

Act No. 3 of 1989

## ELECTRICITY COMMISSION (AMENDMENT) BILL 1988

NEW SOUTH WALES



### EXPLANATORY NOTE

**(This Explanatory Note relates to this Bill as introduced into Parliament)**

The object of this Bill is to amend the Electricity Commission Act 1950—

- (a) to reduce the number of members of the Electricity Commission from a maximum of 10 and a minimum of 8 commissioners to a maximum of 8 and a minimum of 6 commissioners; and
- (b) to omit the requirement that one of the part-time commissioners be an elected commissioner who is an employee of the Commission and a member of an industrial union representing employees of the Commission; and
- (c) to provide that the part-time commissioners must have appropriate managerial, commercial or other qualifications.

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**Clause 1** specifies the short title of the proposed Act.

**Clause 2** provides for the proposed Act to commence on a day or days to be appointed by proclamation.

**Clause 3** is a formal provision that gives effect to the Schedule of amendments.

**Clause 4** is a formal provision that gives effect to the Schedule of savings, transitional and other provisions.

### SCHEDULE 1—AMENDMENTS

#### **Reduction in number of commissioners**

Schedule 1 (1) amends section 5A (provisions relating to the membership and procedure of Commission) to reduce the number of members of the Commission.

The amended section 5A (1) will read as follows:

(1) The Commission shall consist of [*not less than 8 and not more than 10*] **not less than 6 and not more than 8** commissioners who shall be appointed by the Governor.

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(Matter to be omitted is shown in italics and matter to be inserted is shown in bold type)

Schedule 1 (3) (a) (proposed clause 2 (1) (b)) and (8) make consequential amendments.

**Omission of requirement for elected commissioner**

Schedule 1 (3) (a) substitutes clause 2 (1) of Schedule 6 (provisions relating to the membership of the Commission) so as to omit clause 2 (1) (c).

The provision to be substituted reads (in part) as follows:

2. (1) Of the commissioners—

.....

(c) *1 shall be a person elected in the manner prescribed by regulations made under clause 3 and shall, in and by the instrument by which he is appointed, be appointed as a part-time commissioner.*

Schedule 1 (2), (3) (b), (c) and (4)–(7) make consequential amendments.

**Required qualifications for part-time commissioners**

Schedule 1 (3) (a) inserts clause 2 (1A) into Schedule 6 to require part-time commissioners to have certain qualifications. The provision to be inserted reads:

**(1A) The persons nominated for appointment as commissioners must have such managerial, commercial or other qualifications as the Minister considers necessary to enable the Commission to carry out its functions.**

**SCHEDULE 2—SAVINGS, TRANSITIONAL AND OTHER PROVISIONS**

Schedule 2 ensures that the amendments will not affect the term of office of the present commissioner appointed as General Manager of the Commission or of a commissioner elected under the provision to be repealed.

The remaining commissioners will cease to hold office on the commencement of Schedule 1 (3) (a) but will be eligible (if otherwise qualified) to be re-appointed.

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