

**ENERGY AUTHORITY (FURTHER AMENDMENT)  
BILL, 1979**

---

**EXPLANATORY NOTE**

**(This Explanatory Note relates to this Bill as introduced into Parliament)**

The objects of this Bill are—

- (a) to empower the Minister, under the Energy Authority Act, 1976 (“the Act”), to appoint a person, with the powers of a Royal Commissioner, to investigate, and make a report and recommendation with respect to, certain industrial matters where an order under section 33 (2) of the Act is in force;
  - (b) to extend the Minister’s powers under section 34 of the Act where there is a state of emergency; and
  - (c) to empower the Minister to give such directions as he considers necessary to give effect to any recommendation made by a person appointed as referred to in paragraph (a).
-

UNITED STATES DEPARTMENT OF AGRICULTURE  
BUREAU OF PLANT INDUSTRY

PLANT INDUSTRY NOTES

The following information is for the use of those interested in the propagation of plants from seed. It is based on the experience of the Bureau of Plant Industry in the propagation of plants from seed and is intended to be a guide only. It is not intended to be a substitute for the instructions of the Bureau of Plant Industry in the propagation of plants from seed.

The following information is for the use of those interested in the propagation of plants from seed. It is based on the experience of the Bureau of Plant Industry in the propagation of plants from seed and is intended to be a guide only. It is not intended to be a substitute for the instructions of the Bureau of Plant Industry in the propagation of plants from seed.

**ENERGY AUTHORITY (FURTHER AMENDMENT)  
BILL, 1979**

No.           , 1979.

---

---

**A BILL FOR**

An Act to empower the Minister to appoint a person, with the powers of a Royal Commissioner, to investigate, and to make a report and recommendation with respect to, certain industrial matters; to enable the Minister to give directions to give effect to any such recommendation; and for other purposes.

[MR HILLS—14 November, 1979.]

---

---

*Energy Authority (Further Amendment).*

**BE** it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows :—

5 **1.** This Act may be cited as the "Energy Authority (Further Short title. Amendment) Act, 1979".

**2.** The Energy Authority Act, 1976, is amended in the manner Amendment of Act No. 69, 1976. set forth in Schedule 1.

## SCHEDULE 1.

Sec. 2.

## 10 AMENDMENTS TO THE ENERGY AUTHORITY ACT, 1976.

(1) (a) Section 32 (1) (b) (ii)—

After "provides," insert "supplies,".

(b) Section 32 (1) (b) (ii)—

After "provide," insert "supply,".

15 (c) Section 32 (1) (b) (iii)—

Omit "provided, transported", insert instead "produced, provided, supplied, transported".

(d) Section 32 (1) (b) (iv)—

20 Omit "or transported" wherever occurring, insert instead ", supplied, transported or distributed".

---

*Energy Authority (Further Amendment).*

---

SCHEDULE 1—*continued.*

AMENDMENTS TO THE ENERGY AUTHORITY ACT,  
1976—*continued.*

- (e) Section 32 (2) (d)—  
Omit “provision”, insert instead “production,  
provision, supply”.
- (2) (a) Section 34 (1) (b)—  
Omit “provides, transports”, insert instead “produces,  
provides, supplies, transports”.
- 10 (b) Section 34 (1) (b)—  
After “provide,”, insert “supply,”.
- (c) Section 34 (1) (c)—  
Omit “providing, transporting”, insert instead  
“producing, providing, supplying, transporting”.
- 15 (d) Section 34 (1) (c)—  
Omit “and” where secondly occurring.
- (e) Section 34 (1) (d)—  
Omit “or transported” where firstly occurring, insert  
instead “, supplied, transported or distributed”.
- 20 (f) Section 34 (1) (d)—  
Omit “or transported” where secondly occurring, insert  
instead “, supplied, transported or distributed; and”.

---

*Energy Authority (Further Amendment).*

---

SCHEDULE 1—*continued.*

AMENDMENTS TO THE ENERGY AUTHORITY ACT,  
1976—*continued.*

(g) Section 34 (1) (e)—

5 After section 34 (1) (d), insert :—

(e) give such directions as the Minister considers necessary to give effect to any recommendation made by a qualified person pursuant to section 34A.

10 (h) Section 34 (3)—

Omit “provision, transportation”, insert instead “production, provision, supply, transportation”.

(3) Section 34A—

After section 34, insert :—

15 34A. (1) In this section—

“industrial matter” has the meaning ascribed thereto by section 5 (1) of the Industrial Arbitration Act, 1940;

Appointment of qualified person to investigate certain industrial matters.

20

“qualified person” means a Member of the Industrial Commission of New South Wales or other person having qualifications which the Minister considers appropriate to carry out the functions under this section of a person appointed under subsection (2).

---

*Energy Authority (Further Amendment).*

---

SCHEDULE 1—*continued.*AMENDMENTS TO THE ENERGY AUTHORITY ACT,  
1976—*continued.*

- 5 (2) Where an order is in force under section 33 (2), the Minister may, by order published in the Gazette, appoint a qualified person to investigate any industrial matter specified or described in the order, being an industrial matter with respect to any one or more of the following :—
- 10 (a) the extraction, production, provision, supply, transportation or distribution of any form of energy in relation to which the order under section 33 (2) is in force when the qualified person is so appointed;
- 15 (b) persons engaged in the extraction, production, provision, supply, transportation or distribution of any form of energy in relation to which the order under section 33 (2) is in force when the qualified person is so appointed;
- 20 (c) the utilization of any energy resources in relation to which the order under section 33 (2) is in force when the qualified person is so appointed.
- 25 (3) A qualified person appointed under subsection (2) may carry out the functions given to him under subsection (4) notwithstanding that the order under section 33 (2) that was in force when he was so appointed has ceased to be in force.
- 30 (4) A qualified person appointed under subsection (2) shall, as soon as practicable after his appointment, investigate the industrial matter specified or described in the order appointing him and make a report and recommendation to the Minister with respect to that industrial matter.

*Energy Authority (Further Amendment).*SCHEDULE 1—*continued.*AMENDMENTS TO THE ENERGY AUTHORITY ACT,  
1976—*continued.*

5 (5) For the purposes of any investigation under  
this section, a qualified person appointed under subsection  
(2) shall have the powers, authorities, protections and  
immunities conferred on the chairman of a Royal Commis-  
sion by Division 1 of Part II of the Royal Commissions Act,  
1923, and the provisions of section 152 of the Justices Act,  
10 1902, apply to and in respect of a witness or person  
summoned by or appearing before such a qualified person  
in the same way as they apply to and in respect of a  
witness or person summoned or appearing as referred to in  
those provisions.

15 (6) The provisions of the Royal Commissions  
Act, 1923 (section 13 and Division 2 of Part II excepted)  
apply to and in respect of any witness or person summoned  
by or appearing before a qualified person appointed under  
subsection (2) in the same way as they apply to and in  
20 respect of a witness or person summoned by or appearing  
before the chairman of a Royal Commission under that  
Act.

(4) Section 38 (2) (a) (i)—

25 Omit “provision, transportation”, insert instead  
“production, provision, supply, transportation”.

---

BY AUTHORITY

D. WEST, GOVERNMENT PRINTER, NEW SOUTH WALES—1979



**ENERGY AUTHORITY (FURTHER AMENDMENT)  
ACT, 1979, No. 134**

**New South Wales**



ANNO VICESIMO OCTAVO

**ELIZABETHÆ II REGINÆ**

\*\*\*\*\*

**Act No. 134, 1979.**

An Act to empower the Minister to appoint a person, with the powers of a Royal Commissioner, to investigate, and to make a report and recommendation with respect to, certain industrial matters; to enable the Minister to give directions to give effect to any such recommendation; and for other purposes. [Assented to, 16th November, 1979.]

---

*Energy Authority (Further Amendment).*

---

**BE** it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows :—

Short title.     **1.** This Act may be cited as the "Energy Authority (Further Amendment) Act, 1979".

Amendment of Act No. 69, 1976.     **2.** The Energy Authority Act, 1976, is amended in the manner set forth in Schedule 1.

Sec. 2.

---

SCHEDULE 1.

AMENDMENTS TO THE ENERGY AUTHORITY ACT, 1976.

(1) (a) Section 32 (1) (b) (ii)—

After "provides," insert "supplies,".

(b) Section 32 (1) (b) (ii)—

After "provide," insert "supply,".

(c) Section 32 (1) (b) (iii)—

Omit "provided, transported", insert instead "produced, provided, supplied, transported".

(d) Section 32 (1) (b) (iv)—

Omit "or transported" wherever occurring, insert instead ", supplied, transported or distributed".

---

*Energy Authority (Further Amendment).*

---

SCHEDULE 1—*continued.*

AMENDMENTS TO THE ENERGY AUTHORITY ACT,  
1976—*continued.*

- (e) Section 32 (2) (d)—  
Omit “provision”, insert instead “production,  
provision, supply”.
- (2) (a) Section 34 (1) (b)—  
Omit “provides, transports”, insert instead “produces,  
provides, supplies, transports”.
- (b) Section 34 (1) (b)—  
After “provide,”, insert “supply,”.
- (c) Section 34 (1) (c)—  
Omit “providing, transporting”, insert instead  
“producing, providing, supplying, transporting”.
- (d) Section 34 (1) (c)—  
Omit “and” where secondly occurring.
- (e) Section 34 (1) (d)—  
Omit “or transported” where firstly occurring, insert  
instead “, supplied, transported or distributed”.
- (f) Section 34 (1) (d)—  
Omit “or transported” where secondly occurring, insert  
instead “, supplied, transported or distributed; and”.

---

*Energy Authority (Further Amendment).*


---

SCHEDULE 1—*continued.*AMENDMENTS TO THE ENERGY AUTHORITY ACT,  
1976—*continued.*

## (g) Section 34 (1) (e)—

After section 34 (1) (d), insert :—

- (e) give such directions as the Minister considers necessary to give effect to any recommendation made by a qualified person pursuant to section 34A.

## (h) Section 34 (3)—

Omit “provision, transportation”, insert instead “production, provision, supply, transportation”.

## (3) Section 34A—

After section 34, insert :—

## 34A. (1) In this section—

“industrial matter” has the meaning ascribed thereto by section 5 (1) of the Industrial Arbitration Act, 1940;

“qualified person” means a Member of the Industrial Commission of New South Wales or other person having qualifications which the Minister considers appropriate to carry out the functions under this section of a person appointed under subsection (2).

Appoint-  
ment  
of qualified  
person to  
investigate  
certain  
industrial  
matters.

---

*Energy Authority (Further Amendment).*

---

SCHEDULE 1—*continued.*

AMENDMENTS TO THE ENERGY AUTHORITY ACT,  
1976—*continued.*

(2) Where an order is in force under section 33 (2), the Minister may, by order published in the Gazette, appoint a qualified person to investigate any industrial matter specified or described in the order, being an industrial matter with respect to any one or more of the following :—

- (a) the extraction, production, provision, supply, transportation or distribution of any form of energy in relation to which the order under section 33 (2) is in force when the qualified person is so appointed;
- (b) persons engaged in the extraction, production, provision, supply, transportation or distribution of any form of energy in relation to which the order under section 33 (2) is in force when the qualified person is so appointed;
- (c) the utilization of any energy resources in relation to which the order under section 33 (2) is in force when the qualified person is so appointed.

(3) A qualified person appointed under subsection (2) may carry out the functions given to him under subsection (4) notwithstanding that the order under section 33 (2) that was in force when he was so appointed has ceased to be in force.

(4) A qualified person appointed under subsection (2) shall, as soon as practicable after his appointment, investigate the industrial matter specified or described in the order appointing him and make a report and recommendation to the Minister with respect to that industrial matter.

---

*Energy Authority (Further Amendment).*

---

SCHEDULE 1—*continued.*AMENDMENTS TO THE ENERGY AUTHORITY ACT,  
1976—*continued.*

(5) For the purposes of any investigation under this section, a qualified person appointed under subsection (2) shall have the powers, authorities, protections and immunities conferred on the chairman of a Royal Commission by Division 1 of Part II of the Royal Commissions Act, 1923, and the provisions of section 152 of the Justices Act, 1902, apply to and in respect of a witness or person summoned by or appearing before such a qualified person in the same way as they apply to and in respect of a witness or person summoned or appearing as referred to in those provisions.

(6) The provisions of the Royal Commissions Act, 1923 (section 13 and Division 2 of Part II excepted) apply to and in respect of any witness or person summoned by or appearing before a qualified person appointed under subsection (2) in the same way as they apply to and in respect of a witness or person summoned by or appearing before the chairman of a Royal Commission under that Act.

(4) Section 38 (2) (a) (i)—

Omit “provision, transportation”, insert instead “production, provision, supply, transportation”.

*In the name and on behalf of Her Majesty I assent to this Act.*

A. R. CUTLER,  
*Governor.*

*Government House,  
Sydney, 16th November, 1979.*



07

1997



