



New South Wales

# State Insurance and Care Governance Amendment (ICNSW Board) Bill 2023

## Explanatory note

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

## Overview of Bill

The object of this Bill is to amend the *State Insurance and Care Governance Act 2015* to provide for the appointment of directors nominated by employee and employer bodies to the ICNSW Board.

## 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 on a day or days to be appointed by proclamation.

## Schedule 1      **Amendment of State Insurance and Care Governance Act 2015 No 19**

**Schedule 1[1]** amends section 5(2)(b) to provide for the appointment to the ICNSW Board of 1 director nominated by an employee body, 1 director nominated by an employer body and up to 6 other directors.

**Schedule 1[2]** inserts proposed section 5(6) and (7) to provide that the Minister may appoint a director under proposed section 5(2)(b)(i) or (ii) if an employee body or employer body fails to nominate persons within the period specified in a written request given to the body by the Minister. The appointment is taken to have been made as if the director had been nominated by an employee body or employer body.

Proposed section 5(7) provides that **employee body** means Unions NSW and **employer body** means a body that represents employers in New South Wales.

**Schedule 1[3]** inserts proposed Part 3 to provide that a person who, immediately before the commencement of the *State Insurance and Care Governance Amendment (ICNSW Board) Act 2023*, held office as an appointed director of the ICNSW Board continues to hold office as if the proposed Act had not commenced. The proposed part also provides that the membership of the ICNSW Board is not required to include a director appointed in accordance with proposed section 5(2)(b)(i) or (ii) until the day that is 12 months after the commencement.



New South Wales

# State Insurance and Care Governance Amendment (ICNSW Board) Bill 2023

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New South Wales

# State Insurance and Care Governance Amendment (ICNSW Board) Bill 2023

No. \_\_\_\_\_, 2023

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## **A Bill for**

An Act to amend the *State Insurance and Care Governance Act 2015* to provide for the appointment of directors nominated by employee and employer bodies to the ICNSW Board.

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**The Legislature of New South Wales enacts—**

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**1 Name of Act**

2

This Act is the *State Insurance and Care Governance Amendment (ICNSW Board) Act 2023*.

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**2 Commencement**

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This Act commences on a day or days to be appointed by proclamation.

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<b>Schedule 1</b>	<b>Amendment of State Insurance and Care Governance Act 2015 No 19</b>	1
		2
<b>[1] Section 5 Board of directors of ICNSW</b>		3
	Omit section 5(2)(b). Insert instead—	4
	(b) the following directors appointed by the Minister (the <i>appointed directors</i> )—	5
	(i) 1 director nominated by an employee body,	6
	(ii) 1 director nominated by an employer body,	7
	(iii) up to 6 other directors.	8
		9
<b>[2] Section 5(6) and (7)</b>		10
	Insert after section 5(5)—	11
	(6) If an employee body or employer body fails to nominate persons for the purposes of subsection (2)(b)(i) or (ii) within the period specified in a written request given to the body by the Minister—	12
	(a) the Minister may appoint a director under that subparagraph, and	13
	(b) the appointment is taken to have been made as if the director had been nominated under the subparagraph.	14
	(7) In this section—	15
	<i>employee body</i> means Unions NSW.	16
	<i>employer body</i> means a body that represents employers in New South Wales.	17
		18
		19
		20
<b>[3] Schedule 4 Savings, transitional and other provisions</b>		21
	Insert after clause 12—	22
<b>Part 3</b>	<b>Provision consequent on enactment of State Insurance and Care Governance Amendment (ICNSW Board) Act 2023</b>	23
		24
		25
<b>13 Appointed directors</b>		26
	(1) Despite section 5(2)(b), as amended by the amendment Act—	27
	(a) a person who, immediately before the commencement day, held office as an appointed director of the ICNSW Board continues to hold office as if the amendment Act had not commenced, and	28
	(b) the membership of the ICNSW Board is not required to include an appointed director appointed in accordance with section 5(2)(b)(i) or (ii) until the relevant day.	29
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		31
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		33
	(2) In this clause—	34

<i><b>amendment Act</b></i> means the <i>State Insurance and Care Governance Amendment (ICNSW Board) Act 2023</i> .	1
<i><b>commencement day</b></i> means the day on which the amendment Act commences.	2
<i><b>relevant day</b></i> means the day that is 12 months after the commencement day.	3
	4