

Passed by both Houses



New South Wales

Institute of Sport Amendment Bill 2003

Contents

	Page
1 Name of Act	2
2 Commencement	2
3 Amendment of Institute of Sport Act 1995 No 52	2
Schedule 1 Amendments	3

I certify that this PUBLIC BILL, which originated in the LEGISLATIVE ASSEMBLY, has finally passed the LEGISLATIVE COUNCIL and the LEGISLATIVE ASSEMBLY of NEW SOUTH WALES.

*Clerk of the Legislative Assembly.
Legislative Assembly,
Sydney, , 2003*



New South Wales

Institute of Sport Amendment Bill 2003

Act No , 2003

An Act to amend the *Institute of Sport Act 1995* in relation to the staff of the New South Wales Institute of Sport and for other purposes.

I have examined this Bill, and find it to correspond in all respects with the Bill as finally passed by both Houses.

Chairman of Committees of the Legislative Assembly.

The Legislature of New South Wales enacts:

1 Name of Act

This Act is the *Institute of Sport Amendment Act 2003*.

2 Commencement

This Act commences on a day or days to be appointed by proclamation.

3 Amendment of Institute of Sport Act 1995 No 52

The *Institute of Sport Act 1995* is amended as set out in Schedule 1.

Schedule 1 Amendments

(Section 3)

[1] Section 3 Definitions

Omit the definition of *Director*.

[2] Section 17

Omit the section. Insert instead:

17 Chief executive officer

- (1) The Board may, in consultation with the Minister, appoint a chief executive officer of the Institute. Chapter 2 of the *Public Sector Employment and Management Act 2002* does not apply to or in respect of the chief executive officer.
- (2) The chief executive officer is a member of staff of the Institute.
- (3) The chief executive officer is responsible for the day-to-day management of the Institute subject to and in accordance with the policies and other decisions of the Board and subject to any direction of the Minister.
- (4) Any act, matter or thing done in the name of, or on behalf of, the Institute by the chief executive officer is taken to have been done by the Institute.

[3] Section 18

Omit the section. Insert instead:

18 Staff of Institute

- (1) The Institute may employ such staff as may be necessary to enable the Institute to exercise its functions. Chapter 2 of the *Public Sector Employment and Management Act 2002* does not apply to or in respect of any such staff.
- (2) The regulations may make provision for or with respect to the employment of the staff of the Institute, including the conditions of employment and the discipline of any such staff.

- (3) The Institute may arrange for the use of the services of any staff (by secondment or otherwise) or facilities of a Government agency. For the purposes of this Act, a person whose services are made use of under this section is a member of staff of the Institute.
- (4) The Institute may engage consultants for the purposes of getting expert advice.

[4] Section 19 Sporting Development Advisory Committee

Omit the section.

[5] Section 24 Payments from Fund

Omit "Director". Insert instead "chief executive officer".

[6] Section 27

Omit the section. Insert instead:

27 Personal liability of members of the Board and certain other persons

A matter or thing done or omitted to be done by:

- (a) the Institute, or
- (b) a member of staff of the Institute, or
- (c) the Board or a committee of the Board, or
- (d) a member of the Board, a member of a committee of the Board or any person acting under the direction of the Board or of a committee of the Board,

does not, if the matter or thing was done or omitted to be done in good faith for the purpose of executing this Act, subject the member or a person so acting personally to any action, liability, claim or demand.

[7] Section 29 Custody and use of seal

Omit “Director” wherever occurring.

Insert instead “chief executive officer”.