



*Government Owned Corporations Act 1993*

# **Government Owned Corporations Regulation 2004**

**Reprinted as in force on 22 May 2009**

**Reprint No. 4A**

**This reprint is prepared by  
the Office of the Queensland Parliamentary Counsel  
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# Information about this reprint

This regulation is reprinted as at 22 May 2009. The reprint shows the law as amended by all amendments that commenced on or before that day (Reprints Act 1992 s 5(c)).

The reprint includes a reference to the law by which each amendment was made—see list of legislation and list of annotations in endnotes. Also see list of legislation for any uncommenced amendments.

This page is specific to this reprint. See previous reprints for information about earlier changes made under the Reprints Act 1992. A table of reprints is included in the endnotes.

**Also see endnotes for information about—**

- **when provisions commenced**
- **editorial changes made in earlier reprints.**

## Spelling

The spelling of certain words or phrases may be inconsistent in this reprint or with other reprints because of changes made in various editions of the Macquarie Dictionary (for example, in the dictionary, ‘lodgement’ has replaced ‘lodgment’). Variations of spelling will be updated in the next authorised reprint.

## Dates shown on reprints

**Reprints dated at last amendment** All reprints produced on or after 1 July 2002, authorised (that is, hard copy) and unauthorised (that is, electronic), are dated as at the last date of amendment. Previously reprints were dated as at the date of publication. If an authorised reprint is dated earlier than an unauthorised version published before 1 July 2002, it means the legislation was not further amended and the reprint date is the commencement of the last amendment.

If the date of an authorised reprint is the same as the date shown for an unauthorised version previously published, it merely means that the unauthorised version was published before the authorised version. Also, any revised edition of the previously published unauthorised version will have the same date as that version.

**Replacement reprint date** If the date of an authorised reprint is the same as the date shown on another authorised reprint it means that one is the replacement of the other.



Queensland

# Government Owned Corporations Regulation 2004

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# Government Owned Corporations Regulation 2004

[as amended by all amendments that commenced on or before 22 May 2009]

## Part 1 Preliminary

### 1 Short title

This regulation may be cited as the *Government Owned Corporations Regulation 2004*.

### 2 References to entities

- (1) In this regulation, a reference to a government entity is a reference to—
  - (a) the entity when it is nominated to be a candidate GOC or declared to be a subsidiary of a candidate GOC; or
  - (b) if the entity changes during the process of corporatisation of itself or another entity—the entity as it changes from time to time.
- (2) However, subsection (1) does not apply to a reference to a government entity in section 6 or part 4.

### 3 Responsible Ministers may decide limits of entities

To remove doubt during the process of corporatisation of government entities, the responsible Ministers may decide whether a specified part of a government entity is, or is not, taken to be included in—

- (a) an entity nominated to be a candidate GOC; or
- (b) an entity declared to be a subsidiary of a candidate GOC.

[s 4]

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## **Part 2                      Candidate GOCs**

### **4            Nomination as candidate GOC**

Each government entity mentioned in schedule 1 is nominated to be a candidate GOC.

## **Part 3                      GOCs**

### **5            Declaration of GOCs**

Each government entity mentioned in schedule 2 is a GOC.

### **6            Government entity declared a subsidiary—Act, s 3**

For section 3 of the Act, definition *subsidiary*, paragraph (a), SPARQ Solutions Pty Ltd ACN 110 073 400 is declared to be a subsidiary of—

- (a) Energex Limited ACN 078 849 055; and
- (b) Ergon Energy Corporation Limited ACN 087 646 062.

## **Part 4                      Government entity**

### **7            Government entity prescribed—Act, s 5**

For section 5(e) of the Act, SPARQ Solutions Pty Ltd ACN 110 073 400 is prescribed.

## **Schedule 1      Candidate GOCs**

section 4

North Queensland Bulk Ports Corporation Limited ACN 136  
880 218

WorkCover Queensland

## **Schedule 2      GOCs**

section 5

Cairns Ports Limited ACN 131 836 014  
C S Energy Limited ACN 078 848 745  
Energex Limited ACN 078 849 055  
Ergon Energy Corporation Limited ACN 087 646 062  
Gladstone Ports Corporation Limited ACN 131 965 896  
Mackay Ports Limited ACN 131 965 707  
Port of Brisbane Corporation Limited ACN 124 048 522  
Port of Townsville Limited ACN 130 077 673  
Ports Corporation of Queensland Limited ACN 126 302 994  
QIC Limited  
QR Limited ACN 124 649 967  
Queensland Electricity Transmission Corporation Limited  
ACN 078 849 233  
Stanwell Corporation Limited ACN 078 848 674  
SunWater Limited ACN 131 034 985  
Tarong Energy Corporation Limited ACN 078 848 736



## Endnotes

### 1 Index to endnotes

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### 2 Date to which amendments incorporated

This is the reprint date mentioned in the Reprints Act 1992, section 5(c). Accordingly, this reprint includes all amendments that commenced operation on or before 22 May 2009. Future amendments of the Government Owned Corporations Regulation 2004 may be made in accordance with this reprint under the Reprints Act 1992, section 49.

### 3 Key

#### Key to abbreviations in list of legislation and annotations

Key	Explanation	Key	Explanation
AIA	= Acts Interpretation Act 1954	(prev)	= previously
amd	= amended	proc	= proclamation
amdt	= amendment	prov	= provision
ch	= chapter	pt	= part
def	= definition	pubd	= published
div	= division	R[X]	= Reprint No. [X]
exp	= expires/expired	RA	= Reprints Act 1992
gaz	= gazette	reloc	= relocated
hdg	= heading	renum	= renumbered
ins	= inserted	rep	= repealed
lap	= lapsed	(retro)	= retrospectively
notfd	= notified	rv	= revised edition
num	= numbered	s	= section
o in c	= order in council	sch	= schedule
om	= omitted	sdiv	= subdivision
orig	= original	SIA	= Statutory Instruments Act 1992
p	= page	SIR	= Statutory Instruments Regulation 2002
para	= paragraph	SL	= subordinate legislation
prec	= preceding	sub	= substituted
pres	= present	unnum	= unnumbered
prev	= previous		

## 4 Table of reprints

Reprints are issued for both future and past effective dates. For the most up-to-date table of reprints, see the reprint with the latest effective date.

If a reprint number includes a letter of the alphabet, the reprint was released in unauthorised, electronic form only.

Reprint No.	Amendments included	Effective	Notes
1	none	27 August 2004	
1A	2004 SL No. 202	1 October 2004	
1B	2004 SL No. 283	17 December 2004	
1C	2005 SL No. 33	18 March 2005	
1D	2005 SL No. 59	15 April 2005	
1E	2005 SL No. 124	24 June 2005	R1E withdrawn, see R2
2	—	24 June 2005	
2A	2006 SL No. 46	31 March 2006	
2B	2006 Act No. 42	13 October 2006	
2C	2006 SL No. 298	8 December 2006	
2D	2007 Act No. 22 2007 SL No. 168	29 June 2007	
2E	2007 SL No. 237	2 October 2007	
2F	2008 SL No. 56	14 March 2008	
2G	2008 SL No. 92	18 April 2008	R2G withdrawn, see R3
3	—	18 April 2008	
3A	2008 SL No. 320	30 September 2008	
4	2008 SL No. 320	1 October 2008	
4A	2009 SL No. 59	22 May 2009	

## 5 List of legislation

### **Government Owned Corporations Regulation 2004 SL No. 166**

made by the Governor in Council on 26 August 2004

notfd gaz 27 August 2004 pp 1330–2

commenced on date of notification

exp 1 September 2014 (see SIA s 54)

Note—The expiry date may have changed since this reprint was published. See the latest reprint of the SIR for any change.

amending legislation—

### **Government Owned Corporations Amendment Regulation (No. 2) 2004 SL No. 202**

notfd gaz 1 October 2004 pp 393–5

commenced on date of notification

### **Government Owned Corporations Amendment Regulation (No. 3) 2004 SL No. 283**

notfd gaz 17 December 2004 pp 1277–85

commenced on date of notification

**Government Owned Corporations Amendment Regulation (No. 1) 2005 SL No. 33**

notfd gaz 18 March 2005 pp 941–2  
commenced on date of notification

**Government Owned Corporations Amendment Regulation (No. 2) 2005 SL No. 59**

notfd gaz 15 April 2005 pp 1214–15  
commenced on date of notification

**Government Owned Corporations Amendment Regulation (No. 3) 2005 SL No. 124**

notfd gaz 24 June 2005 pp 639–45  
commenced on date of notification

**Government Owned Corporations Amendment Regulation (No. 1) 2006 SL No. 46**

notfd gaz 31 March 2006 pp 1282–5  
commenced on date of notification

**Energy Assets (Restructuring and Disposal) Act 2006 No. 42 s 1, pt 8 div 4**

date of assent 13 October 2006  
commenced on date of assent

**Government Owned Corporations Amendment Regulation (No. 2) 2006 SL No. 298**

notfd gaz 8 December 2006 pp 1739–40  
commenced on date of notification

**Lotteries Amendment Act 2007 No. 22 ss 1–2, 67 sch 2**

date of assent 28 May 2007  
ss 1–2 commenced on date of assent  
remaining provisions commenced 29 June 2007 (2007 SL No. 167)

**Government Owned Corporations Amendment Regulation (No. 1) 2007 SL No. 168**

notfd gaz 29 June 2007 pp 1157–65  
commenced on date of notification

**Government Owned Corporations (Bundaberg Port Authority Wind-up) Regulation  
2007 SL No. 237 ss 1–2, pt 6 sch 1**

notfd gaz 28 September 2007 pp 595–6  
ss 1–2 commenced on date of notification  
remaining provisions commenced 2 October 2007 (see s 2(2))

**Government Owned Corporations Amendment Regulation (No. 1) 2008 SL No. 56  
pts 1–2**

notfd gaz 14 March 2008 pp 1469–72  
commenced on date of notification

**Government Owned Corporations (QPTC Wind-Up) Regulation 2008 SL No. 92 pts  
1, 4**

notfd gaz 18 April 2008 pp 2085–8  
ss 1–2 commenced on date of notification  
remaining provisions commenced 18 April 2008 (see s 2)

**Government Owned Corporations Amendment Regulation (No. 2) 2008 SL No. 320**

notfd gaz 26 September 2008 pp 539–40  
ss 1–2 commenced on date of notification

Endnotes

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pt 2 commenced 30 September 2008 (see s 2(1))  
pt 3 commenced 1 October 2008 (see s 2(2))  
remaining provision commenced on date of notification

**Government Owned Corporations Amendment Regulation (No. 1) 2009 SL No. 59**

notfd gaz 22 May 2009 pp 331-3  
ss 1–2 commenced on date of notification  
remaining provisions commenced 22 May 2009 (see s 2)

## 6 List of annotations

### References to entities

s 2 prev s 2 def “QPTC” amd 2007 SL No. 237 s 13 sch 1  
om 2008 SL No. 92 s 7  
pres s 2 (prev s 3) amd 2006 SL No. 46 s 3; 2008 SL No. 320 s 5  
renum 2008 SL No. 320 s 6

### Responsible Ministers may decide limits of entities

s 3 (prev s 4) renum 2008 SL No. 320 s 6

### Nomination as candidate GOC

s 4 (prev s 5) renum 2008 SL No. 320 s 6

### PART 3—GOCs

pt hdg prev pt 3 hdg sub 2007 SL No. 168 s 3  
om 2008 SL No. 320 s 7  
pres pt 3 hdg (prev pt 4 hdg) sub 2008 SL No. 320 s 8

### Declaration of GOCs

s 5 (prev s 41) sub 2008 SL No. 320 s 9

### Division 1—Cairns Port Authority

div hdg prev div 1 hdg om 2007 SL No. 237 s 14  
pres div 1 hdg (prev div 2 hdg) renum 2007 SL No. 237 s 13 sch 1  
om 2008 SL No. 320 s 7

### Government entity declared a subsidiary—Act, s 3

s 6 orig s 6 om 2007 SL No. 237 s 14  
prev s 6 (prev s 9) renum 2007 SL No. 237 s 13 sch 1  
om 2008 SL No. 320 s 7  
pres s 6 (prev s 41A) ins 2006 SL No. 46 s 4  
renum 2008 SL No. 320 s 10

### PART 4—GOVERNMENT ENTITY

pt hdg (prev pt 4A hdg) ins 2006 SL No. 46 s 4  
renum 2008 SL No. 320 s 11

### Government entity prescribed—Act, s 5

s 7 orig s 7 om 2007 SL No. 237 s 14  
prev s 7 (prev s 10) renum 2007 SL No. 237 s 13 sch 1  
om 2008 SL No. 320 s 7

pres s 7 (prev s 41B) ins 2006 SL No. 46 s 4  
amd 2008 SL No. 320 s 12(1)  
renum 2008 SL No. 320 s 12(2)

**Share capital**

s 8 (prev s 8 om 2007 SL No. 237 s 14  
pres s 8 (prev s 11) renum 2007 SL No. 237 s 13 sch 1  
om 2008 SL No. 320 s 7

**Change of name to Cairns Ports**

s 8A ins 2008 SL No. 56 s 3  
om 2008 SL No. 320 s 7

**Division 2—Central Queensland Ports Authority**

div hdg (prev div 3 hdg) renum 2007 SL No. 237 s 13 sch 1  
om 2008 SL No. 320 s 7

**Central Queensland Ports Authority continued**

s 9 (prev s 12) renum 2007 SL No. 237 s 13 sch 1  
om 2008 SL No. 320 s 7

**Continuation as statutory GOC**

s 10 (prev s 13) renum 2007 SL No. 237 s 13 sch 1  
om 2008 SL No. 320 s 7

**Share capital**

s 11 (prev s 14) amd 2004 SL No. 202 s 3  
renum 2007 SL No. 237 s 13 sch 1  
om 2008 SL No. 320 s 7

**Change of name to Gladstone Ports Corporation**

s 11A ins 2008 SL No. 56 s 4  
om 2008 SL No. 320 s 7

**Division 3—Mackay Port Authority**

div hdg (prev div 4 hdg) renum 2007 SL No. 237 s 13 sch 1  
om 2008 SL No. 320 s 7

**Mackay Port Authority continued**

s 12 (prev s 15) renum 2007 SL No. 237 s 13 sch 1  
om 2008 SL No. 320 s 7

**Continuation as statutory GOC**

s 13 (prev s 16) renum 2007 SL No. 237 s 13 sch 1  
om 2008 SL No. 320 s 7

**Share capital**

s 14 (prev s 17) renum 2007 SL No. 237 s 13 sch 1  
om 2008 SL No. 320 s 7

**Change of name to Mackay Ports**

s 14A ins 2008 SL No. 56 s 5  
om 2008 SL No. 320 s 7

Endnotes

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**Division 4—Queensland Investment Corporation**

**div hdg** (prev div 7 hdg) renum 2007 SL No. 237 s 13 sch 1  
om 2008 SL No. 320 s 7

**Continuation as statutory GOC**

**s 15** (prev s 24) renum 2007 SL No. 237 s 13 sch 1  
om 2008 SL No. 320 s 7

**Share capital**

**s 16** (prev s 25) amd 2005 SL No. 33 s 3  
renum 2007 SL No. 237 s 13 sch 1  
om 2008 SL No. 320 s 7

**Change of name to QIC**

**prov hdg** amd 2007 SL No. 237 s 13 sch 1  
**s 17** prev s 17 (prev s 29) renum 2007 SL No. 237 s 13 sch 1  
om 2008 SL No. 92 s 8  
pres s 17 ins 2008 SL No. 320 s 4  
om 2008 SL No. 320 s 7

**Division 5—Queensland Power Trading Corporation**

**div hdg** prev div 5 hdg om 2007 SL No. 237 s 13 sch 1  
pres div 5 hdg (prev div 9 hdg) renum 2007 SL No. 237 s 13 sch 1  
om 2008 SL No. 92 s 8

**QPTC continued**

**s 18** prev s 18 om 2007 SL No. 237 s 13 sch 1  
pres s 18 (prev s 30) renum 2007 SL No. 237 s 13 sch 1  
om 2008 SL No. 92 s 8

**Continuation as statutory GOC**

**s 19** prev s 19 om 2007 SL No. 237 s 13 sch 1  
pres s 19 (prev s 31) renum 2007 SL No. 237 s 13 sch 1  
om 2008 SL No. 92 s 8

**Share capital**

**s 20** prev s 20 om 2007 SL No. 237 s 13 sch 1  
pres s 20 (prev s 32) renum 2007 SL No. 237 s 13 sch 1  
om 2008 SL No. 92 s 8

**Functions**

**s 21** prev s 21 om 2007 SL No. 237 s 13 sch 1  
pres s 21 (prev s 33) amd 2004 SL No. 283 s 3; 2005 SL No. 59 s 3; 2006 SL  
No. 298 s 3  
renum 2007 SL No. 237 s 13 sch 1  
om 2008 SL No. 92 s 8

**Division 6—SunWater**

**div hdg** prev div 6 hdg om 2007 SL No. 237 s 13 sch 1  
pres div 6 hdg (prev div 10 hdg) renum 2007 SL No. 237 s 13 sch 1  
om 2008 SL No. 320 s 7

**SunWater continued**

- s 22 prev s 22 om 2007 SL No. 237 s 13 sch 1  
pres s 22 (prev s 34) renum 2007 SL No. 237 s 13 sch 1  
om 2008 SL No. 320 s 7

**Continuation as statutory GOC**

- s 23 prev s 23 om 2007 SL No. 237 s 13 sch 1  
pres s 23 (prev s 35) renum 2007 SL No. 237 s 13 sch 1  
om 2008 SL No. 320 s 7

**Share capital**

- s 24 (prev s 36) renum 2007 SL No. 237 s 13 sch 1  
om 2008 SL No. 320 s 7

**Functions**

- s 25 (prev s 37) renum 2007 SL No. 237 s 13 sch 1  
om 2008 SL No. 320 s 7

**Division 7—Townsville Port Authority**

- div hdg (prev div 11 hdg) renum 2007 SL No. 237 s 13 sch 1  
om 2008 SL No. 320 s 7

**Townsville Port Authority continued**

- s 26 prev s 26 om 2007 SL No. 237 s 13 sch 1  
pres s 26 (prev s 38) renum 2007 SL No. 237 s 13 sch 1  
om 2008 SL No. 320 s 7

**Continuation as statutory GOC**

- s 27 prev s 27 om 2007 SL No. 237 s 13 sch 1  
pres s 27 (prev s 39) renum 2007 SL No. 237 s 13 sch 1  
om 2008 SL No. 320 s 7

**Share capital**

- s 28 prev s 28 amd 2005 SL No. 124 s 3  
om 2007 SL No. 237 s 13 sch 1  
pres s 28 (prev s 40) renum 2007 SL No. 237 s 13 sch 1  
om 2008 SL No. 320 s 7

**Division 8—Queensland Rail**

- div hdg om 2007 SL No. 237 s 13 sch 1

**Change of name to QR**

- s 28A ins 2007 SL No. 168 s 4  
om 2007 SL No. 237 s 13 sch 1

**Change of name to Port of Townsville**

- s 29 ins 2008 SL No. 56 s 6  
om 2008 SL No. 320 s 7

**PART 5—APPLICATION OF FINANCIAL ADMINISTRATION AND AUDIT  
ACT 1977 TO CERTAIN COMPANY GOC SUBSIDIARIES**

- pt 5 (s 42) om 2006 Act No. 42 s 74

**PART 6—APPLICATION OF CHAPTER 3 OF ACT TO CERTAIN COMPANY  
GOC SUBSIDIARIES**

**pt 6 (s 43)** om 2006 Act No. 42 s 74

**PART 7—REPEAL OF REGULATIONS**

**pt 7 (s 44)** om 2008 SL No. 320 s 13

**PART 8—CONSEQUENTIAL AMENDMENTS**

**pt 8 (ss 45–46)** om R1 (see RA ss 7(1)(k) and 40)

**SCHEDULE 1—CANDIDATE GOCs**

**sch hdg** amd 2008 SL No. 320 s 14

**sch 1** amd 2007 SL No. 168 s 5; 2009 SL No. 59 s 4

**SCHEDULE 2—GOCs**

**sch hdg** sub 2008 SL No. 320 s 15(1)

**sch 2** amd 2007 Act No. 22 s 67 sch 2; 2007 SL No. 237 s 13 sch 1; 2008 SL No. 320 s 15(2)

**SCHEDULE 3—COMPANY GOC SUBSIDIARIES FOR SECTION 128(1) OF  
THE ACT**

om 2006 Act No. 42 s 75

**SCHEDULE 4—COMPANY GOC SUBSIDIARIES FOR SECTION 177(1) OF  
THE ACT**

om 2006 Act No. 42 s 75