

Legislative Council—No 221

As introduced and read a first time, 5 July 2017

South Australia

**Parliamentary Committees (Public Assets
Committee) Amendment Bill 2017**

A BILL FOR

An Act to amend the *Parliamentary Committees Act 1991*; to provide for the establishment of the Public Assets Committee; and to make a related amendment to the *Parliamentary Remuneration Act 1990*.

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Amendment provisions

Part 2—Amendment of *Parliamentary Committees Act 1991*

- 4 Amendment of section 3—Interpretation
- 5 Insertion of Part 4B

Part 4B—Public Assets Committee

Division 1—Establishment and membership of Committee

- 12D Establishment of Committee
- 12E Membership of Committee

Division 2—Functions of Committee

- 12F Functions of Committee

- 6 Insertion of section 16B
 - 16B Certain matters referred to Public Assets Committee

Schedule 1—Related amendment to *Parliamentary Remuneration Act 1990*

- 1 Amendment of Schedule—Offices attracting additional salary
-

The Parliament of South Australia enacts as follows:

Part 1—Preliminary

1—Short title

- 5 This Act may be cited as the *Parliamentary Committees (Public Assets Committee) Amendment Act 2017*.

2—Commencement

This Act will come into operation 6 months after the day on which it is assented to by the Governor.

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 *Parliamentary Committees Act 1991*

4—Amendment of section 3—Interpretation

- (1) Section 3—after the definition of *appointing House or Houses* insert:

asset includes any of the following:

- (a) a present, contingent or future legal or equitable estate or interest in real or personal property;
- (b) a present, contingent or future right;

- (2) Section 3—after the definition of *Presiding Officer* insert:

public asset means any asset held by or on behalf of the Crown or a State instrumentality;

5—Insertion of Part 4B

After Part 4A insert:

Part 4B—Public Assets Committee

Division 1—Establishment and membership of Committee

12D—Establishment of Committee

The *Public Assets Committee* is established as a committee of the Parliament.

12E—Membership of Committee

- (1) The Public Assets Committee is to consist of 6 members.
- (2) 3 members of the Public Assets Committee must be members of the House of Assembly appointed by the House of Assembly and 3 must be members of the Legislative Council appointed by the Legislative Council.
- (3) A Minister of the Crown is not eligible for appointment to the Public Assets Committee.
- (4) The Public Assets Committee must from time to time appoint 1 of its members to be the Presiding Member of the Committee but if the members are at any time unable to come to a decision on who is to be the Presiding Member, or on who is to preside at a meeting of the Committee in the absence of the Presiding Member, the matter is referred by force of this subsection to the Legislative Council and that House will determine that matter.

Division 2—Functions of Committee

12F—Functions of Committee

The functions of the Public Assets Committee are—

- 5 (a) to inquire into, consider and report on any proposed sale of a public asset referred to it by or under this Act, including—
- (i) the stated purpose of the proposed sale; and
 - (ii) the necessity or advisability of the proposed sale; and
 - 10 (iii) the present and prospective value of the asset; and
 - (iv) any other advantages or disadvantages related to the proposed sale; and
- (b) to perform such other functions as are imposed on the Committee under this or any other Act or by resolution of both Houses.

6—Insertion of section 16B

After section 16A insert:

16B—Certain matters referred to Public Assets Committee

- 20 (1) A proposed sale of a public asset is referred to the Public Assets Committee by force of this section if the total value of the public asset at the time of the proposed sale exceeds \$50 000 000.
- (2) A public asset valued at more than \$50 000 000 must not be sold unless—
- (a) the proposed sale has been inquired into by the Public Assets Committee under this Act; and
 - 25 (b) the final report of that Committee on the proposed sale has been presented to both Houses or published under section 17(7); and
 - (c) the proposed sale has been approved by resolution of both Houses.

30 Schedule 1—Related amendment to *Parliamentary Remuneration Act 1990*

1—Amendment of Schedule—Offices attracting additional salary

Schedule, table—after the entry relating to Presiding Member of the Public Works Committee insert:

Presiding Member of the Public Assets Committee

14