

South-East Queensland (Distribution and Retail Restructuring) and Natural Resources Provisions Bill 2009

Amendments agreed to during Consideration

1 Clause 1 (Short title)—

Page 10, line 5, after ‘*Queensland*’—
insert—
‘*Water*’.

2 Clause 4 (Achievement of purposes)—

Page 11, line 29, ‘infrastructure and functions’—
omit, insert—
‘the infrastructure and functions of’.

3 Clause 11 (Functions)—

Page 15, lines 2 and 3, from ‘that’ to ‘services’—
omit.

4 Clause 15 (Financial Accountability Act 2009)—

Page 16, lines 16 and 17, ‘or any other matter prescribed under a regulation’—
omit.

5 Clause 15 (Financial Accountability Act 2009)—

Page 16, line 25, after ‘governments’—
insert—
‘who are also participants in the distributor-retailer’.

6 Clause 15 (Financial Accountability Act 2009)—

Page 16, line 30, ‘it’—

omit, insert—

‘the distributor-retailer’.

7 Clause 21 (Planning and reporting requirements)—

Page 19, line 8, after ‘governments’—

insert—

‘who are also participants in the distributor-retailer’.

8 Clause 28 (General power to amend by agreement)—

Page 21, lines 17 to 19—

omit.

9 Clause 34 (Criteria for appointment)—

Page 24, line 27 to page 25, line 3—

omit, insert—

‘and ability to—

- (a) contribute to the carrying out of the board’s role under section 32; and
- (b) contribute to the strategic oversight of the distributor-retailer’s functions; and
- (c) bring an independent judgment to bear on the board’s decision-making.’.

10 Clause 49 (Reserve power to give directions in public interest)—

Page 31, lines 9 to 19—

omit, insert—

‘(2) However, the direction may be given only if—

- (a) it has been decided to be given by—
 - (i) all of the local governments; or
 - (ii) the type of majority of them (the *required majority*) required under the distributor-retailer's participation agreement; and
- (b) all of the local governments or the required majority—
 - (i) are satisfied the direction is necessary and in the public interest of the distributor-retailer's geographic area and the SEQ region; and
 - (ii) have asked the board to advise all of the local governments whether, in the board's opinion, complying with the direction is consistent with the performance of the distributor-retailer's functions.'.

11 Clause 54 (Power to make transfer scheme)—

Page 33, line 18, 'liabilities to'—

omit, insert—

'liabilities of'.

12 Clause 56 (Particular matters scheme may provide for)—

Page 36, after line 9—

insert—

'*trust land* includes land dedicated as a reserve, or granted in fee simple in trust, under the Land Act, chapter 3, part 1.'.

13 Clause 83 (Preservation of rights of transferred employees during transitional period)—

Page 57, line 13, after 'FWTCAA'—

insert—

','.

- 14 Clause 83 (Preservation of rights of transferred employees during transitional period)—**
Page 57, line 20, ‘and’—
omit.
- 15 Clause 94 (Particular matters code may provide for)—**
Page 63, lines 3 and 4, from ‘or interfering’ to ‘water.’—
omit, insert—
‘water or interfering with water within the meaning of the Water Act.’.
- 16 Clause 100 (Liability for Commonwealth and State tax equivalents)—**
Page 66, line 13, ‘and each amendment of the manual’—
omit, insert—
‘, and each amendment of the manual,’.
- 17 Clause 104 (Interim participation agreement)—**
Page 68, after line 28—
insert—
(8) Sections 38 to 40 and 42 do not apply to a board appointed under the interim agreement.’.
- 18 Clause 105 (Application of customer service standards until code commences)—**
Page 69, line 7, ‘in force on the commencement relating’—
omit, insert—
‘relating to’.
- 19 Clause 106 (Provision for market rules)—**
Page 69, line 11, ‘distributor-retail’—

omit, insert—
‘distributor-retailer’.

20 Clause 117 (Insertion of new s 3A)—

Page 73, line 12, after *‘Queensland’—*
insert—
‘Water’.

21 Clause 123 (Amendment of sch 2 (Statutory bodies that may borrow under part 5 of the Act))—

Page 75, table after line 11, after *‘Queensland’—*
insert—
‘Water’.

22 Clause 124 (Amendment of sch 4 (Statutory bodies allocated category 2 investment power))—

Page 75, table after line 16, after *‘Queensland’—*
insert—
‘Water’.

23 Clause 125 (Amendment of sch 8 (Statutory bodies that may enter into derivative transactions))—

Page 76, table after line 1, after *‘Queensland’—*
insert—
‘Water’.

24 Clause 128 (Insertion of new pt 9, div 4)—

Page 76, line 15, after *‘Queensland’—*
insert—
‘Water’.

25 Clause 128 (Insertion of new pt 9, div 4)—

Page 77, line 1, after ‘*Queensland*’—

insert—

‘*Water*’.

26 After clause 129—

insert—

‘129A Amendment of s 349 (Eligibility for appointment)

‘Section 349(b), after ‘water service provider’—

insert—

‘operating in the SEQ region or any designated region’.’.

27 Clause 152 (Insertion of new ch 10A)—

Page 91, line 9, after ‘*Queensland*’—

insert—

‘**Water**’.

28 Schedule (Dictionary)—

Page 95, lines 20 and 21—

omit.