



New South Wales

Jobs for NSW Bill 2015

Explanatory note

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

Overview of Bill

The objects of this Bill are as follows:

- (a) to facilitate job creation and economic development through jobs creation incentives,
- (b) to establish Jobs for NSW to provide high level strategic advice to government for the purpose of jobs creation and driving investment in New South Wales.

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 sets out the objects of the proposed Act.

Clause 4 defines certain words and expressions used in the proposed Act.

Part 2 Jobs for NSW

Clause 5 establishes Jobs for NSW which is to consist of 7 members. Four members are to be appointed by the Minister for Industry, Resources and Energy and 1 is to be appointed by the Minister for Regional Development. The Secretaries of the Departments of Industry, Skills and Regional Development and of Premier and Cabinet, or their nominees, are the other members.

Clause 6 confers functions on Jobs for NSW, including advising the Minister administering the proposed Act (the *Minister*) on opportunities for developing the New South Wales economy, identifying opportunities to attract new businesses to New South Wales, advising on impediments and opportunities relating to competitive advantage and developing a strategy for the delivery of cost-effective and strategically targeted support for economic development in New South Wales. Jobs for NSW will also prepare and recommend to the Minister for approval eligibility criteria and assessment criteria for assessment of proposals for which jobs creation incentives may be granted and call for and assess and make recommendations about proposals for which jobs creation incentives may be granted.

Clause 7 makes Jobs for NSW subject to the direction and control of the Minister except in relation to the preparation and contents of reports, strategies, recommendations and advice.

Clause 8 requires Jobs for NSW to report to the Minister, for each year commencing on 1 July, on particulars of jobs creation incentives paid from the Jobs for NSW Fund in the year and its operations for the year, as well as any other matter it considers it appropriate to report on. The report must be provided by 1 October following the end of the year and may be made wholly or partly publicly available.

Clause 9 enables the Minister to appoint advisory committees for Jobs for NSW.

Clause 10 enables Jobs for NSW to delegate its functions to persons employed in the Department of Industry, Skills and Regional Development (the *Department*) or other persons prescribed by the regulations.

Clause 11 provides for the employment of public servants as staff for Jobs for NSW.

Part 3 Jobs for NSW Fund

Clause 12 establishes the Jobs for NSW Fund and provides for jobs creation incentives to be provided for from the Fund.

Clause 13 enables the Minister to invest money in the Jobs for NSW Fund.

Part 4 Miscellaneous

Clause 14 enables the Minister to delegate the Minister's functions under the proposed Act.

Clause 15 enables Jobs for NSW to make arrangements to protect confidential commercial information provided by proponents of proposals for jobs creation incentives.

Clause 16 makes it clear that a member appointed by a Minister is not prevented from holding other offices at the same time.

Clause 17 exempts the Minister, the Secretary of the Department, Jobs for NSW, a member of Jobs for NSW or a person acting under their direction from personal liability for things done or omitted to be done in good faith for the purpose of executing the proposed Act or any other Act that confers functions on Jobs for NSW.

Clause 18 enables the Governor to make regulations for the purposes of the proposed Act, including in relation to the term of office of members of Jobs for NSW and its procedures.

Clause 19 provides for the review of the proposed Act in 5 years.

Schedule 1 Savings, transitional and other provisions

Schedule 1 contains savings, transitional and other provisions consequent on the enactment of the proposed Act.