

2010

THE LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

(As presented)

(Mr Zed Seselja)

Financial Management (Appointments) Amendment Bill 2010

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Financial Management (Appointments) Amendment Bill 2010

A Bill for

An Act to amend the *Financial Management Act 1996*, and for other purposes

The Legislative Assembly for the Australian Capital Territory enacts as follows:

1 Name of Act

This Act is the *Financial Management (Appointments) Amendment Act 2010*.

2 Commencement

This Act commences on the day after its notification day.

Note The naming and commencement provisions automatically commence on the notification day (see Legislation Act, s 75 (1)).

3 Legislation amended

This Act amends the *Financial Management Act 1996*.

Note This Act also amends the *Territory-owned Corporations Act 1990* (see s 6).

4 New division 9.1A

insert

Division 9.1A Appointment of former Ministers

77A Appointment of former Ministers

- (1) This section applies to a person who is or has been a Minister.
- (2) The person is not eligible for appointment to any of the following positions in a territory authority for 2 years after the day the person stops being a Minister:
 - (a) a chief executive officer;
 - (b) an executive officer;
 - (c) a member of the board or council of the territory authority.

(3) In this section:

executive officer, of a territory authority, means a person (however described) who is concerned with, or takes part in, the authority's management.

Note ***Territory authority***—see the Legislation Act, dictionary, pt 1.

5 Dictionary, definition of *territory authority*

substitute

territory authority, for the Act, other than division 9.1A (Appointment of former Ministers)—

- (a) means a body corporate established by an Act; and
- (b) to remove any doubt, includes an entity to which part 8 applies; and
- (c) for division 9.7 (Additional provisions for restructuring of certain territory authorities)—includes a territory authority that has ceased to exist; but
- (d) does not include a body declared under section 3B not to be a territory authority.

6 Territory-owned Corporations Act 1990, new section 11A

insert

11A Appointment of former Ministers

- (1) This section applies to a person who is or has been a Minister.
- (2) The person is not eligible to be appointed to any of the following positions in a territory-owned corporation or a subsidiary for 2 years after the day the person stops being a Minister:
 - (a) a director;
 - (b) a senior manager.

- 1 (3) In this section:
- 2 *senior manager*, of a territory-owned corporation or a subsidiary,
- 3 means a person (other than a director of the corporation or
- 4 subsidiary) who—
- 5 (a) makes, or takes part in making, decisions that affect all, or a
- 6 large part, of the business of the corporation or subsidiary; or
- 7 (b) may significantly affect the financial standing of the
- 8 corporation or subsidiary.

Endnotes

1 Presentation speech

Presentation speech made in the Legislative Assembly on 2010.

2 Notification

Notified under the Legislation Act on 2010.

3 Republications of amended laws

For the latest republication of amended laws, see www.legislation.act.gov.au.
