

LEGISLATIVE COUNCIL

Ports Assets (Authorised Transactions) Amendment Bill 2013

First print

Proposed amendments

No. 1 Page 5, Schedule 2. Insert after line 28:

[5] Section 66C Fixing of port infrastructure charges

Insert after section 66C (2):

- (3) A port infrastructure charge for the Port of Newcastle cannot be fixed or increased except with the approval of the Minister.
- (4) Before giving approval under this section, the Minister may refer the matter to the Independent Pricing and Regulatory Tribunal for investigation and report under section 12A of the *Independent Pricing and Regulatory Tribunal Act 1992*.
- (5) The Minister's approval under this section must not be unreasonably withheld.

[6] Section 79A

Insert after section 79:

79A Proposed charges for Port of Newcastle require Minister's approval

- (1) The port operator of the Port of Newcastle cannot impose or increase a service charge unless the proposed charge or increase has been approved by the Minister.
- (2) Before giving approval under this section, the Minister may refer the matter to the Independent Pricing and Regulatory Tribunal for investigation and report under section 12A of the *Independent Pricing and Regulatory Tribunal Act 1992*.
- (3) The Minister's approval under this section must not be unreasonably withheld.