

LEGISLATIVE COUNCIL

Electricity Supply Amendment (Emergency Management) Bill 2017

First print

Proposed amendment

No. 1 Investigation of industrial matters

Page 7, Schedule 1 [3]. Insert after line 22:

94J Appointment of qualified person to investigate industrial matters

- (1) In this section:
industrial matter has the same meaning as in the *Industrial Relations Act 1996*.
qualified person means a member of the Industrial Relations Commission of New South Wales or other person having qualifications that the Minister considers appropriate to carry out the functions under this section of a person appointed under this section.
- (2) If a declaration of an electricity supply emergency is in force, the Minister may, by order published in the Gazette, appoint a qualified person to investigate any industrial matter specified in the order that relates to:
 - (a) the extraction, production, provision, supply, transportation, distribution or utilisation of electricity, or
 - (b) persons engaged in the extraction, production, provision, supply, transportation or distribution of electricity.
- (3) A qualified person appointed under this section must, as soon as practicable after being appointed, investigate the industrial matter specified in the order and make a report and recommendation to the Minister with respect to that industrial matter.
Note. The Minister may give directions under section 94B to give effect to recommendations made under this section.
- (4) A qualified person appointed under this section may carry out the person's functions under this section even though the declaration that was in force when the person was appointed has been revoked.
- (5) For the purposes of any investigation under this section:
 - (a) a qualified person appointed under this section has the powers, authorities, protections and immunities conferred on a Commissioner of a Special Commission of Inquiry by Division 1 of Part 3 of the *Special Commissions of Inquiry Act 1983*, and
 - (b) section 24 of the *Local Court Act 2007* applies to or in respect of a witness or person summoned by or appearing before a qualified person

appointed under this section in the same way as it applies to or in respect of a person appearing before the Local Court.

- (6) The provisions of the *Special Commissions of Inquiry Act 1983* (section 20 and Division 2 of Part 3 excepted) apply to or in respect of a witness or person summoned by or appearing before a qualified person appointed under this section in the same way as they apply to or in respect of a witness or person summoned by or appearing before a Commissioner of a Special Commission of Inquiry under that Act.