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New South Wales

Public Sector Management Amendment (Council on the Cost of Government) Bill 1998

Explanatory note

This explanatory note relates to this Bill as introduced into Parliament.

Overview of Bill

Under the *Public Sector Management Act 1988* the Council on the Cost of Government will be dissolved on 13 October 1998.

The object of this Bill is to amend the *Public Sector Management Act 1988* to provide that the Council is instead to be dissolved on 13 October 2000.

Outline of provisions

Clause 1 sets out the name (also called the short title) of the proposed Act.

Clause 2 provides for the commencement of the proposed Act.

Clause 3 is a formal provision giving effect to the amendments to the *Public Sector Management Act 1988* set out in Schedule 1.

Schedule 1 [1] substitutes section 47E (1) of the Act. Division 1 (sections 43–47E) of Part 3 of the Act was inserted by the *Public Sector Management Amendment Act 1995*. Those provisions commenced on 13 October 1995. Section 47E (1) currently provides that the Council on the Cost of Government is to be dissolved 3 years after the commencement of that Division, namely 13 October 1998. The amendment postpones the date on which the Council is to be dissolved by 2 years to 13 October 2000.

Schedule 1 [2] inserts savings and transitional provisions in the Act in the event that the proposed Act is assented to on or after 13 October 1998. In particular, the expiry of the term of office of an appointed member of the Council is postponed to 31 December 1998. The amendment also validates certain actions of the Council taken on or after 13 October 1998 and before the assent to the proposed Act.

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Contents

	Page
1 Name of Act	2
2 Commencement	2
3 Amendment of Public Sector Management Act 1988 No 33	2
Schedule 1 Amendments	3



New South Wales

Public Sector Management Amendment (Council on the Cost of Government) Bill 1998

No. , 1998

A Bill for

An Act to amend the *Public Sector Management Act 1988* to postpone the date on which the Council on the Cost of Government is to be dissolved; and for other purposes.

The Legislature of New South Wales enacts:

1 Name of Act

This Act is the *Public Sector Management Amendment (Council on the Cost of Government) Act 1998*.

2 Commencement

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This Act commences, or is taken to have commenced, on 12 October 1998.

3 Amendment of Public Sector Management Act 1988 No 33

The *Public Sector Management Act 1988* is amended as set out in Schedule 1.

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Schedule 1 Amendments

(Section 3)

[1] Section 47E Dissolution of Council

Omit section 47E (1).

Insert instead:

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- (1) The Council is dissolved on 13 October 2000.

[2] Schedule 7 Savings, transitional and other provisions

Insert in Schedule 7 (with appropriate Part and clause numbers):

Part Provisions consequent on enactment of Public Sector Management Amendment (Council on the Cost of Government) Act 1998

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Definitions

In this Part:

amending Act means the *Public Sector Management Amendment (Council on the Cost of Government) Act 1998*.

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appointed member means a member referred to in section 44 (1) (b).

Saving of Council

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The Council is taken not to have been dissolved by the operation of section 47E (1) merely because the amending Act is assented to on or after 13 October 1998.

Members

- (1) A member of the Council is taken not to have ceased to hold office as a member of the Council merely because the amending Act is assented to on or after 13 October 1998.

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- (2) Despite clause 3 of Schedule 8, the term of office of a person who is or was an appointed member immediately before 13 October 1998 expires on 31 December 1998.

Validation

Anything done or omitted to be done in the name of the Council: 5

(a) on or after 13 October 1998, and

(b) before the date of assent to the amending Act.

is as valid as it would have been had this Act, as amended by the amending Act, been in force when the thing was done or omitted to be done. 10