was authorised for issue in accordance with a resolution of Directors on 24 April 2024.

The Company is a proprietary limited company incorporated in Australia. The ultimate parent of the Company is Melbourne Symphony Orchestra Holdings Limited (MSOHL).

MSOHL is a public company limited by guarantee and was incorporated in Australia on 19 October 2006 and subsequently purchased all shares in the Company from the Australian Broadcasting Corporation (ABC) for \$10.

The nature of the operations and principal activities of the Company are described in the Directors' Report.

2. STATEMENT OF SIGNIFICANT ACCOUNTING POLICIES

a) Basis of preparation

The financial report is a general-purpose financial report, which has been prepared in accordance with the requirements of the Australian Charities and Not for Profits Commission Act 2012, Australian Accounting Standards – Simplified Disclosures, and other authoritative pronouncements of the Australian Accounting Standards Board.

These accounting policies have been consistently applied by the Company and, except where there has been a change in accounting policy, are consistent with those of the previous period.

The financial report is presented in Australian dollars.

Going Concern

The financial report has been prepared on a going concern basis which assumes the Company will be able to pay its debts as and when they become payable for a period of at least 12 months from the date of the financial report.

As disclosed in Note 23, The Company is economically dependent on the ongoing annual funding from the Australian and Victorian Governments through a multipartite agreement and 2024 is the final year of the existing 4-year funding agreement under the National Performing Arts Partnership Framework as an approved Partner organisation. Under the funding agreement, the Company receives the stability of four years of investment, through the funding framework. While a new agreement is not confirmed, information available to date indicates the Company will be able to secure funding for an additional 4 years from 1 January 2025.

The financial statements have been prepared based upon conditions existing at 31 December 2023. Having carefully assessed the current forecasts, taking into consideration the existing 4-year funding framework for the Company as an approved Partner organisation, the in-principle commitment for a further four-year investment through the framework, and the Company meeting its performance expectations, the Directors have determined that the going concern basis remains appropriate for the preparation of these financial statements.

b) Statement of compliance

The Company has adopted AASB 1060 *General Purpose Financial Statements – Simplified Disclosures for For-Profit and Not-for-Profit Tier 2 Entities* for the financial year beginning 1 January 2021.

The Company is a not-for-profit, private sector entity which is not publicly accountable under Australian Accounting Standards. Therefore, the financial statements for the Company are tier 2 general purpose financial statements which have been prepared in accordance with Australian Accounting Standards – Simplified Disclosures (AASB – SD) (Including Australian interpretations) adopted by the Australian Accounting Standards Board (AASB) and the Australian Charities and Not for Profits Commission Act 2012.

Other than the change in disclosure requirements, the adoption of AASB 1060 has had no significant impact on the entity's financial statements because the entity's previous financial statements complied with Australian Accounting Standards – Simplified Disclosures.

2. STATEMENT OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

c) Revenue recognition

Revenues are recognised when an entity satisfies a performance obligation by transferring a promised good or service to a customer. AASB 1058 establishes principles for not-for-profit entities to recognise income on transactions where the consideration to acquire an asset is significantly less than fair value principally to enable a NFP to further its objectives. The excess of the asset recognised over any “related amounts” is recognised as income immediately. The Company has not entered into any transactions where the consideration to acquire an asset is significantly less than the fair value of the asset principally to enable the Company to further its objectives.

Ticket sales

Ticket sales are recognised at the time of concert performance. The value of tickets sold in advance of each concert is recorded as prepaid ticket sales and recognised as a liability.

Sponsorship revenue

Sponsorship revenue is recognised in the period to which the sponsorships relate. Sponsorships which relate to specific performances are recognised at the time of concert performance. Sponsorship revenue is traditionally paid in advance and the value of unearned sponsorship revenue is recognised as a liability.

Government funding revenue

Funding revenue comprises funding from the Federal Government, the State Government of Victoria and local governments.

The current tripartite funding agreement between MSOHL, the Creative Australia through the Major Performing Arts Board, and the Victorian Ministry for Creative Industries, through Creative Victoria, is for a period of four years ending 31 December 2024.

Funding revenue is recognised when due under the terms of the funding agreement. Special purpose funding, which requires the Company to fulfil an obligation outside its normal operations, is recognised at the time the obligation is fulfilled.

Government grants

Grants from the government are recognised in the period to which the grants relate. Grants which relate to specific activities/performances are recognised at the time of activities/concert performance.

Interest revenue

Interest revenue is recognised on a time proportionate basis that takes into account the effective yield on the financial assets.

Sale of financial assets

Gain/(loss) on fair value of financial assets is recognised when receivable. Dividends are recognised when the right to payment is established.

Sale of non-current assets

The gross proceeds of non-current asset sales are included as revenue at the date control of the asset passes to the buyer, usually when an unconditional contract of sale is signed.

The surplus or deficit on disposal is calculated as the difference between the carrying amount of the asset at the time of disposal and the net proceeds on disposal.

Donations, bequests and grants

Donations collected, including cash and goods for resale, are recognised as revenue upon attaining control over the donation and any performance obligations relating to the donation are completed.

d) Income Tax and Goods and Services Tax (GST)

The Company is exempt from income tax as it is an exempt charitable institution in accordance with Subdivision 50-B of the Income Tax Assessment Act 1997.

Revenues, expenses and assets are recognised net of the amount of GST, except where the amount of GST incurred is not recoverable from the taxation authority. In these circumstances, the GST is recognised as part of the cost of acquisition of the asset or as part of an item of the expense. Receivables and payables are stated with the amount of GST included. The net amount of GST recoverable from, or payable to, the ATO is included as a current asset or liability in the Statement of Financial Position. Cash flows are included in the statement of cash flows on a gross basis. The GST components of cash flows arising from investing and financing activities which are recoverable from, or payable to, the ATO are classified as operating cash flows.

e) Cash and cash equivalents

Cash and cash equivalents, including short-term deposits with a maturity of three months or less, are carried at face value of the amounts deposited. The carrying amounts of cash and cash equivalents, including short-term deposits, approximate net fair value.

2. STATEMENT OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

f) Receivables

Trade receivables, which generally have 30-90 day terms, are recognised at fair value and subsequently measured at amortised cost using the effective interest method, less an allowance for any impairment.

Collectability of trade receivables is reviewed on an ongoing basis. Debts that are known to be uncollectible are written off when identified. An allowance for doubtful debts is raised when there is objective evidence that the Company will not be able to collect the debt. Management consider such objective evidence to include, but not be limited to formal correspondence from a trade receivable indicating its inability to repay the amount outstanding.

g) Other financial assets

Other financial assets are externally managed investment portfolios measured at fair value in the manner described in Note 11.

Financial assets at fair value through profit or loss

Financial assets at fair value through profit or loss include financial assets held for trading, financial assets designated upon initial recognition at fair value through profit or loss, or financial assets mandatorily required to be measured at fair value. Financial assets are classified as held for trading if they are acquired for the purpose of selling or repurchasing in the near term.

Financial assets with cash flows that are not solely payments of principal and interest are classified and measured at fair value through profit and loss, irrespective of the business model. Financial assets at fair value through the profit and loss are carried in the statement of financial position at fair value with net changes in fair value recognised in the statement of profit or loss.

h) Financial liabilities

Initial recognition and measurement

All financial liabilities are recognised initially at fair value and, in the case of loans and borrowings and payables, net of directly attributable transaction costs.

Subsequent measurement

After initial recognition, interest-bearing loans and borrowings are subsequently measured at amortised cost using the effective interest rate (EIR) method. Gains and losses are recognised in profit or loss when the liabilities are derecognised as well as through the EIR amortisation process. Amortised cost is calculated by taking into account any discount or premium on initial recognition and fees or costs that are an integral part of the EIR. The EIR amortisation is included as finance costs in the statement of profit or loss.

Derecognition

A financial liability is derecognised when the obligation under the liability is discharged or cancelled or expired. When an existing financial liability is replaced by another from the same lender on substantially different terms, or the terms of an existing liability are substantially modified, such an exchange or modification is treated as the derecognition of the original liability and the recognition of a new liability. The difference in the respective carrying amounts is recognised in the statement of profit or loss.

Offsetting of financial instruments

Financial assets and financial liabilities are offset and the net amount is reported in the statement of financial position if there is a currently enforceable legal right to offset the recognised amounts and there is an intention to settle on a net basis, or to realise the assets and settle the liabilities simultaneously.

During the financial year, the Company held a loan facility of \$7,500,000 with its bankers National Australia Bank. As at the date of this report, this loan facility of \$7,500,000 is undrawn and the Company can access these funds until October 2025, when this facility will expire.

i) Impairment of non-financial assets other than goodwill

Intangible assets that have an indefinite useful life are not subject to amortisation and are tested annually for impairment or more frequently if events or changes in circumstances indicate that they might be impaired. Other assets are tested for impairment whenever events or changes in circumstances indicate that the carrying amount may not be recoverable. An impairment loss is recognised for the amount by which the asset's carrying amount exceeds its recoverable amount. Recoverable amount is the higher of an asset's fair value less costs to sell and value in use. For the purpose of assessing impairment, assets are grouped at the lowest levels for which there are separately identifiable cash inflows that are largely independent of the cash inflows from other assets or groups of assets (cash-generating units). Non-financial assets other than goodwill that suffered impairment are tested for possible reversal of the impairment whenever events or changes in circumstance indicate that the impairment may have reversed.

2. STATEMENT OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

j) Property, plant and equipment

All items of property, plant and equipment are carried at their historical cost of acquisition, being the fair value of the consideration provided plus the incidental costs directly attributable to the acquisition, less any accumulated impairment losses, less accumulated depreciation. The Company elected to adopt the cost model as an accounting policy to subsequently measure land as a class of PP&E.

Subsequent additional costs

Costs incurred on assets subsequent to initial acquisition are capitalised when it is probable that future economic benefits, in excess of the originally assessed performance of the asset, will flow to the Company in future years.

Costs that do not meet the criteria for capitalisation are expensed as incurred.

The residual values, useful lives and amortisation methods of all items of plant and equipment are reviewed and adjusted if appropriate, at each financial year-end.

Intangible assets

Intangible Assets are the accumulation of costs associated with the development the Company's website. IT development costs include only those costs directly attributable to the development phase and are related to external direct costs of materials and service and payroll related costs relating to the time spent by those employees directly engaged on the project.

Capital Work in Progress

Capital Work in Progress is measured at cost. Assets will be recognised and depreciated using the straight-line method over their estimated useful lives when assets are ready for use.

k) Leases

The Company recognises assets and liabilities for all leases with a term of more than 12 months, unless the underlying asset is of low value. The Company uses the modified retrospective approach and elected to adopt the relief under AASB 2019-8 to utilise the cost option on transition for the Company's peppercorn leases.

The Company has elected not to recognise right-of-use assets and lease liabilities for short-term leases of venues and car parking that have a lease term of 12 months or less and leases of low-value assets, including IT and office equipment. The Company recognises the lease payments associated with these leases as an expense on a straight-line basis over the lease term.

k) Depreciation

Useful lives

Items of plant and equipment, leasehold improvements, computer equipment, motor vehicle and musical instruments are depreciated using the straight-line method over their estimated useful lives. Assets are depreciated from the date of acquisition. Land that qualifies for recognition as an asset is measured at cost on acquisition. The cost of acquisition includes both the purchase price and other directly attributable costs. Subsequently, land is carried at cost less any accumulated impairment losses.

Depreciation rates and methods are reviewed annually for appropriateness. Depreciation is expensed.

The depreciation rates used for each class of asset are as follows:

Asset class	Depreciation rates
Plant & equipment	10%–30%
Musical instruments	10%–20%
Computer equipment	20%–30%
Leasehold improvement	10%–33.3%
Motor vehicle	30%
Land held by the Company is not depreciated due to the unlimited useful life	

2. STATEMENT OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

m) Payables

Trade payables and other payables are carried at amortised cost. They represent liabilities for goods and services provided to the Company prior to the end of the financial year that are unpaid and arise when the Company becomes obliged to make future payments in respect of the purchase of these goods and services. The amounts are unsecured and are usually paid within 30 days of recognition.

n) Employee benefits

Employee benefits comprise wages and salaries, annual and long service leave, and contributions to superannuation plans.

Wages, salaries and annual leave

Liabilities for wages and salaries expected to be settled within 12 months of balance date are recognised in other payables in respect of employees' services up to the reporting date. Liabilities for annual leave in respect of employees' services up to the reporting date which are expected to be settled within 12 months after the end of the period in which the employees render the related services are recognised in the provision for annual leave. Both liabilities are measured at the amounts expected to be paid when the liabilities are settled.

Long service leave

The provision for employee benefits to long service leave represents the present value of the estimated future cash outflows to be made by the employer resulting from employees' services provided up to the reporting date.

The provision is calculated using estimated future increases in wage and salary rates, including related on-costs, and expected settlement rates based on turnover history and is discounted using the rates attaching to corporate bonds at balance date which most closely match the terms of maturity of the related liabilities.

o) Critical accounting judgements, estimates and assumptions

The preparation of the financial statements requires management to make judgements, estimates and assumptions that affect the reported amounts in the financial statements. Management continually evaluates its judgements and estimates in relation to assets, liabilities, contingent liabilities, revenue and expenses. The following critical accounting policies have been identified for which significant judgements, estimates and assumptions are made.

Provision for employee benefits

Probabilities regarding staff turnover, when staff take leave and future wage rates are based on historical experience.

p) Comparatives

Where a change in accounting treatment has resulted in significant differences between financial years, prior year data has been reclassified to assist comparison.

	2023 \$	2022 \$
3. FUNDING REVENUE		
a) Government Funding – direct		
<u>Commonwealth Government</u>		
COVID-19 Arts Sustainability Fund – An Australian Government initiative	–	4,000,000
National Foundation for Australia-China Relations	119,143	37,520
Department of Infrastructure, Transport, Regional Development & Communications	18,710	–
Federal Government – Dept of Foreign Affairs and Trade	–	100,000
<u>Victoria State Government</u>		
COVID-19 Relief	–	500,000
Creative Victoria – Melbourne Symphony Orchestra Chorus Grant	125,590	125,590
Creative Victoria – COVID-19 Strategic Investment Fund	82,829	–
Creative Victoria – Regional Tour	159,300	120,000
Creative Victoria – Strategic Initiative	–	20,040
<u>Department of Education and Training</u>		
Strategic Partnerships Program Funding	35,116	25,714
Victorian Challenge and Enrichment Series	–	50,000
<u>Department of Jobs, Precincts & Regions</u>		
Let's Stay Connected Funding	–	30,752
<u>Local Governments</u>		
City of Melbourne – Annual Grant	105,357	103,800
Hume City Council – Pizzicato Program	10,000	10,000
	656,045	5,123,416
b) Government Funding – via parent entity		
Australia Council for the Arts – Annual Grant	11,925,524	11,657,403
Arts Victoria - Annual Grant	2,348,365	2,314,207
	14,273,889	13,971,610
Total Funding	14,929,934	19,095,026

Provision of funds by MSOHL to the Company originates from federal and state governments, through the Creative Australia and Creative Victoria and is paid to MSOHL. A funding agreement between MSOHL and the Company provides the basis for the funds to be passed to the Company.

	2023	2022
	\$	\$
4. TICKET SALES REVENUE		
Subscription sales	2,574,843	2,189,596
Single night ticket sales	15,045,559	7,760,427
	17,620,402	9,950,023

5. SPONSORSHIP AND DONATION REVENUE

Sponsorship	2,085,917	2,295,719
Donations	2,487,457	2,875,907
Special Donations for future capital project	350,000	2,350,000
Bequests	116,607	83,923
Grants and trusts	910,110	1,075,691
	5,950,091	8,681,240

6. OTHER REVENUE

Interest	269,086	130,072
Orchestral hire & performance fees	639,053	388,859
Other	1,166,180	568,432
	2,074,319	1,087,363

7. OTHER INCOME FROM FINANCIAL ASSETS

Interest earned from financial assets	74,153	76,627
Dividends	134,083	162,189
Profit on Sale of Financial Assets	54,590	23
	262,826	238,838

8. EXPENSES

Net Surplus/(Deficit) for the year has been arrived at after charging the following items:

Depreciation:

Office equipment, furniture and fittings	8,005	16,521
Computers	51,670	59,594
Leasehold Improvements	4,828	10,743
Musical instruments	14,310	19,677
Intangible Assets	117,833	108,264
Total Depreciation (Note 12)	196,646	214,799
Lease payments – car	9,526	6,816
Lease payments – office equipment	13,032	14,796
Office outgoings	157,503	143,302

The Company has applied AASB 16 and elected to adopt the relief under AASB 2019-8 to utilise the cost option on transition for the Company's peppercorn leases. The Company has elected not to recognise right-of-use assets and lease liabilities for short-term leases of venues and car parking that have a lease term of 12 months or less and leases of low-value assets, including IT and office equipment. The Company recognises the lease payments associated with these leases as an expense on a straight-line basis over the lease term.

9. RECEIVABLES**a) Trade and other receivables**

	2023	2022
	\$	\$
<i>Current</i>		
Trade receivables	135,390	90,804
Government funding invoiced in advance	13,463	–
Sponsorship invoiced in advance	77,000	110,945
GST receivable	137,930	256,508
	363,783	458,257

b) Trade and other debtors ageing:

0 to 60 days	86,688	116,713
61 to 90 days	11,000	947
Over 90 days	83,641	4,259
Total trade and other receivables	181,329	121,919

Trade receivables are non-interest bearing and are normally settled in 30 days. Other receivables amounts generally arise from transactions outside the usual operating activities of the Company.

10. OTHER CURRENT ASSETS

Prepayments	930,398	577,318
Accrued interest	19,188	–
Accrued revenue	1,101,951	571,582
Total Other Current Assets	2,051,537	1,148,900

11. OTHER FINANCIAL ASSETS

MSO Foundation externally managed portfolio	5,480,905	4,996,104
Term Deposit maturing in greater than 3 months	1,000,000	–
	6,480,905	4,996,104

11. OTHER FINANCIAL ASSETS (CONTINUED)

a) Financial assets

i) Financial assets include:

	2023	2022
	\$	\$
Managed funds – Cash	1,093,784	842,287
Managed funds – Credit	1,065,793	1,245,385
Managed funds – Australian equities	2,023,400	2,102,428
Managed funds – International equities	718,023	633,899
Managed funds – Government Bonds	400,051	–
Managed funds – Real assets	179,854	172,105
Term Deposit maturing in greater than 3 months	1,000,000	–
	6,480,905	4,996,104

Investments are designated as fair value through profit and loss financial assets if they do not have fixed maturities and fixed or determinable payments, and management intends to hold them for the medium to long term.

ii) Valuation techniques used to determine fair value:

Specific valuation techniques used to value financial instruments include quoted market prices for similar instruments.

12. PROPERTY, PLANT AND EQUIPMENT

	Property, plant and equipment	Musical instruments	Office equipment	Leasehold improvements	Computer equipment	Motor Vehicle	Total
	\$	\$	\$	\$	\$	\$	\$
<i>Cost:</i>							
Opening balance	13,757,232	1,452,672	257,947	146,508	677,075	10,000	16,301,434
Additions					5,286	–	5,286
Disposal	–	–	–	–	(2,254)	–	(2,254)
Closing Balance	13,757,232	1,452,672	257,947	146,508	680,106	10,000	16,304,465
<i>Accumulated depreciation:</i>							
Opening balance	187,901	1,411,564	239,146	146,963	596,077	10,000	2,591,651
Depreciation expense (Note 8)	–	14,310	8,005	4,828	51,670	–	78,813
Disposal	–	–	–	–	(2,254)	–	(2,254)
Closing balance	187,901	1,425,874	247,151	151,791	645,492	10,000	2,668,209
Net book value, 31 December 2023	13,569,331	26,798	10,796	(5,283)	34,614	–	13,636,256
Net book value, 31 December 2022	13,569,331	41,108	18,801	(455)	80,998	–	13,709,783

13. INTANGIBLE ASSETS

	Websites	Software	Total
	\$	\$	\$
<i>Cost:</i>			
Opening balance	447,927	329,088	777,015
Additions	–	89,970	89,970
Closing balance	447,927	419,058	866,985
<i>Accumulated amortisation:</i>			
Opening balance	335,536	305,484	641,019
Amortisation expense (Note 8)	84,603	33,230	117,833
Closing balance	420,139	338,714	758,852
Net book value, 31 December 2023	27,788	80,344	108,132
Net book value, 31 December 2022	112,391	23,604	135,995

14. PAYABLES

	2023	2022
	\$	\$
Trade creditors	1,432,260	2,424,138
Other creditors and accruals	3,307,617	1,915,564
Unearned government funding	157,816	225,586
Unearned sponsorship revenue	162,858	75,833
Unearned other revenue	170,001	378,681
Total Payables	5,230,552	5,019,802

Trade payables are non-interest bearing and are normally settled in 30 days.

15. CONTRIBUTED EQUITY

Share capital

438,002 (2022: 438,002) ordinary shares, fully paid	438,002	438,002
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On 31 December 2006 MSOHL purchased all shares of the Company that were previously held by the ABC.

2023	2022
\$	\$

16. CASH AND CASH EQUIVALENTS

For the purposes of the statement of cash flows, cash and cash equivalents includes cash on hand and at bank and short-term deposits with an original maturity of three months or less. Cash assets as at the end of the financial year as shown in the statement of cash flows are as follows:

Cash	4,466,404	6,565,322
Total	4,466,404	6,565,322

The Company has \$4,466,404 Cash equivalents at 31 December 2023 (31 December 2022: \$6,565,322).

17. PROVISIONS

Employee Benefits

Current

Annual Leave	1,481,309	1,354,001
Long Service Leave	2,467,060	2,138,242
	3,948,369	3,596,363

Non-current

Annual Leave	401,462	518,226
Long Service Leave	572,495	593,711
Total	4,922,326	4,604,180

Assumed rate of increase in wage and salary rates	3.0%	2.5%
Discount rate (weighted average)	1.0%	2.8%
Full-time equivalent employees at year-end	164.62	153.80

18. KEY MANAGEMENT PERSONNEL

a) Details of Key Management Personnel

(i) Directors

The numbers of meetings of the Company's Board of directors held during the year ended 31 December 2023, and the numbers of meetings attended by each director were:

Name	Position Held	Held	Eligible	Attended
David Li AM (Chairman)	Chairman, Non-Executive Director	6	6	5
Diane Jameson OAM	Co-Deputy Chair, Non-Executive Director	6	6	6
Helen Silver AO	Co-Deputy Chair, Non-Executive Director	6	6	4
Shane Buggle	Non-Executive Director	6	6	6
Andrew Dugdeon AM	Non-Executive Director	6	6	4
Martin Foley	Non-Executive Director	6	5	4
Daniel Gorog	Non-Executive Director	6	0	0
Sophie Galaise	Managing Director	6	6	6
Lorraine Hook	Non-Executive Director	6	6	6
Margaret Jackson AC	Non-Executive Director	6	6	5
David Krasnostein AM	Non-Executive Director	6	2	2
Gary McPherson	Non-Executive Director	6	6	5
Farrel Meltzer	Non-Executive Director	6	6	5
Edgar Myer	Non-Executive Director	6	5	4
Hyon-Ju Newman	Non-Executive Director	6	2	2
Glenn Sedgwick	Non-Executive Director	6	6	4
Mary Waldron	Non-Executive Director	6	5	5

b) Compensation of Key Management Personnel

	2023	2022
Compensation	1,742,552	1,887,760

Key management personnel comprise board-appointed personnel and other persons having the responsibilities for planning, directing and controlling the major activities of the Company. The Directors positions are on an honorary basis, as such, Non-Executive Directors do not receive remuneration for their role as a Director of the Company.

c) Transactions with key management personnel

Refer to note 19 for transactions between the Company and key management personnel.

19. RELATED PARTIES

a) Directors

The names of each person holding the position of Director of the Company during the financial year are detailed in the Directors' Report and note 18(a).

b) Parent Entities

The ultimate holding company of the Company is MSOHL which owns 100% of the equity in the Company. The Directors of MSOHL are also Directors of the Company. An agreement between MSOHL and the Company exists whereby MSOHL has agreed to fund the Company via contributions from the Creative Australia through the Major Performing Arts Board and the Victoria Ministry for Creative Industries through Creative Victoria. A service agreement that is governed by the contents of the Tripartite Agreement exists between the two entities MSOHL and the Company. Corporate costs associated with MSOHL have been met by the Company.

c) Key Management Personnel

Details of compensation for key management personnel are in note 18(b).

d) Transactions with other related parties

The following transactions occurred with related parties:

i) Donations

Donations received from Directors and director-related entities in 2023 were \$919,077 (2022: \$1,934,785).

ii) Sponsorship

Sponsorship from Director-related entities in 2023 was \$50,000 (2022: \$50,000).

iii) Complimentary tickets

From time to time, complimentary tickets are provided to Board members as part of their role in development activities for the Company.

e) Loans to/from related parties

There are no loans to or from the Company with related parties (2022: nil).

f) Symphony Services Australia Limited

Ms Sophie Galaise, a Director of the Company, was a director and appointed the Chair of Symphony Services Australia Limited ('SSA') on 17 November 2021. SSA provides orchestral services to the Company including the provision of artist services, artist liaison support and music library services. In 2023, the Company paid SSA \$100,000 (2022: \$100,000) for SSA's orchestral services.

g) Terms and conditions

All transactions were made on normal commercial terms and conditions and at market rates.

	2023	2022
	\$	\$
20. AUDITOR'S REMUNERATION		
Audit of the financial report	70,000	70,000
Total auditor's remuneration	70,000	70,000

	2023	2022
	\$	\$
21. EXPENDITURE COMMITMENTS		
<i>Artists fees contracted, but not provided for, and payable:</i>		
Within one year	2,436,314	1,107,113
One year or later, but not later than five years	–	–
	2,436,314	1,107,113
<i>Consulting (Professional Services) contracts as per agreements</i>		
Within one year	153,153	126,380
One year or later, but not later than five years	–	–
	153,153	126,380
<i>Office outgoings committed as per agreements ¹</i>		
Within one year	174,455	143,302
One year or later, but not later than five years	–	–
	174,455	143,302
<i>Venue Hire Commitments ²</i>		
Within one year	1,870,971	1,803,600
One year or later, but not later than five years	–	–
	1,870,971	1,803,600
<i>Office Equipment Leases ³</i>		
Within one year	13,032	14,796
One year or later, but not later than five years	–	–
	13,032	14,796
Total	4,647,925	3,195,190

Expenditure commitments are contracted up to the following dates:

- Artist fees – December 2024
- Consulting – December 2024
- Rental leases – December 2024
- Office equipment – December 2024
- Venue Hire – December 2024

1. The Company has applied AASB 16 and adopt the relief under AASB 2019-8 to utilise the cost option on transition for the Company's peppercorn leases.
2. The Company has elected not to recognise right-of-use assets and lease liabilities for short-term leases of venues and car parking that have a lease term of 12 months or less. The Company recognises the lease payments associated with these leases as expenses.
3. The Company has elected not to recognise right-of-use assets and lease liabilities for leases of low-value assets, including IT and office equipment. The Company recognises the lease payments associated with these leases as an expense on a straight-line basis over the lease term.

	2023	2022
	\$	\$
22. RESERVES		
a) Retained surplus/(accumulated deficit)		
Retained earnings/(accumulated deficit) at the beginning of the year	424,423	(1,685,705)
Surplus from ordinary activities for the year	213,019	2,367,279
Transfer of income earned on and donations to the MSO Foundation Reserve	(166,552)	(257,151)
Balance at year end	470,890	424,423
b) MSO Foundation Reserves		
Opening balance	10,912,468	10,655,317
Transfer from Accumulated deficit	166,552	257,151
Balance at year end	11,079,020	10,912,468
Total	11,549,910	11,336,891

23. ECONOMIC DEPENDENCY

Provision of federal and state funding via the parent company, MSOHL, to the Company is in respect of funds payable as a result of the Orchestra Review Implementation Funding Agreement. It originates from Federal and State Governments, through the Creative Australia and the Victoria Ministry for Creative Industries and is paid to MSOHL. A funding agreement between MSOHL and the Company provides the basis for the funds to be passed to the Company. As a result, the company is economically dependent on MSOHL, and in turn, on the Creative Australia and the Victoria Ministry for Creative Industries.

A multipartite funding agreement between MSOHL, the Creative Australia through the Major Performing Arts Board, and the Victoria Ministry for Creative Industries, through Creative Victoria was entered into for a period of four years ending 31 December 2024. Under the funding agreement companies receive the stability of four years of investment and, through the funding framework, an in-principle commitment for a further four-year investment.

The in-principle commitment for subsequent four-year investment is subject to the Company meeting its performance expectations and it will also be based on a competitive application. the Company believes it will meet its performance expectations and has submitted its application for the next four-year period.

24. CONTINGENT LIABILITIES

There were no contingent liabilities as at 31 December 2023 (31 December 2022: Nil).

25. MATTERS SUBSEQUENT TO THE END OF THE FINANCIAL YEAR

Unless otherwise stated in this report, no matter or circumstance has arisen since 31 December 2023 that has significantly affected, or may significantly affect:

- (a) the Company's operations in future financial years, or
- (b) the results of those operations in future financial years, or
- (c) the Company's state of affairs in future financial years.

26. ENTITY INFORMATION

Melbourne Symphony Orchestra Pty Limited is a company limited by shares, incorporated in Australia and having its registered office address and principal place of business at:

ABC Southbank Centre
120–130 Southbank Boulevard
Southbank VIC 3006

The postal address of Melbourne Symphony Orchestra Pty Limited is:

GPO Box 9994
Melbourne VIC 3001

Directors' Declaration

FOR THE YEAR ENDED 31 DECEMBER 2023

In the opinion of the Directors of Melbourne Symphony Orchestra Pty Limited ("the Company"):

- (a) the financial statements and notes of the Company are in accordance with the Australian Charities and Not for Profits Commission Act 2012, including:
 - (i) giving a true and fair view of the financial position of the Company as at 31 December 2023 and of its performance, as represented by the results of its operations and its cash flows for the period ended on that date; and
 - (ii) complying with Australian Accounting Standards – Simplified Disclosure Requirements and the Australian Charities and Not for Profits Commission Regulation 2013; and
- (b) there are reasonable grounds to believe that the Company will be able to pay its debts as and when they become due and payable.

Signed in accordance with a resolution of the Directors:



David Li AM
Chairman
Melbourne
24 April 2024



Sophie Galaise
Managing Director
Melbourne
24 April 2024



Ernst & Young
8 Exhibition Street
Melbourne VIC 3000 Australia
GPO Box 67 Melbourne VIC 3001

Tel: +61 3 9288 8000
Fax: +61 3 8650 7777
ey.com/au

Independent auditor's report to the members of Melbourne Symphony Orchestra Pty Limited

Opinion

We have audited the financial report of Melbourne Symphony Orchestra Pty Limited (the Company), which comprises the statement of financial position as at 31 December 2023, the statement of comprehensive income, statement of changes in equity and statement of cash flows for the year then ended, notes to the financial statements, including a summary of material accounting policy information, and the directors' declaration.

In our opinion, the accompanying financial report of the Company is in accordance with the *Australian Charities and Not-for-profits Commission Act 2012*, including:

- a. Giving a true and fair view of the Company's financial position as at 31 December 2023 and of its financial performance for the year ended on that date; and
- b. Complying with Australian Accounting Standards - Simplified Disclosures and the *Australian Charities and Not-for-profits Commission Regulation 2022*.

Basis for opinion

We conducted our audit in accordance with Australian Auditing Standards. Our responsibilities under those standards are further described in the *Auditor's responsibilities for the audit of the financial report* section of our report. We are independent of the Company in accordance with the ethical requirements of the Accounting Professional and Ethical Standards Board's APES 110 *Code of Ethics for Professional Accountants (including Independence Standards)* (the Code) that are relevant to our audit of the financial report in Australia. We have also fulfilled our other ethical responsibilities in accordance with the Code.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.

Information other than the financial report and auditor's report thereon

The directors are responsible for the other information. The other information is the directors' report accompanying the financial report.

Our opinion on the financial report does not cover the other information and accordingly we do not express any form of assurance conclusion thereon.

In connection with our audit of the financial report, our responsibility is to read the other information and, in doing so, consider whether the other information is materially inconsistent with the financial report or our knowledge obtained in the audit or otherwise appears to be materially misstated.

If, based on the work we have performed, we conclude that there is a material misstatement of this other information, we are required to report that fact. We have nothing to report in this regard.

Responsibilities of the directors for the financial report

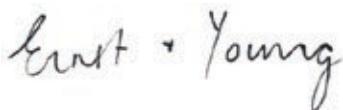
The directors of the Company are responsible for the preparation of the financial report that gives a true and fair view in accordance with Australian Accounting Standards – Simplified Disclosures and the *Australian Charities and Not-for-profits Commission Act 2012* and for such internal control as the directors determine is necessary to enable the preparation of the financial report that gives a true and fair view and is free from material misstatement, whether due to fraud or error.

In preparing the financial report, the directors are responsible for assessing the Company's ability to continue as a going concern, disclosing, as applicable, matters relating to going concern and using the going concern basis of accounting unless the directors either intend to liquidate the Company or to cease operations, or have no realistic alternative but to do so.

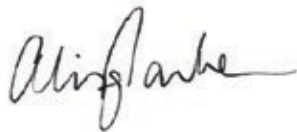
Auditor's responsibilities for the audit of the financial report

Our objectives are to obtain reasonable assurance about whether the financial report as a whole is free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with the Australian Auditing Standards will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of this financial report.

A further description of our responsibilities for the audit of the financial report is located at the Auditing and Assurance Standards Board website at: https://www.auasb.gov.au/auditors_responsibilities/ar4.pdf. This description forms part of our auditor's report.



Ernst & Young



Alison Parker
Partner
Melbourne
24 April 2024

ANNEXURE “LZ-7”

No. VID 1036 of 2024

Federal Court of Australia
District Registry: Victoria
Division: Fair Work

Jayson Lloyd Gillham

Applicant

Melbourne Symphony Orchestra Pty Ltd ABN 47 078 925 658 and others

Respondents

This is the annexure marked “LZ-7” referred to in the affidavit of **LEON ZWIER** sworn on 21 November 2024.

1. Parties to, and date of, this Agreement

This Agreement is made the 15th day of July 2010 between the following parties:

- (a) SYMPHONY SERVICES AUSTRALIA LIMITED (ABN 69 121 149 755) a company having an office at Level 5, 1 Oxford Street, Darlinghurst, New South Wales 2010 ("**SSA**"); and
- (b) MELBOURNE SYMPHONY ORCHESTRA PTY LIMITED (ABN 47 078 925 658) a company having an office at ABC Southbank Centre 120-130 Southbank Boulevard, Southbank, Victoria 3006 ("**MSO**").

2. Defined words and phrases

Various words, phrases and abbreviations have their meanings specifically defined where they first appear in this Agreement which applies when later used in *italics*.

3. Purpose of this Agreement

This Agreement sets out the terms and conditions under which *SSA* agrees to supply to or for the benefit of *MSO* and *MSO* agrees to obtain from *SSA*, various services specified in clauses 5 and 6, '**Services**'. This Agreement operates in conjunction with equivalent agreements between *SSA* and its other member orchestras ('**Members**').

4. Agreement Term and Review

- (a) Subject to paragraph (b) of this clause, the "**Term**" of this Agreement will commence 1 January 2011 and will continue until 31 December 2013 and thereafter as agreed provided that *MSO* may terminate this Agreement by notice given at least 12 months in advance of such termination.
- (b) This agreement may be extended beyond the *Term* if there is mutual agreement by the parties to enter into an extended *Term*. Such negotiations must be commenced by 31 December 2012 so *SSA* may properly plan its business.

5. Core Services to be provided by SSA

The core *Services* that *SSA* will provide during the *Term* will be in the following **Service Categories**, specific details of which can be found in Schedule 1.

- (a) National Music Library
- (b) Program Notes
- (c) National Artist Development
- (d) International Tour Co-ordination

6. Other Services

SSA will provide other *Services* listed in Item 2, Schedule 1 from time to time as agreed which will be charged out on a cost recovery basis.

7. Core Service Fees 2011

MSO agrees to pay SSA the following fees during 2011 - in the method set out in clause 9 - for providing core Services comprised in the following Service Categories: -

Core Service Categories	\$
National Music Library	93,997
Program Notes	37,053
National Artist Development	137,874
International Tour Co-ordination	63,813
Commercial Business Activities	6,867
Fixed Overheads	18,245
Total Service Fee	\$357,849

7.1 National Artist Development

The fee for this Service will be subject to indexation using the same indexation that is applied to MSO funding by the Major Performing Arts Board of the Australia Council, ('MPAB').

7.2 Commercial Business Activities

SSA as agent for MSO and other Members will enter into an agreement with The Music House (Aus) Pty Ltd ('The Music House') to undertake commercial activities on behalf of the MSO and other Members. The fee for this Service represents 1/6 of the agreed retainer paid to The Music House for 2011. This amount will increase by 3% annually and is in addition to the agreed commission to be paid to The Music House based on tickets sold, as outlined in Schedule 1.

7.3 Fixed Overheads

Fixed overheads are unallocated general administrative and structural costs required to deliver the specific services.

8. Core Service Fees 2012 and 2013

The fees applicable for subsequent years will be determined by SSA by the September quarter of the preceding year, on the following basis:-

- (a) The fees will be no less than the previous year's fee
- (b) SSA may increase the fee for any Service at a rate not exceeding the rate of the indexation applied to MSO funding by the MPAB for that year

9. Method of Payment or Refund of Service Fees

SSA will issue a Tax Invoice quarterly in advance to MSO for the fees plus GST. Payment is required within 7 business days from the date of the invoice either by

- (i) cheque; or
- (ii) bank transfer to an account nominated by SSA in writing; or
- (iii) such other mechanism as may be agreed from time to time between SSA and MSO.

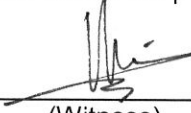
SSA will include in the monthly Intercompany tax invoice fees on a cost recovery basis for any agreed other services supplied during the previous month.

10. Principal Agent Relationship

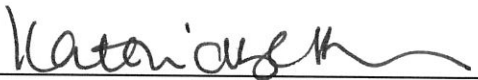
MSO acknowledges that SSA is acting as its agent in the course of purchasing goods and services required in order to fulfil certain of SSA's obligations under this Agreement. In particular this includes entering agreements on behalf of Member orchestras including MSO for International Tour Co-ordination, National Artist Development and with *The Music House*. In accordance with the relevant details of those agreements provided to MSO, it agrees to fulfil all obligations required in order for SSA to perform the contractual obligations under those agreements including agreed payment schedules with artists.

Executed as an Agreement

Executed for and on behalf of **SYMPHONY SERVICES AUSTRALIA LIMITED** by its duly authorised officer and in the presence of:



(Witness)

)
)
)
)


(execution by SSA)

Executed for and on behalf of **MELBOURNE SYMPHONY ORCHESTRA PTY LIMITED** by its duly authorised officer and in the presence of:



(Witness)

)
)
)
)


(execution by MSO)



SCHEDULE 1

DETAILS OF SERVICES PROVIDED BY SSA

It is acknowledged that while this list is as comprehensive as possible, inevitably details of services will change from time to time, particularly as SSA grows and develops over the three year period of this agreement. SSA will provide an updated Schedule to the orchestras on an annual basis to reflect these changes.

1. **Services provided in full as part of this Agreement (under the parameters of the approved annual budget)**

National Music Library

- Manage and maintain the *Members* collection of music;
- Source and lend music from the National Music Library;
- Purchase new works, editions, extra copies and missing parts as requested by *Members*;
- Production of music (music copying, photocopying, binding) as required;
- Publishing of new works and editions in accordance with the SSA strategic plan;
- Access to the National Music Library catalogue through the HLMSW operating system.

Program Notes

- Research, source and supply program notes;
- Commission and/or write new notes;
- Edit existing notes;
- Edit and supply artist publicity material as required;
- Edit biographies to orchestras' specifications;
- Source texts and translate as required;
- Source and provide illustrations within budget limitations;
- Research and clear copyrights for texts and images.

National Artist Development

- Manage and administer the national Artist Development program including training activities for performers, composers and conductors in accordance with the annually agreed program and budget;
- Seek opportunities to increase funding for the program including private sponsorship and philanthropy, and government funding;
- Manage a composer commissioning program including seeking co-commissioning partners;
- Undertake all negotiations with Conductor Development Course Director, including fee, visa, travel, accommodation and artist liaison requirements;
- Manage the annual Young Performers Awards and all relationships required for the success of the program;
- Create and manage other artist development activities as agreed among *Member* orchestras from time to time;
- Provide an annual report that can be used by each orchestra in the acquittal of their own government funding grants.

International Tour Co-ordination

- Contracting and contract management for international artists' engagements;
- Tour co-ordination, including visa applications, flights, hotels, accommodation, preparation of centralised tour itinerary, negotiation of sharing of travel costs with non-member organisations;
- Artists' payments and ensuring compliance with associated financial obligations (taxation and superannuation; payment of fees on behalf of non-member organisations in order to comply with sponsorship obligations).

Other services

- Maintain performance history reports on behalf of *Members* (based on information provided on a regular basis by them);
- Collate and disseminate weekly overseas clippings reports;
- Investigate ways to increase income to SSA with the purpose of distributing the surplus as a discount in fees to *Members*.

2. Services provided on a cost-recovery basis (in some cases including the cost of time incurred to undertake the service)

All services provided under this Item 2 of Schedule 1 will be as ordered or requested by each *Member*.

National Music Library

- Ordering of hire materials from local and international publishers and publisher agents;
- Freight of materials.

Program Notes

- Significant editing that exceeds existing resources (particularly last-minute requests).

National Artist Development

- The ABC Symphony Australia Young Performers Awards is subject to a separate agreement including guidelines regarding what costs are absorbed by SSA and what costs are paid for by the orchestral *Members*;
- SSA will engage the *Member* orchestras to provide orchestral calls for the Conductor Development program on a negotiated basis, at a cost to SSA of \$5,000 plus GST per call.

International Tour Co-ordination

- Apply for 457-class visas for Chief Conductors and permanent appointment of international players to *Member* orchestras;
- Apply for 420-class visas for international musicians auditioning for places in *Member* orchestras;
- International travel arrangements for local (Australian resident) artists required to travel to and/or from Australia for an engagement with *Member* orchestras;
- Tour co-ordination for local (Australian resident) artists;
- Domestic travel arrangements for orchestral *Member* staff and musicians will only be booked in special circumstances and must be paid for by the *Member* via the monthly DCM.

Sale of products

- Where products are available for sale, such as the Goodear Acoustic Shield, SSA will provide these to *Members* on a preferential basis. A discount will be offered to *Members* where possible.

Other services

- SSA will co-ordinate regular "sector wide" meetings of various parts of the orchestral sector. This includes, but is not limited to, CEOs meetings, Artistic Administrator meetings, Marketing/publicity meetings, finance meetings, HR meetings, Library meetings, Orchestra Managers meetings and so on;
- Where cost is incurred in the organisation of these meetings the cost will be passed on to the orchestral *Members*;
- General procurement of goods and services where specifically requested.

COMMERCIAL BUSINESS ACTIVITIES

At the request of the *Members*, SSA has entered into an Agreement with *The Music House* for Commercial Business Activities on behalf of the orchestral *Members* including *MSO* for the period 1 January 2010 – 31 December 2012. The Agreement can be terminated at any time prior to that date by the giving of three (3) months notice by either party, providing that all obligations in respect to commercial activities arranged and occurring pursuant to the Agreement have been satisfied.

The Agreement specifies the scope of the service to be provided by *The Music House* including to identify, develop and conclude commercial business opportunities for the orchestral companies including the *MSO*. Except for its obligation to pay its share of the retainer, there is no obligation on the *MSO* (or any orchestral *Member*) to utilise the services of *The Music House*.

SSA will make payments on behalf of the *MSO* and other *Members* for commercial activities undertaken by *The Music House* for them pursuant to the Agreement. This system of payment and recovery will operate in a similar way as it does for international artist management transactions.

SSA will pay to *The Music House* a retainer on behalf of the orchestral companies including the *MSO*, and the *MSO* will reimburse SSA for the amount of 1/6 of the total retainer upon receipt of a quarterly tax invoice. The retainer will be paid to *The Music House* monthly in arrears on the following basis:

2011	\$41,200 plus GST per annum
2012	\$42,436 plus GST per annum

The Agreement provides for SSA to make payments based on *MSO* ticket sales as defined, from commercial activities undertaken pursuant to the contract with *The Music House*. SSA will pay the commissions to *The Music House* when authorised to do so by the *MSO* which will reimburse SSA for the amount of those commissions.

NEW SERVICES

It is noted that a number of new services and products are detailed in SSA's 2010-2013 strategic plan, and as these services come to fruition they will be reflected in annual updates to this Schedule.

ANNEXURE “LZ-8”

No. VID 1036 of 2024

Federal Court of Australia

District Registry: Victoria

Division: Fair Work

Jayson Lloyd Gillham

Applicant

Melbourne Symphony Orchestra Pty Ltd ABN 47 078 925 658 and others

Respondents

This is the annexure marked “LZ-8” referred to in the affidavit of **LEON ZWIER** sworn on 21 November 2024.



André Gremillet
 Managing Director
 Melbourne Symphony Orchestra Pty Limited
 GPO Box 9994
 Melbourne VIC 3001

13 June 2013

Dear André,

AMENDMENT TO SERVICE LEVEL AGREEMENT

This letter amends the previously-signed Service Level Agreement between the Melbourne Symphony Orchestra (MSO) and Symphony Services Australia Limited (SSA), dated 16 June 2010.

SSA and MSO agree to amend and replace the Service Level Agreement items as follows:

4. Agreement Term and Review

The "Term" of this Agreement will commence from the date of signing this letter and will continue indefinitely provided that MSO may terminate this Agreement by notice given at least 12 months in advance of such termination.

Any major variations to the fees stated in this Agreement will be discussed and agreed by the Symphony Services Australia Limited board of directors at least 12 months in advance of such variations being made.

7. Core Service Fees – 2013

MSO agrees to pay SSA the following fees each year – in the method set out in clause 9 of the Agreement – for providing core Services comprised in the following Service Categories:

Core Service Categories	Annual fee (\$)
National Music Library	93,997
Program Notes	37,053
National Artist Development (indexed)	146,887
International Tour Co-ordination	63,813
Fixed Overheads	18,245
Total annual service fee	359,995

*This figure is the 2013 amount. It is noted and agreed that the National Artist Development component is subject to indexation annually (on a calendar year basis) at the same rate as the orchestras' Australia Council grant allocations.

8. Core Service Fees – subsequent years

The fees applicable for subsequent years will be determined by SSA by the September quarter of the preceding year, on the following basis:

- (a) The fees will be no less than the previous year's fee
- (b) SSA will increase the fee for Artist Development at a rate not exceeding the rate of the indexation applied to MSO funding by the MPAB for that year
- (c) As outlined in Clause 4, any variation that requires an increase or decrease to a fee for any service will be discussed and agreed by the SSA board at least 12 months in advance of such variations being made.

General

As SSA no longer has a contractual arrangement with The Music House for the provision of commercial services, all reference to The Music House in the 2010 Service Level Agreement, including the fee listed in Clause 7, is null and void.

A new Schedule outlining details of services included in this Agreement is attached and will be updated annually prior to 31 December.

All clauses other than those specified in this letter will remain unchanged.

Yours sincerely,



Kate Lidbetter
Chief Executive Officer

I accept the amendments to the 2010 Service Level Agreement as outlined in this letter.



André Gremillet

20 / 6 / 2013

Date



SCHEDULE 1

DETAILS OF SERVICES PROVIDED BY SYMPHONY SERVICES AUSTRALIA (SSA)

It is acknowledged that while this list is as comprehensive as possible, inevitably details of services will change from time to time. SSA will provide an updated Schedule to the orchestras on an annual basis to reflect these changes, in addition to a thorough report on which services have been used, and to what extent.

1. Services provided in full as part of this Agreement (under the parameters of the approved annual budget)

Music Library

- Manage and maintain the Members' collection of music
- Source and lend music from the Music Library
- Purchase new works, editions, extra copies and missing parts as requested by Members
- Publishing of new works and editions in accordance with the SSA strategic plan
- Access to the Music Library catalogue through the HLMSW operating system

Program Notes

- Research, source and supply program notes
- Commission and/or write new notes
- Edit existing notes
- Edit biographies to orchestras' specifications
- Source texts and translate as required
- Source and provide illustrations within budget limitations
- Research and clear copyrights for texts and images

National Artist Development

- Manage and administer the national Artist Development program including training activities For performers, composers and conductors in accordance with the annually agreed program and budget
- Manage a composer commissioning program including seeking co-commissioning partners
- Undertake all negotiations with Conductor Development Course Director, including fee, visa, travel, accommodation and artist liaison requirements
- Manage the annual Young Performers Awards and all relationships required for the success of the program

- Create and manage other artist development activities as agreed among Member orchestras from time to time
- Provide an annual report that can be used by each orchestra in the acquittal of their own government funding grants

International Tour Co-ordination

- Contracting and contract management for international artists' engagements
- Tour co-ordination including visa applications, flights, accommodation, preparation of centralised tour itineraries, negotiation of sharing of travel costs with non-member organisations; incorporation of non-member Australian co-presentation into visa applications
- Artists' payments and ensuring tax and other compliance requirements are met
- Apply for 457-class visas for Chief Conductors and permanent appointment of international players to Member orchestras;
- Apply for 420-class visas for international musicians auditioning for places in Member orchestras

Other services

- Maintain performance history reports on behalf of Members (based on information provided on a regular basis by them)
- Collate and disseminate weekly overseas clippings reports
- Investigate ways to increase value for money for Members and where possible, distribute discounts in fees

2. Services provided on a cost-recovery basis (in some cases including the cost of time incurred to undertake the service)

All services provided under this Item 2 of Schedule 1 will be as ordered or requested by each Member.

National Music Library

- Ordering of hire materials from local and international publishers and publisher agents
- Freight of materials
- Production of music (music copying, photocopying, binding)

Program Notes

- Significant editing that exceeds existing resources (particularly last-minute requests)

National Artist Development

- The ABC Symphony Australia Young Performers Awards is subject to a separate agreement including guidelines regarding what costs are absorbed by SSA and what costs are paid for by the orchestral Members
- SSA will engage the Member orchestras to provide orchestral calls for the Conductor Development program on a negotiated basis, at a cost to SSA of \$5,000 plus GST per call

International Tour Co-ordination

- International travel arrangements for local (Australian resident) artists required to travel to and/or from Australia for an engagement with Member orchestras
- Tour co-ordination for local (Australian resident) artists
- Domestic travel arrangements for orchestral Member staff and musicians will only be booked in special circumstances and must be paid for by the Member via the monthly DCM

Sale of products

- Where products are available for sale, such as the Goodear Acoustic Shield, SSA will provide these to Members on a preferential basis. A discount will be offered to Members where possible

Other services

- SSA will co-ordinate regular “sector wide” meetings of various parts of the orchestral sector. This includes, but is not limited to, CEOs meetings, Artistic Administrator meetings, Marketing/publicity meetings, finance meetings, HR meetings, Library meetings, Orchestra Managers meetings and so on
- Where cost is incurred in the organisation of these meetings the cost will be passed on to the orchestral Members
- General procurement of goods and services where specifically requested

NEW SERVICES

If new services are requested or required by the Members, or accepted by the board, these services and their costs will be reflected in a new Schedule, issued each year.

BILLING FOR SERVICES

SSA will provide monthly tax invoices for international artist costs (known as the monthly DCM invoice). Generally payment terms are within 7 business days from invoice date however if the artist fee payment is significant, payment in advance may be required for cash flow purposes.

SSA will provide monthly procurement tax invoices (known as the monthly Intercompany invoice). Payment terms are within 14 days from invoice date.

ANNEXURE “LZ-9”

No. VID 1036 of 2024

Federal Court of Australia
District Registry: Victoria
Division: Fair Work

Jayson Lloyd Gillham

Applicant

Melbourne Symphony Orchestra Pty Ltd ABN 47 078 925 658 and others

Respondents

This is the annexure marked “LZ-9” referred to in the affidavit of **LEON ZWIER** sworn on 21 November 2024.



**SYMPHONY
S E R V I C E S
A U S T R A L I A**

240

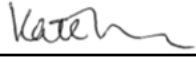
SYMPHONY SERVICES AUSTRALIA - TOUR AGREEMENT

The Schedule below and the accompanying General Terms and Conditions (together the **Agreement**) set out the terms and conditions agreed between Symphony Services Australia Limited (ABN 69 121 149 755) (**Symphony Services**) and the Artist in relation to the concert tour of Australia by the Artist as detailed in this Agreement ("**Tour**").

SCHEDULE

Schedule		
Artist	Jayson Gillham, piano ABN 90 038 443 682	
Agent	Elaine Armstrong Emblem Artists Ltd [REDACTED]	
	Agent (if any) is the Artist's authorised signatory	
Itinerary	The itinerary in Annexure 1.	
Tour Period	The period(s) set out in the Itinerary commencing on the " Arrival Date " and ending on the " Tour End Date " of the Tour Period: Tour Period 1 Arrival Date 9 August 2024 Tour End Date 15 August 2024	
Performances	Date	Venue
	11 August (Recital) 15 August	Iwaki Auditorium, Melbourne Melbourne Town Hall
Repertoire	The repertoire of works to be performed, set out in Annexure 1.	
Fee	Fee for Recital Performance: AUD 4,000 Fee per Performance: AUD 5,500	
Guaranteed Minimum Payment	AUD 10,875 [the sum equal equivalent to the Fee payable if each scheduled Performance is performed and the agreed cancellation fee outlined in the special conditions]	
Air Travel	One (1) Business-class international airfare for the Contracted Route of London/Melbourne/London with pro-rata shares with AUD 800 contributions from Geelong Piano Series, Canberra Symphony Orchestra and the Australian National Piano Awards.	
	Maximum Airfare Reimbursement for all international and domestic sectors not applicable as flights have been purchased by Symphony Services.	
Contracted Route	Inbound from: London	
	Outbound to: London	
Special Conditions	1. Symphony Services will also pay the Artist AUD 1,375 as a cancellation fee due to the cancelled run-out performances that originally had been planned.	

AGREED



Kate Liddbetter
Chief Executive Officer
Symphony Services Australia Limited

27/05/24
Dated: _____



Dilek Henderson (May 27, 2024 11:18 GMT+10)

Dilek Henderson
Finance Manager
Symphony Services Australia Limited

27/05/24
Dated: _____



Elaine Armstrong (Jun 11, 2024 08:30 GMT+10)

Artist or Authorised Signatory for the Artist

11/06/24
Dated: _____

SYMPHONY SERVICES AUSTRALIA • TOUR AGREEMENT

GENERAL TERMS & CONDITIONS

These General Terms and Conditions, with the accompanying Schedule form the agreement between Symphony Services and the Artist about the Tour (the **Agreement**).

1. Definitions and Interpretation

1.1 In this Agreement:

- (a) Terms set out in the first column of the Schedule have the meaning given to them in the second column of the Schedule. Terms set out in the second column of the Schedule have the meaning given to them in that column, or in the Itinerary as applicable.
- (b) **Force Majeure Event** means any event or circumstance, including any act of God, war and other hostilities, fire, flood, storms, accidents, strikes, lock-outs, delays in transport, breakdowns in machinery, epidemics, pandemics, quarantine restrictions, outbreak of disease or any travel restrictions or bans (including bans on non-essential travel) issued by the World Health Organisation or any Australian governmental agency; or restrictions or prohibitions or any other acts by any government or semi-government authority, that despite a party's reasonable efforts and without its fault or negligence, it is unable to control and which prevent a party from complying with its relevant obligations under this Agreement.
- (c) **Member Orchestra** means Sydney Symphony Orchestra Holdings Pty Ltd, Melbourne Symphony Orchestra Pty Ltd, Adelaide Symphony Orchestra Pty Ltd, West Australian Symphony Orchestra Pty Ltd, Tasmanian Symphony Orchestra Pty Ltd and Queensland Symphony Orchestra Pty Ltd as applicable.
- (d) **Services** means the performance of the Artist's obligations under this Agreement.
- (e) **Studio Performance** means a recorded or filmed performance given without the physical presence of a paying ticketed audience.
- (f) **Term** means the period starting on the date this Agreement has been signed by or on behalf of both parties and continuing until the end of the last day of the Tour Period
- (g) Terms defined the *Copyright Act 1968* (Cth) have the same meaning in this Agreement. Any reference to money is to Australian currency unless the context expressly requires otherwise. Words importing the singular include the plural and vice versa (unless the context requires otherwise).

2. Artist's obligations

2.1 The Artist must:

- (a) perform the Repertoire at all Performances in the Itinerary during the Tour and perform all the Artist's obligations under this Agreement with all due care and skill
- (b) be solely responsible for providing and maintaining in good and playable condition throughout the Tour all instruments necessary for the Artist's individual performances required under this Agreement;
- (c) comply with all the reasonable directions of Symphony Services and each relevant Member Orchestra in relation to the Services;
- (d) comply with the policies and procedures of the relevant Member Orchestras and venues, of which the Artist is notified;
- (e) not at any time be subject to or bound by any agreement precluding the Artist from providing all the Services;
- (f) be solely responsible for the Artist's living expenses in Australia;
- (g) be ready, willing, and able to provide the Services, and avoid any circumstance within the Artist's control which may render then unable to fully perform the Services;
- (h) maintain appropriate and current medical cover and insurance coverage for personal injury at work in connection with the Services, and provide evidence on request of that coverage and its currency;
- (i) not by any act or omission bring, or threaten to bring, any discredit on or cause any nuisance or disruption to, Symphony Services, its Member Orchestras, their audiences or other entities or broadcasters which directly or indirectly participate in the Tour;
- (j) never make any derogatory statement regarding Symphony Services, its personnel or its business, or its Member Orchestras;
- (k) abide by any State or Federal Government directives, policies, advice, and laws in relation to the Services, or in relation to any other major event resulting in changed local circumstances;

- (l) take all reasonable precautions, consistent with performing this Agreement, to maintain the Artist's health and to avoid contracting any infection;
- (m) not give any performance, other than the Performances and any Master Class, without the prior written permission of Symphony Services; and
- (n) once in Australia, prepare for, attend and perform all rehearsals set out in the Itinerary, to a first-class professional standard.

2.2 For the purpose of preparing for the Tour, before departure for Australia for the Tour, the Artist must:

- (a) obtain at the Artist's expense the Artist's own performance material for each of the works in the Repertoire, except for those works for which Symphony Services agrees to provide performance material to the Artist;
- (b) learn, prepare and rehearse each of the works in the Repertoire to a first-class professional standard;
- (c) obtain at the Artist's expense the services of such suitably qualified persons to assist the Artist in preparing for the Tour as may be necessary to ensure that the Artist is capable of performing each of the works to a first-class professional standard; and
- (d) fulfil the necessary requirements of the Australian Department of Immigration and Border Protection in order to obtain the relevant working visa valid at least from the Arrival Date until the Tour Completion Date.

3. Repertoire

The Artist will not unreasonably withhold or delay consent to a Repertoire change proposed by any Member Orchestra and communicated to the Artist by Symphony Services.

4. Itinerary

- 4.1 All appearances will be in accordance with the Itinerary, or the final Itinerary where the Itinerary is indicated in the Schedule as only preliminary and where Symphony Services provides a final Itinerary to the Artist not later than 14 days prior to the Arrival Date.
- 4.2 Symphony Services may vary the Itinerary or final Itinerary in consultation with the Artist, but no Performance can be scheduled to occur after the original Tour Completion Date without the Artist's consent (and following such consent, the Tour Completion Date will be modified accordingly).
- 4.3 Without limiting clause 4.2, at any time at least 120 days before the Arrival Date, Symphony Services can nominate new Performance dates falling within the period of 24 months from the Arrival Date. If the Artist does not accept those nominated Performance dates with 14 days of notice from Symphony Services of its nomination, Symphony Services can terminate this Agreement, and no part of the Fee will be payable.

5. Presentation, Nature of Performances, and Use of Artist

- 5.1 Performances will be produced and presented, including but not limited to staging, venue management, and the printing and distribution of concert programs, as determined by Member Orchestras.
- 5.2 If a Member Orchestra requests a change to the mode of a Performance as set out in the Schedule, the Artist will not unreasonably withhold or delay consent to that requested change if it is communicated to the Artist by Symphony Services.
- 5.3 Symphony Services may at its option in respect of any Performance either:
 - (a) **postpone** it to such later date as may be agreed; or
 - (b) **substitute** a Studio Performance on the same or later date within the Term,

and the Artist will be entitled to the full Fee for that option Performance, even if the Artist performs or plays only an agreed reduced selection from the Repertoire at that option Performance.

- 5.4 Symphony Services can determine in its absolute discretion whether to use the Services and Symphony Services will have fulfilled its entire obligations to the Artist under this Agreement by paying the Guaranteed Minimum Payment and any applicable Air Travel contribution. Symphony Services will have no liability to the Artist, including without limitation for loss of opportunity to perform, loss of reputation, cost of preparation, publicity or promotion or otherwise.

6. Exclusivity

- 6.1 Except with the written consent of Symphony Services the Artist must not provide any services, do any work, make any recording or give any musical or theatrical performances or other personal appearances or engagements in Australia for any third party during the calendar year that corresponds to the Performance(s) covered by this Agreement. This restriction also applies to engagements such as master classes or community functions.

7. Travel

- 7.1 The Contracted Route for travel to and from Australia is from the city Artist is inbound from, and to the city the Artist is outbound to, as set out in the Schedule. The Maximum Airfare Reimbursement is specified in the Schedule, but if flights are not purchased within 6 weeks of the Maximum Airfare Reimbursement being determined, Maximum Airfare Reimbursement can be reset by Symphony Services by notice to the Artist. Symphony Services will use good faith efforts to consult with the Artist prior to resetting the Maximum Airfare Reimbursement., or provision of airline tickets by Symphony Services, will be determined in accordance with the following table.

	Travel pertains solely to engagements for Symphony Services (i.e., Artist has no engagement(s) for other presenters in course of Contractual Route)	Travel does not pertain solely to engagements for Symphony Services
Artist Travels Per Contractual Route	<p>(i)</p> <p>(A) Symphony Services procures ticket. OR</p> <p>(B) If Artist so requests, Artist procures ticket, Symphony Services reimburses up to Maximum Airfare Reimbursement.</p>	<p>(ii)</p> <p>(A) Symphony Services procures ticket and deducts a pro rata proportion of cost from payments due to Artist OR</p> <p>(B) If Artist so requests, Artist procures ticket, Symphony Services reimburses a pro rata of the actual ticket costs up to the Maximum Airfare Reimbursement, based on the number of Symphony Services and other presenter engagements involved in the complete Tour.</p>
<p>Artist deviates from Contractual Route</p> <p>(e.g., travel changes after this Agreement is signed, because Artist prefers a different route, or a new non-Symphony Services engagement causes a route change)</p>	<p>(iii) Actual ticket cost is less than the cost per the Contractual Route</p> <p>(A) Symphony Services procures ticket. OR</p> <p>(B) If Artist so requests, Artist procures ticket, Symphony Services reimburses up to Maximum Airfare Reimbursement.</p> <p>(iv) Actual ticket cost is more than cost per Contractual Route</p> <p>(A) Symphony Services procures ticket and withholds additional cost (actual ticket cost minus Maximum Airfare Reimbursement) from payments due to Artist. OR</p> <p>(B) If Artist so requests, Artist procures ticket, Symphony Services reimburses up to Maximum Airfare Reimbursement.</p>	<p>(v) Symphony Services will not procure ticket</p> <p>Artist must procure ticket, and Symphony Services reimburses the Artist with Symphony Services' share of ticket costs, pro rata to Symphony Services engagements, up to the Maximum Airfare Reimbursement.</p>

- 7.2 Airline tickets procured by Symphony Services will remain its property for use as specified in this Agreement and cannot be exchanged or refunded without the prior written consent of Symphony Services.
- 7.3 If the Artist elects to purchase airline ticket(s) pursuant to this Agreement the Artist must notify Symphony Services in writing at least two months prior to the Arrival Date, and the Artist must purchase ticket(s) which include all international and domestic sectors for the Itinerary.
- 7.4 Pro rata ticket shares will be determined by Symphony Services, based on the number and type of engagements for this Agreement in comparison to the number and type of any engagements for third parties.
- 7.5 The Artist must notify Symphony Services in writing of any deviation from the Contracted Route, and the full details of the dates, number and location of any engagements with other parties the Artist proposes to undertake in the course of the proposed revised travel arrangements.
- 7.6 Reimbursement, where applicable, will be for the cost actually incurred by the procurer of the ticket (up to the Maximum Airfare Reimbursement), and will require a copy of the ticket, itinerary, and evidence of payment. If the Artist is reimbursed before the Artist arrives in Australia, the Artist must re-imburse Symphony Services in full unless the Artist completes the Services.

- 7.7 If Symphony Services procures the international airline ticket(s) Symphony Services will also be responsible for the domestic airfares referred to in the Schedule or such other transportation within Australia as may be reasonably determined by Symphony Services, in consultation with the Artist, which the Artist must then use when travelling within Australia for the purposes of this Agreement.
- 7.8 The Artist will pay any excess baggage charges levied by the carrier, unless agreed otherwise in writing by Symphony Services.
- 7.9 Symphony Services will provide the Artist with ground transportation between the airport and their accommodation on arrival and departure provided such transfers occur within 48 hours of the Tour Period, unless otherwise agreed.
- 7.10 Symphony Services may make use of flights provided under Member Orchestras' sponsorship arrangements.

8. Publicity and Promotion

- 8.1 Symphony Services will consult with the Artist about publicity and promotion activities related to the Performances. The Artist must undertake such activities, before and during the Tour Period, as reasonably required by Symphony Services. The Artist will not undertake any other promotional activities during the Tour (for example to promote the Artist's recordings, publications or other aspects of the Artist's career) without the prior written agreement of Symphony Services in each case.
- 8.2 Symphony Services can and may authorise its Member Orchestras and their commercial partners to reproduce and communicate at any time in any media, excerpts of no more than 10 minutes duration of any audio or visual recording of the Artist's Performances made during the Tour Period for educational purposes, or the purpose of publicising and promoting the activities of Symphony Services and any Member Orchestra.

9. Tour Fees and Guaranteed Minimum Payment

- 9.1 Symphony Services will pay the Artist the Fee per Performance performed, and the Fee per Master Class (if any) given by the Artist during the Tour Period. The Tour Fee is the aggregate of such fees.
- 9.2 The Artist is entitled to a further Fee per Performance for each extra agreed Performance added to the Tour under this Agreement.
- 9.3 The Tour Fees are the aggregate of all fees payable under clause 9.1 and 9.2 above.

10. Payment of Fees

- 10.1 Tour Fees are payable if the Artist is not in breach of this Agreement. Tour Fees are inclusive of any superannuation contribution Symphony Services is required by law to make.
- 10.2 Tour Fees are payable as follows:
- (a) the total Tour Fee (less applicable withholding tax and superannuation deductions required by Australian law) will be paid within ten (10) business days of the conclusion of the Tour Period provided an Australian Business Number (ABN) is quoted or has been granted by the Australian Taxation Office. Payment can be released prior to the ABN being obtained at the Artist's request, however, withholding tax will be deducted.
 - (b) the superannuation component of each amount will be paid by Symphony Services into the default superannuation fund (currently Australian Super), or another complying Australian superannuation fund nominated by the Artist.
 - (c) in addition to taxation deductions, Symphony Services may also deduct by way of set-off from Tour Fees any expense incurred by the Artist and billed to Symphony Services which are not part of Symphony Services' required contribution under this Agreement.
 - (d) Symphony Services can deduct anticipated bank transfer fees from the Tour Fees payment.
 - (e) Payment will be made by electronic funds transfer to the bank account nominated by the Artist or Agent.
- 10.3 Symphony Services can set off against Tour Fees any amount owed to Symphony Services by the Artist.

11. Responsibility for Payment of Tax

- 11.1 Symphony Services makes no representation as to liability in any country for, and the Artist indemnifies Symphony Services from, payment of taxes on Tour Fees or any other amount payable to the Artist under this Agreement. The Artist is solely responsible for the payment of any such taxes.
- 11.2 The Artist must lodge an Australian tax return under Australian taxation law.

12. Goods and Services Tax

- 12.1 Expressions used in this Clause 11 have the same meaning given to those expressions in *A New Tax System (Goods and Services Tax) Act 1999 Cth* "the GST Law".
- 12.2 Unless otherwise expressly stated, all prices or other sums payable or consideration to be provided under this Agreement are exclusive of GST.

- 12.3 Subject to Sub-clause 12.4, if GST is imposed on any Taxable Supply made under or in connection with this Agreement (a "GST Amount"), the recipient must pay to the supplier the GST Amount in addition to and (unless otherwise agreed) at the same time as payment for the Taxable Supply is required to be made under this Agreement.
- 12.4 Unless otherwise agreed, the recipient of a Taxable Supply will have no obligation to make any payment in respect of that Taxable Supply until the supplier has provided the recipient with a valid Tax Invoice for that Taxable Supply.

13. Artist not an Employee

- 13.1 The Artist is an independent contractor, and not an employee of Symphony Services or of any Member Orchestra.

14. Recording and Broadcast Rights

- 14.1 Symphony Services or its Member Orchestras may make or cause to be made audio or audio-visual recordings of any Performance (each a **Recording**), and:
- (a) Communicate live, or arrange for live communication of any Performance (or make or arrange a delayed communication of a Recording of any Performance) on non-commercial television, non-commercial radio or any non-commercial online streaming platform;
 - (b) arrange up to three broadcasts of a Performance, live or delayed on non-commercial television;
 - (c) communicate or arrange for communication of any Recording of any Performance via non-retainable streaming technology only, on any free online service operated by the ABC or by the performing Member Orchestra or by the orchestra's partners for a period of 12 months after the Performance;
 - (d) edit, remix, and combine any recordings made under this Agreement as deemed necessary by Symphony Services; and
 - (e) Make and keep digital reproductions of each Performance on any online storage location for archival purposes.
- 14.2 In consideration of the terms of this Agreement, the Artist assigns to Symphony Services, or its nominee all right title and interest (including copyright) in each Recording, including as a present assignment of future copyright.
- 14.3 No Recording can be commercially released for sale without the Artist's prior consent. For the avoidance of doubt, Recordings may be retained indefinitely by Symphony Services or its nominees for archival purposes.
- 14.4 Symphony Services will use best endeavours to credit the Artist's performance of the Recordings, in a reasonably prominent manner, where practicable and customary.
- 14.5 Except as provided by Clause 8.2 and in the Schedule, the acquisition by Symphony Services or any other party of further broadcast rights in any Performance will be subject to negotiation (and the Artist shall not unreasonably withhold the Artist's consent to any such acquisition).

15. Failure to arrive

- 15.1 It is an essential term of this Agreement that the Artist will arrive in Australia no later than the Arrival Date of each Tour Period. If this does not occur Symphony Services may immediately terminate this Agreement without any further payment to the Artist except in instances where:
- (a) the Artist's later arrival is due to circumstances beyond the control of the Artist, and the Artist demonstrates that to the reasonable satisfaction of Symphony Services; or
 - (b) Symphony Services has given its prior written consent to the Artist's later arrival.

16. Non-Performance

- 16.1 If the Artist is unable to undertake or to complete any Performance whether through illness or any other cause outside the Artist's control, Symphony Services may at its option and in respect of such Performance:
- (a) **postpone** or **substitute** under clause 5.3; or
 - (b) **cancel** the Artist's participation in that Performance entirely (and no fee will be payable in relation to that Performance); or
 - (c) **terminate** this Agreement, with payment of fees only in respect of such Performances and/or Master Classes (if any) that have been carried out by the Artist (and where only partially carried out, with payment on a pro-rata basis), if the Artist's inability to perform or illness necessitates the cancellation of two or more Performances.
- 16.2 If the Artist is unwilling, refuses, neglects or fails for any cause within the Artist's control to undertake or complete any Performance, Symphony Services may at its option:

- (a) **cancel** the Artist's participation in that Performance entirely and no fee will be payable in relation to that Performance;
- (b) **withhold** any moneys due to the Artist where default by the Artist has resulted in cost to Symphony Services or any orchestra with whom the Artist is to perform;
- (c) **deduct** from any moneys due to the Artist such proportion of the airfare or Maximum Airfare Reimbursement as Symphony Services in its absolute discretion determines is proportionate to the agreed Performances not undertaken or completed by the Artist; or
- (d) **terminate** this agreement, if the Artist's refusal or failure to perform necessitates the cancellation of two or more Performances, with payment of fees only in respect of such Performances that have been carried out by the Artist (and where only partially carried out, with payment on a pro-rata basis)

16.3 If the Fee in relation to a Performance has been reduced in whole or part pursuant to sub-clause 16.1 or 16.2 above, the Guaranteed Minimum Payment will be reduced by the same amount.

17. Termination

17.1 **For Uncured Breach:** Symphony Services may immediately terminate this Agreement if the Artist is in material default or breach of any of the Terms of this Agreement and does not remedy the default or breach within 5 days of written notice specifying the nature of the default or breach.

17.2 **For Misconduct or Inability:** Without limiting Symphony Services' rights, Symphony Services may immediately terminate this Agreement at any time without notice if the Artist:

- (a) disobeys a reasonable lawful direction of Symphony Services; or
- (b) is guilty of serious misconduct in the provision of the Services;
- (c) cannot perform any of its obligations under this Agreement due to a Force Majeure event.

17.3 **For Convenience:** Symphony Services may terminate this Agreement at any time by giving the Artist prior written notice of termination. On termination under this clause, the Artist's entitlement to the Fee is as follows:

- (a) If Symphony Services terminates this Agreement more than 90 days before the Arrival Date, Symphony Services will pay the Artist 25% of the Fee;
- (b) If Symphony Services terminates this Agreement between 90 and 28 days before Arrival Date, Symphony Services will pay the Artist 50% of the Fee;
- (c) If Symphony Services terminates this Agreement less than 28 days before Arrival Date, Symphony Services will pay the Artist 100% of the Fee.

18. Illness

18.1 In the case of illness, Symphony Services or any Member Orchestra may require the production of a verifying medical certificate to be furnished by a doctor nominated by Symphony Services or the Member Orchestra.

19. Announcement of Tour

19.1 Only Symphony Services can make the first public announcement of the Tour.

20. Release by Artist

20.1 To the full extent allowed by law the Artist releases and indemnifies Symphony Services and each Member Orchestra:

- (a) for any loss, claims, injury or damages (including any legal costs properly incurred) which results either directly or indirectly from any breach by the Artist of the obligations in this Agreement;
- (b) from all liability for any medical, hospital or like expenses incurred by the Artist during, and from all liability for loss or damage to the Artist's personal property incurred during, the Term (including the period of travel to and from Australia); it being intended that all such expenses, liability, losses and damage will be solely the Artist's responsibility.

21. Confidentiality

21.1 Subject to Clause 21.2, the Artist must maintain in confidence all Confidential Information and ensure that the Confidential Information is kept confidential except where Symphony Services has given prior written consent for the disclosure.

21.2 The Artist may disclose Confidential Information that:

- (a) The Artist is required by law to disclose, in which case it must immediately notify Symphony Services of the requirement and must take lawful steps, and permit Symphony Services, to oppose or restrict the disclosure to preserve, as far as possible, the confidentiality of the Confidential Information; or
- (b) is in, or enters the public domain for reasons other than a breach of this Agreement by the Artist.

21.3 “**Confidential Information**” means all information about Symphony Services’ business or financial affairs including (but not limited to) customers, employees, trade secrets, discoveries, inventions, and specialised knowledge or practices, including the details of this Agreement.

22. Entire Agreement

22.1 This Agreement contains the entire agreement of the Parties (and supersedes all prior agreements, if any) in relation to its subject matter. There are no conditions, warranties, promises or obligations written or oral, express or implied, in relation to that subject matter other than those expressly stated in this Agreement or necessarily implied by law. This Agreement can only be modified by written instrument signed by both Parties except pursuant to specific provisions of this Agreement.

23. Agreement Conditional upon Immigration Approval

23.1 It is a condition precedent of this Agreement that the Tour is approved by the Australian Department of Home Affairs. If for any reason that approval is not provided this Agreement will terminate when Symphony Services notifies the Artist and neither party will have any obligation to the other as a consequence of the termination.

24. Force Majeure

- 24.1 Subject to clause 24.4, neither party will be liable, or in default of this Agreement, for any failure or delay performing any obligation under this Agreement due to a Force Majeure Event, provided that the parties use their best endeavours to work together and take appropriate steps to mitigate their losses. This may include agreeing to modify the scope of the Performance, re-schedule any Performance dates, or amend the Itinerary in the Performance Schedule to the extent that it does not unreasonably disadvantage a party to do so.
- 24.2 If only some and not all the Performances are cancelled due to a Force Majeure Event, the “Tour Fees” will be deemed a pro-rated amount of the original Tour Fee based on the ratio Performances so cancelled bears to the Performances in the original Itinerary.
- 24.3 If, within 7 days of notice under clause 24.4, the parties are unable to mutually agree to an alternate means to conduct a Performance that has been impacted by a Force Majeure Event, then that Performance can be cancelled at the election of Symphony Services, and the parties shall have no further liability to each other under this Agreement in relation to that Performance.
- 24.4 A party cannot rely on clauses 24.1, 24.2 or 24.3 of this Agreement unless it has notified the other party in writing as soon as it is apparent that the Performance, or any other obligation under this Agreement, will be affected by the Force Majeure Event. Such notice shall give a full description of the Force Majeure Event and its effect (or likely effect) on the Performance or other obligations of the party seeking to rely on those sub- clauses.

25. Execution by Authorised Signatory

25.1 Where the Schedule refers to an Agent who is the Artist’s authorised signatory, that person represent and warrants, for themselves, that they are authorised to sign and bind the Artist to this Agreement, and they indemnify Symphony Services from any costs, liability or other damage Symphony Services directly incurs as result of that representation and warranty ever being false. The Agent will, on request, provide evidence satisfactory to Symphony Services, of their authority to bind the Artist and to otherwise act as the Artist’s agent in connection with the Services.

26. Applicable Law and Jurisdiction

26.1 This Agreement is subject to the laws of the State of New South Wales, Australia. Any dispute under this Agreement or its performance is subject to the exclusive jurisdiction of the courts of New South Wales.

27. Miscellaneous

- 27.1 No waiver by a Party of any breach of any of the provisions of this Agreement will be construed as a waiver of any preceding or succeeding breach of any provision of this Agreement.
- 27.2 If any provision of this Agreement is determined by any statute or court to be illegal, invalid, void or voidable, the remainder of this agreement will continue in full force and effect.
- 27.3 Nothing in this Agreement will be construed as constituting a partnership, joint venture, employment or agency relationship between the parties. Neither party has the right or authority to bind the other by any representation, declaration or admission, or to make any contract or commitment on the other’s behalf, or to pledge the other’s credit.

- 27.4 The Artist's rights and obligations under this Agreement are personal and cannot not be assigned or dealt with in any way without the prior written approval of Symphony Services.
- 27.5 Termination of this Agreement does not affect the rights the parties accrued under it, and Clauses 2.1(j), 8.2, 14, 20 and 21 survive termination of the Term.
- 27.6 Symphony Services can assign its rights and obligations under this Agreement, in whole or in part to one or more Member Orchestra.

- End -



**SYMPHONY
S E R V I C E S
A U S T R A L I A**

PRELIMINARY ITINERARY – 2024

(Annexure 1 to the Agreement)

Jayson Gillham, piano

Tour Period: 9 – 15 August

Sun 4 Aug

9:00am Depart London (Gatwick)/ Qatar QR 330

5:35pm Arrive Doha

8:15pm Depart Doha/ Qatar QR 904

Mon 5 Aug

4:45pm Arrive Melbourne

Tue 6 Aug

Wed 7 Aug

Thu 8 Aug

Fri 9 Aug CONTRACTUAL ARRIVAL DATE

Sat 10 Aug

**Sun 11 Aug MELBOURNE SYMPHONY ORCHESTRA
Jayson Gillham, piano**

11:00am **Recital Performance – Iwaki**

BEETHOVEN Waldstein Sonata

LIGETI Etudes Book 1

Interval

FAURE Nocturne No. 6

SYMPHONY SERVICES AUSTRALIA LIMITED

CHOPIN Etudes Op. 10

Mon 12 Aug

Tue 13 Aug**MELBOURNE SYMPHONY ORCHESTRA**
Jennifer Winley, conductor
Jayson Gillham, piano

10:00am – 12:30pm

Rehearsal – Iwaki
(Schools Open Rehearsal)

1:30pm – 4:00pm

Rehearsal - Iwaki

Wed 14 Aug

10:00am – 12:30pm

Rehearsal – Iwaki

1:30pm – 4:00pm

Rehearsal - Iwaki

Thu 15 Aug

10:30am – 1:00pm

General Rehearsal – Melbourne Town Hall

7:30pm

Performance – Melbourne Town HallFAURÉ Suite from *Masques et bergamasques*, Op. 112 (1919)

MOZART Piano Concerto No. 12 in A Major, K. 414 (1782)

Interval

BRAHMS Symphony No. 1 (1855)

BRAHMS ARR. PARLOW Hungarian Dance No. 15 in B-flat (1852)

END OF SYMPHONY SERVICES' ENGAGEMENT

Fri 16 Aug

Sat 17 Aug - Sat 12 Oct**Artist's own arrangements and other engagements**

Sun 13 Oct

4:05pm

Depart Melbourne/ Qatar QR 989

10:35pm

Arrive Doha

Mon 14 Oct

1:10am

Depart Doha/ Qatar QR 105

6:25am

Arrive London, Heathrow

NOTES:**Dress code (orchestra):** Tails and Long Black**Class of travel:** Business International/ Economy Domestic**Travelling companion/s:**

ORCHESTRAL CONTACTS:**MELBOURNE SYMPHONY ORCHESTRA****ABC Southbank Centre, 120-130 Southbank Blvd, Southbank, VIC, 3006**

Katharine Bartholomeusz-Plows – Head of Artistic Planning (Mobile: [REDACTED])

Andrew Groch – Artistic Administrator (Mobile: [REDACTED])

Stephen McAllan – Associate Producer & Artist Liaison (Telephone: [REDACTED])

Mobile: [REDACTED]

Grace Ip – Programming Coordinator (Mobile: [REDACTED])

* The *Acknowledgement of Country* above, is as per the details in the Artist Questionnaire emailed out by the Orchestra. The Artist is not involved in the performance of this but is included here as a courtesy.

Gillham contract for signing

Final Audit Report

2024-06-10

Created:	2024-05-24
By:	Tara Ende ([REDACTED])
Status:	Signed
Transaction ID:	CBJCHBCAABAATJTQEXDr3EgAN8DgQnKITUrmLxWH2qjf

"Gillham contract for signing" History

-  Document created by Tara Ende ([REDACTED])
2024-05-24 - 4:23:25 AM GMT
-  Document emailed to Kate Lidbetter ([REDACTED]) for signature
2024-05-24 - 4:23:29 AM GMT
-  Email viewed by Kate Lidbetter ([REDACTED])
2024-05-27 - 0:58:53 AM GMT
-  Document e-signed by Kate Lidbetter ([REDACTED])
Signature Date: 2024-05-27 - 1:00:01 AM GMT - Time Source: server
-  Document emailed to Dilek Henderson ([REDACTED]) for signature
2024-05-27 - 1:00:03 AM GMT
-  Email viewed by Dilek Henderson ([REDACTED])
2024-05-27 - 1:17:36 AM GMT
-  Document e-signed by Dilek Henderson ([REDACTED])
Signature Date: 2024-05-27 - 1:18:45 AM GMT - Time Source: server
-  Document emailed to Elaine Armstrong ([REDACTED]) for signature
2024-05-27 - 1:18:47 AM GMT
-  Email viewed by Elaine Armstrong ([REDACTED])
2024-05-30 - 0:15:14 AM GMT
-  New document URL requested by Elaine Armstrong ([REDACTED])
2024-06-10 - 10:29:35 PM GMT
-  Email viewed by Elaine Armstrong ([REDACTED])
2024-06-10 - 10:30:26 PM GMT



Document e-signed by Elaine Armstrong ([REDACTED])

Signature Date: 2024-06-10 - 10:30:48 PM GMT - Time Source: server



Agreement completed.

2024-06-10 - 10:30:48 PM GMT



Adobe Acrobat Sign