

Passed by both Houses



New South Wales

Revenue, Mining and Energy Legislation Amendment Bill 2023

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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,*

, 2023



New South Wales

Revenue, Mining and Energy Legislation Amendment Bill 2023

Act No _____, 2023

An Act to amend the *Duties Act 1997* to provide an exemption from duty on the transfer of dutiable property as a consequence of the withdrawal from an amalgamation of employer or employee organisations and to amend the *Coal Industry Act 2001*, the *Electricity Infrastructure Investment Act 2020*, the *Work Health and Safety (Mines and Petroleum Sites) Act 2013* and the *Work Health and Safety (Mines and Petroleum Sites) Regulation 2022* to update references to particular organisations.

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

Assistant Speaker of the Legislative Assembly.

The Legislature of New South Wales enacts—

1 Name of Act

This Act is the *Revenue, Mining and Energy Legislation Amendment Act 2023*.

2 Commencement

This Act commences as follows—

- (a) Schedule 1 commences, or is taken to have commenced, on 23 October 2023,
- (b) Schedules 2–5 commence on a day or days to be appointed by proclamation,
- (c) the remaining provisions of this Act commence on the date of assent to this Act.

Schedule 1 Amendment of Duties Act 1997 No 123

[1] Section 65 Exemptions from duty

Insert “, an order or certificate under Chapter 3 of the *Fair Work (Registered Organisations) Act 2009* of the Commonwealth or” after “in accordance with” in section 65(2).

[2] Section 65(2)

Omit “as a consequence of the amalgamation of two or more such associations, unions or bodies”.

Insert instead “or its trustee, as a consequence of the amalgamation of two or more such associations, unions or bodies, or the subsequent withdrawal of an association, union or body from such an amalgamation.”.

Schedule 2 Amendment of Coal Industry Act 2001 No 107

[1] Section 3 Definitions

Omit the definition of *CFMEU*.

[2] Section 3

Insert in alphabetical order—

MEU means the Mining and Energy Union registered under the *Fair Work (Registered Organisations) Act 2009* of the Commonwealth or any body succeeding or replacing that body.

[3] Section 9 Minister may approve of one or more companies

Omit section 9(3)(a)(i). Insert instead—

- (i) is wholly owned in equal shares by the MEU, or by a company wholly owned by the MEU, and the Minerals Council, or a wholly-owned subsidiary of the Minerals Council, or

[4] Schedule 5 Provisions to be included in constitution of approved company

Omit “CFMEU” wherever occurring in Schedule 5, clauses 5(3)(a) and (c), 5(5), 7(1)(a) and 8(1).

Insert instead “MEU”.

Schedule 3 Amendment of Electricity Infrastructure Investment Act 2020 No 44

Section 7 NSW renewable energy sector board

Omit “Construction, Forestry, Maritime, Mining and Energy Union (Mining and Energy Division)” from section 7(2)(a)(vi).

Insert instead “Mining and Energy Union,”.

Schedule 4 Amendment of Work Health and Safety (Mines and Petroleum Sites) Act 2013 No 54

[1] Section 28 Appointment of industry safety and health representatives

Omit “Construction, Forestry, Maritime, Mining and Energy Union (Mining and Energy Division)” from section 28(2)(b).

Insert instead “Mining and Energy Union”.

[2] Section 69 Service of documents

Omit “Construction, Forestry, Maritime, Mining and Energy Union (Mining and Energy Division)” from section 69(2)(c).

Insert instead “Mining and Energy Union”.

Schedule 5 Amendment of Work Health and Safety (Mines and Petroleum Sites) Regulation 2022

[1] Section 164 Membership of Council

Omit “Construction, Forestry, Maritime, Mining and Energy Union (Mining and Energy Division)” from section 164(1)(b)(i).

Insert instead “Mining and Energy Union”.

[2] Section 168 Membership of Board—the WHS (MPS) Act, s 65

Omit “Construction, Forestry, Maritime, Mining and Energy Union (Mining and Energy Division)” from section 168(2)(a).

Insert instead “Mining and Energy Union”.