



New South Wales

Securing NSW Steel Industry Bill 2017

Explanatory note

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

Overview of Bill

The object of this Bill is to ensure, as far as practicable, that steel used in public works or infrastructure constructed by or on behalf of public authorities is manufactured in Australia.

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 3 months after the date of assent to this Act unless commenced sooner by proclamation.

Clause 3 specifies the object of the proposed Act.

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

Part 2 Australian Steel to be used in public works and infrastructure

Clause 5 provides that a public authority must not construct any public works involving the use of more than 2 tonnes of steel (*relevant public works*) unless 90 percent of the steel is manufactured in Australia.

Clause 6 provides that a public authority must not contract with another party who undertakes to construct any relevant public works on behalf of the public authority (a *relevant contract*) unless

the contract contains a provision requiring 90 percent of the steel used in the construction of the works to be manufactured in Australia.

Clause 7 provides that any party to a relevant contract who undertakes to construct any relevant public works on behalf of a public authority is required to provide a report to the public authority and the Independent Pricing and Regulatory Tribunal (*IPART*) verifying the quantity and origins of any steel used under the contract.

Clause 8 requires a public authority that constructs any relevant public works or is a party to a relevant contract to ensure, as far as is practicable, that the requirements of the proposed Act are complied with.

Part 3 NSW Steel Industry Advocate

Clause 9 enables the Governor to appoint a NSW Steel Industry Advocate with a principal office in the Illawarra region.

Clause 10 sets out the functions of the Advocate, which include monitoring compliance with the proposed Act and conducting a review of the steel manufacturing sector.

Clause 11 requires the Advocate to report to Parliament on various matters.

Clause 12 provides for the employment of staff and the delegation of the Advocate's functions to staff.

Part 4 Miscellaneous

Clause 13 requires IPART to prepare an annual report regarding the effectiveness of the proposed Act in achieving its objective.

Clause 14 provides that the proposed Act binds the Crown.

Clause 15 enables the Governor to make regulations for the purposes of the proposed Act.

Clause 16 provides for the review of the proposed Act in 5 years.