

**Legislative Council—No 68**

As received from the House of Assembly and read a first time, 6 November 2018

South Australia

**Construction Industry Training Fund (Board)  
Amendment Bill 2018**

A BILL FOR

An Act to amend the *Construction Industry Training Fund Act 1993*.

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## The Parliament of South Australia enacts as follows:

### Part 1—Preliminary

#### 1—Short title

- 5 This Act may be cited as the *Construction Industry Training Fund (Board) Amendment Act 2018*.

#### 2—Commencement

This Act will come into operation on a day to be fixed by proclamation.

#### 3—Amendment provisions

- 10 In this Act, a provision under a heading referring to the amendment of a specified Act amends the Act so specified.

### Part 2—Amendment of *Construction Industry Training Fund Act 1993*

#### 4—Amendment of section 5—Composition of the Board

Section 5(1) and (1a)—delete subsections (1) and (1a) and substitute:

- 15 (1) Subject to this section, the Board consists of the following members appointed by the Governor on the nomination of the Minister:
  - (a) 1 person to be the presiding member of the Board;
  - (b) at least 4 (but not more than 8) persons who have knowledge of, and experience or expertise in, the building and
  - 20 construction industry;

(c) 2 persons who are, in the opinion of the Minister,  
independent of the building and construction industry.

(1a) The Minister must, in making nominations for appointment to the  
Board, seek to ensure that the membership of the Board comprises  
persons who together have the knowledge, skills and experience  
necessary to enable the Board to carry out its functions effectively.

(1b) The Minister must, before nominating a person for appointment to  
the Board under subsection (1)(b)—

(a) give public notice, as the Minister may determine, inviting  
expressions of interest for appointment to the Board under  
subsection (1)(b) to be submitted within a period specified  
in the notice; and

(b) take into account any expressions of interest received within  
the specified period.

### **5—Amendment of section 7—Procedures of the Board**

(1) Section 7(1)—delete subsection (1) and substitute:

(1) A quorum of the Board consists of one half of the members of the  
Board (ignoring any fraction resulting from the division) plus 1.

(2) Section 7(3) to (5)—delete subsections (3) to (5) (inclusive) and substitute:

(3) A decision supported by the majority of the votes cast by members  
present at a meeting of the Board is a decision of the Board.

(4) Each member present at a meeting of the Board has 1 vote on any  
question arising for decision and, if the votes are equal, the member  
presiding at the meeting may exercise a casting vote.

### **6—Amendment of section 10—Allowances and expenses**

Section 10—delete "not exceeding amounts determined by the Minister after  
consultation with the Commissioner for Public Sector Employment" and substitute:

approved by the Minister

### **7—Amendment of section 21—Rate of levy**

Section 21(2)—delete "approved at a meeting of the Board at which at least one  
person appointed by the Governor under section 5(1)(c), and at least one person  
appointed by the Governor under section 5(1)(d), are present"

### **8—Repeal of Schedules 2 and 3**

Schedules 2 and 3—delete the Schedules

## Schedule 1—Transitional provisions

### 1—Office of member vacated

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The office of each member of the Construction Industry Training Board under the *Construction Industry Training Fund Act 1993* holding office immediately before the commencement of section 4 of this Act is, on the commencement of that section, vacated.