

[Act 2000 No 81]



New South Wales

Sydney 2000 Games Administration Bill 2000

Explanatory note

This explanatory note relates to this Bill as introduced into Parliament.*

Overview of Bill

The object of this Bill is to wind up certain Olympic agencies as a consequence of the completion of the Sydney Olympic Games and Paralympic Games. The agencies concerned are:

(a) Sydney Organising Committee for the Olympic Games (*SOCOG*)

The Bill provides that, on 1 January 2001, the members of the Board of Directors of SOCOG and the Chief Executive Officer of SOCOG cease to hold their offices and the functions of SOCOG will then be exercised by the Director-General of the Olympic Co-ordination Authority.

(b) Sydney Paralympic Organising Committee (*SPOC*)

The Bill provides that, on 1 January 2001, SPOC is dissolved and its assets,

* Amended in committee—see table at end of volume.

rights and liabilities are transferred to the Olympic Co-ordination Authority (*OCA*).

(c) Olympic Roads and Transport Authority (*ORTA*)

The Bill provides that, on a day to be appointed by the Governor by proclamation, ORTA is dissolved. On the proclaimed day, the members of the Board of Directors of ORTA and the Chief Executive Officer of ORTA cease to hold their offices and the assets, rights and liabilities of ORTA, except for those that relate to the planning of future major events, are transferred to OCA. Assets, rights and liabilities that relate to the planning of future major events are to be transferred to persons determined by the Minister for Transport. Arrangements for the transfer of ORTA staff to positions in the Public Service may be effected by order of the Governor made on the recommendation of the Minister for Transport. On the proclaimed day, the *Olympic Roads and Transport Authority Act 1998* is repealed.

Outline of provisions

Part 1 Preliminary

Clause 1 sets out the name (also called the short title) of the proposed Act.

Clause 2 provides for the commencement of the proposed Act.

Clause 3 defines certain words and expressions used in the proposed Act.

Part 2 Sydney Organising Committee for the Olympic Games

Clause 4 is a formal provision that gives effect to the amendments to the *Sydney Organising Committee for the Olympic Games Act 1993* set out in Schedule 1.

Clause 5 terminates the offices of Board members of SOCOG and of the Chief Executive Officer of SOCOG. The clause provides that a Board member is not entitled to remuneration or compensation because of the loss of office. The Chief Executive Officer is to continue to be remunerated under his existing contract for the remainder of its term and, during that term, is entitled to accept appointment or secondment to an office or position determined by the Minister. The clause also

creates an entitlement for a Board member to be indemnified by the State in respect of any civil liability incurred in his or her capacity as a Board member.

Clause 6 provides that a reference in any kind of document to the Board or the Chief Executive Officer of SOCOG is to be taken to be a reference to the Director-General of OCA.

Part 3 Sydney Paralympic Organising Committee

Clause 7 provides for the dissolution of SPOC.

Clause 8 provides for the transfer of contracted employees of SPOC to OCA.

Clause 9 transfers SPOC's assets, rights and liabilities to OCA.

Clause 10 provides that duty under the *Duties Act 1997* is not payable on a transfer effected by clause 9.

Clause 11 provides that a reference in any kind of document to SPOC is to be taken to be a reference to OCA.

Part 4 Olympic Roads and Transport Authority

Clause 12 provides for the dissolution of ORTA.

Clause 13 terminates the offices of Board members of ORTA and provides that a Board member is not entitled to remuneration or compensation because of the loss of office.

Clause 14 terminates the office of the Chief Executive Officer of ORTA and provides that the Chief Executive Officer is not entitled to remuneration or compensation because of the loss of office.

Clause 15 terminates orders made under section 23 of the *Olympic Roads and Transport Authority Act 1998*, being orders that declared areas to be transport areas for the purposes of that Act.

Clause 16 enables the Governor, by order made on the recommendation of the Minister for Transport, to transfer a member of ORTA's staff to a position in the Public Service.

Clause 17 transfers ORTA's assets, rights and liabilities, except for those that relate to the planning of future major events, to OCA.

Clause 18 provides that assets, rights and liabilities that, in accordance with a determination of the Director-General of OCA, relate to the planning of future major events are to be transferred to persons determined by the Minister for Transport.

Clause 19 provides that duty under the *Duties Act 1997* is not payable on a transfer effected by clause 17 or 18.

Clause 20 provides that a reference in any kind of document to ORTA, or to the Board or the Chief Executive Officer of ORTA, is to be taken to be a reference, in the case of a transfer under clause 17, to OCA and, in the case of a transfer under clause 18, to the relevant person determined by the Minister for Transport.

Clause 21 repeals the *Olympic Roads and Transport Authority Act 1998*.

Part 5 Miscellaneous

Clause 22 provides that the operation of a provision of the proposed Act is not to be regarded as a breach of contract or civil wrong, or as a default under an instrument, or as giving rise to any remedy by a party to an instrument.

Clause 23 is a formal provision that gives effect to the amendments to the *Public Sector Management Act 1988* and the *Competition Policy Reform (New South Wales) Regulation 1996* set out in Schedule 2.

Clause 24 enables the making of regulations, including regulations of a savings or transitional nature, for the purposes of the proposed Act.

Schedule 1 Amendment of Sydney Organising Committee for the Olympic Games Act 1993

Schedule 1 makes amendments to the *Sydney Organising Committee for the Olympic Games Act 1993* to abolish the offices of members of the Board of Directors and Chief Executive Officer and to enable the management and control of SOCOG's affairs by the Director-General of OCA.

Schedule 2 Amendment of Acts and instruments

Schedule 2.1 amends the *Public Sector Management Act 1988* to remove ORTA from the list of declared authorities for the purposes of that Act and to abolish the chief executive position of Chief Executive Officer of ORTA.

Schedule 2.2 amends the *Competition Policy Reform (New South Wales) Regulation 1996* consequentially on the abolition of SPOC.