



New South Wales

24-Hour Economy Commissioner Bill 2023

Explanatory note

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

This Bill is cognate with the *24-Hour Economy Legislation Amendment (Vibrancy Reforms) Bill 2023*.

Overview of Bill

The objects of this Bill are to—

- (a) provide for the establishment and appointment of a 24-Hour Economy Commissioner (the *Commissioner*), and
- (b) prescribe the functions and powers of the Commissioner, and
- (c) set out the employment conditions of the Commissioner.

Outline of provisions

Part 1 Preliminary

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 the date of assent to the proposed Act.

Clause 3 defines the term *Commissioner* for the proposed Act.

Part 2 24-Hour Economy Commissioner

Division 1 Establishment and appointment

Clause 4 provides for a 24-Hour Economy Commissioner to be appointed under the *Government Sector Employment Act 2013*.

Division 2 Functions of Commissioner

Division 2 sets out the functions of the Commissioner, which include advocating for and furthering the interests of the night-time economy in New South Wales. The Commissioner is not subject to the control and direction of the Minister or any other person in relation to the contents of advice, a report or recommendations given to the Minister. Division 2 also provides that the Minister may establish a 24-Hour Economy Advisory Council to provide advice to the Commissioner in relation to the exercise of the Commissioner's functions. Members of the Advisory Council are to be appointed by the Minister on the recommendation of the Commissioner. Division 2 also enables the Commissioner to prepare reports relating to the Commissioner's functions and provide the reports to the Minister and for tabling in each House of Parliament.

Division 3 Powers of Commissioner

Division 3 requires the Commissioner and other government agencies that provide or deal with services or issues affecting the night-time economy in the State to work in cooperation when exercising their functions. Division 3 also provides the Minister with a power to direct the Commissioner to conduct an inquiry into an issue affecting the night-time economy at any time. The power may be exercised at the request of the Commissioner or on the Minister's own initiative.