

## **Protection of Public Ownership Bill 2009**

### **Explanatory note**

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

#### Overview of Bill

The object of this Bill is to prevent, without the approval of Parliament, the privatisation of publicly-owned assets or agencies or of services provided by those agencies and to place restrictions on the sale and use of land owned by a public education authority.

#### 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 the date of assent to the proposed Act.

**Clause 3** defines certain words and expressions used in the proposed Act.

**Clause 4** provides that certain publicly-owned assets are not to be sold, leased or otherwise disposed of, without Parliamentary mandate. This provision will not apply to a sale, lease or other disposal to another public authority, any entity owned by a public authority or any other entity owned by the State or if the value of the things being sold, leased or disposed of is less than \$1,000,000.

**Clause 5** provides that a travelling stock reserve must not be sold, leased or otherwise disposed of, or dealt with in any way that prevents public access to the reserve, without Parliamentary mandate.

**Clause 6** places restrictions on the sale and use of land owned by a public education authority. Such land must not be sold unless the public education authority has entered into a contract for the purchase of similar land. Such land must not be leased, or otherwise allowed to be used, unless the land is not required for public education purposes and is to be used for another public purpose. The provision also requires records relating to these activities to be kept and an annual report to be prepared and tabled in Parliament.

**Clause 7** restricts outsourcing by public authorities to arrangements that have been approved by Parliament and arrangements that will cost, or earn, the public authority less than \$1,000,000 during each year that the arrangements are in place.

**Clause 8** provides that proposed section 7 does not apply in respect of any arrangements that are in place before the commencement of the proposed Act.