

1995—No. 752

ELECTRICITY (PACIFIC POWER) ACT 1950—REGULATION

(Electricity (Pacific Power) (Savings and Transitional—Former General Manager)
Regulation 1995)

NEW SOUTH WALES



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HIS Excellency the Governor, with the advice of the Executive Council, and in pursuance of the Electricity (Pacific Power) Act 1950, has been pleased to make the Regulation set forth hereunder.

Michael Egan, MLC
Minister for Energy.

Citation

1. This Regulation may be cited as the Electricity (Pacific Power) (Savings and Transitional-Former General Manager) Regulation 1995.

Commencement

2. This Regulation commences on 1 January 1996.

Definitions

3. In this Regulation:

“**former General Manager**” means the person who, immediately before 30 June 1995, held office as General Manager of the Electricity Commission, being the person who was subsequently appointed as Chief Executive for a term of office expiring on 31 December 1995;

“**the Act**” means the Electricity (Pacific Power) Act 1950.

Compensation payable to former General Manager

4. (1) If the former General Manager:

- (a) is re-appointed as Chief Executive, for a further term commencing on, or within 3 months after, 1 January 1996 and expiring before 26 March 1997; and

- (b) is not re-appointed as Chief Executive between the date on which his or her further term of office as Chief Executive expires and 26 March 1997,

the compensation (if any) to which he or she is entitled under section 42S of the Public Sector Management Act 1988 as a consequence of not having been re-appointed as Chief Executive is to be determined by the Statutory and Other Offices Remuneration Tribunal as if the office of General Manager had not been abolished and as if he or she had been removed from office as General Manager on the date on which his or her further term of office as Chief Executive expires.

(2) This clause applies to any second or subsequent re-appointment of the former General Manager as Chief Executive in the same way as it applies to the first such reappointment, and so applies as if the reference to 1 January 1996 in subclause (1) (a) were instead a reference to the date on which his or her most recent term of office as Chief Executive expired.

EXPLANATORY NOTE

The compensation payable to the former General Manager of the Electricity Commission as a consequence of the abolition of that office is subject to the provisions of clause 7 of Schedule 7 to the Electricity (Pacific Power) Act 1950. Those provisions regulate the manner in which Compensation is to be calculated in the event that the former General Manager is appointed (as he has been) as Chief Executive of Pacific Power.

The object of this Regulation is to regulate the manner in which compensation is to be calculated in the event that any subsequent re-appointment of the former General Manager as Chief Executive occurs before 26 March 1997, being the date on which his term of office as General Manager would have expired had the office of General Manager not been abolished.

This Regulation is made under the Electricity (Pacific Power) Act 1950, including section 87 (the general regulation making power) and clause 1 of Schedule 7.
