



Australian Capital Territory

ACTION Authority Act 2001

A2001-61

Republication No 5

Effective: 9 April 2004 – 12 April 2004

Republication date: 9 April 2004

Last amendment made by A2004-15

Not all amendments are in force: see last endnote

Authorised by the ACT Parliamentary Counsel

About this republication

The republished law

This is a republication of the *ACTION Authority Act 2001* (including any amendment made under the *Legislation Act 2001*, part 11.3 (Editorial changes)) as in force on 9 April 2004. It also includes any amendment, repeal or expiry affecting the republished law to 9 April 2004.

The legislation history and amendment history of the republished law are set out in endnotes 3 and 4.

Kinds of republications

The Parliamentary Counsel's Office prepares 2 kinds of republications of ACT laws (see the ACT legislation register at www.legislation.act.gov.au):

- authorised republications to which the *Legislation Act 2001* applies
- unauthorised republications.

The status of this republication appears on the bottom of each page.

Editorial changes

The *Legislation Act 2001*, part 11.3 authorises the Parliamentary Counsel to make editorial amendments and other changes of a formal nature when preparing a law for republication. Editorial changes do not change the effect of the law, but have effect as if they had been made by an Act commencing on the republication date (see *Legislation Act 2001*, s 115 and s 117). The changes are made if the Parliamentary Counsel considers they are desirable to bring the law into line, or more closely into line, with current legislative drafting practice.

This republication does not include amendments made under part 11.3 (see endnote 1).

Uncommenced provisions and amendments

If a provision of the republished law has not commenced or is affected by an uncommenced amendment, the symbol **U** appears immediately before the provision heading. The text of the uncommenced provision or amendment appears only in the last endnote.

Modifications

If a provision of the republished law is affected by a current modification, the symbol **M** appears immediately before the provision heading. The text of the modifying provision appears in the endnotes. For the legal status of modifications, see *Legislation Act 2001*, section 95.

Penalties

The value of a penalty unit for an offence against this republished law at the republication date is—

- (a) if the person charged is an individual—\$100; or
- (b) if the person charged is a corporation—\$500.



Australian Capital Territory

ACTION Authority Act 2001

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R5
09/04/04

ACTION Authority Act 2001
Effective: 09/04/04-12/04/04

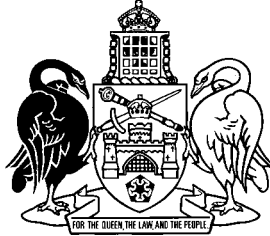
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Australian Capital Territory

ACTION Authority Act 2001

An Act to establish the ACTION Authority, and for related purposes

Part 1 Preliminary

1 Name of Act

This Act is the *ACTION Authority Act 2001*.

2 Dictionary

The dictionary at the end of this Act is part of this Act.

Note 1 The dictionary at the end of this Act defines certain terms used in this Act.

Note 2 A definition in the dictionary (including a signpost definition) applies to the entire Act unless the definition, or another provision of the Act, provides otherwise or the contrary intention otherwise appears (see *Legislation Act 2001*, s 155 and s 156 (1)).

3 Notes

A note included in this Act is explanatory and is not part of this Act.

Note See *Legislation Act 2001*, s 127 (1), (4) and (5) for the legal status of notes.

Part 2 **ACTION Authority**

Division 2.1 **Corporate status**

4 **Establishment**

- (1) ACTION Authority is established by this subsection.
- (2) The authority—
 - (a) is a body corporate; and
 - (b) may have a seal.

5 **Functions**

The functions of the authority are—

- (a) to provide an effective, affordable and accessible public transport network within its area of operation; and
- (b) without prejudice to paragraph (a), to operate on a sound commercial basis; and
- (c) to maximise the sustainable return to the Territory on its investment in the authority; and
- (d) to perform services to the community in accordance with any agreement with the Minister; and
- (e) to advise the Minister on all significant issues relating to the authority and its activities; and
- (f) to implement any directions from the Minister under this Act; and
- (g) to exercise any other function given to it under this Act or another Territory law; and

(h) to carry out activities incidental to its other functions.

Note A provision of a law that gives an entity (including a person) a function also gives the entity powers necessary and convenient to exercise the function (see *Legislation Act 2001*, s 196 and dict, pt 1, def of *entity*).

7 Restrictions on contracts and dealings with assets

- (1) The authority or a company that, for the Corporations Act, is a subsidiary of the authority, may not, without the Treasurer's prior written approval—
 - (a) enter into a contract involving the payment or receipt of an amount that exceeds, or of amounts that in total exceed, \$500,000; or
 - (b) sell or otherwise dispose of, mortgage or otherwise give security over, a significant asset; or
 - (c) mortgage or give a charge over the whole or a significant part of its undertakings or assets.
- (2) An approval of the Treasurer may be given subject to conditions and, if it is so given, the authority or subsidiary must not carry out the activity or enter into the transaction to which the approval refers until the conditions are satisfied.
- (3) The authority or a company mentioned in subsection (1) must not dispose of any of its main undertakings unless the Legislative Assembly has, by resolution, approved the disposal.
- (4) A purported disposal in contravention of subsection (3) is void.

Division 2.2 Board of management

8 Establishment

A board of management of the authority is established by this section.

9 Function of the board

- (1) The board has general responsibility for the policies and management of the authority.
- (2) Without limiting subsection (1), the board is required to—
 - (a) decide the strategies and policies to be followed by the authority; and
 - (b) ensure that the authority exercises its functions in a proper, effective and efficient way.

10 Constitution of board

- (1) The board consists of the directors.
- (2) The directors of the authority are—
 - (a) the appointed directors; and
 - (b) the chief executive.
- (3) However, the board consists of only the appointed directors when it is considering or deciding—
 - (a) the appointment, or the ending of the appointment, of the chief executive; or
 - (b) the chief executive's conditions of appointment.

11 Appointment of directors

- (1) The Minister may appoint a person to be director of the authority.

Note 1 For the making of appointments (including acting appointments), see *Legislation Act 2001*, pt 19.3.

Note 2 Certain Ministerial appointments require consultation with an Assembly committee and are disallowable (see *Legislation Act 2001*, div 19.3.3).
- (2) The number of appointed directors must be not less than 4 nor more than 6.

- (3) An appointment must not be for a term longer than 3 years.

Note A person may be reappointed to a position if the person is eligible to be appointed to the position (see *Legislation Act 2001*, s 208 and dict, pt 1, def of *appoint*).

12 Chairperson and deputy chairperson

- (1) The Minister must appoint an appointed director to be the chairperson of the board.
- (2) The directors must elect an appointed director to be the deputy chairperson of the board.

13 Honesty and diligence

In the exercise of a function as a director, a director must exercise the degree of honesty, care and diligence that is required to be exercised by a director of a company in relation to the affairs of the company.

14 Ending of appointment of director

- (1) The Minister must end the appointment of an appointed director if the director—
- (a) becomes bankrupt, applies to take the benefit of any law for the relief of bankrupt or insolvent debtors, compounds with creditors or makes an assignment of remuneration for their benefit; or
- (b) is absent, except on leave, from 3 consecutive meetings of the board; or
- (c) has contravened section 13 or any of the following provisions of the Criminal Code:
- (i) section 333 (General dishonesty);
- (ii) section 335 (Obtaining financial advantage from the Territory);

- (iii) section 359 (Abuse of public office); or
- (d) without reasonable excuse, has contravened section 15; or
- (e) is sentenced, in Australia or elsewhere, to imprisonment for at least 1 year; or
- (f) is convicted, in Australia or elsewhere, of an offence—
 - (i) punishable by imprisonment for 1 year or more; or
 - (ii) that involves fraud or arises out of the promotion, formation or management of a corporation.

Note An appointed director's appointment also ends if the director resigns (see *Legislation Act 2001*, s 210).

- (2) The Minister may end the appointment of an appointed director if the board tells the Minister in writing that it has resolved, by a majority of at least $\frac{2}{3}$ of the directors, to recommend to the Minister that the director's appointment be ended.
- (3) The board may only pass a resolution mentioned in subsection (2) if—
 - (a) at least 21 days written notice of the intention to consider the proposed resolution has been given to the director concerned; and
 - (b) the director has been given an opportunity to make submissions and present documents to a meeting of the board; and
 - (c) if the member has availed himself or herself of the opportunity mentioned in paragraph (b)—a summary of his or her arguments is recorded in the minutes of the authority and a copy of any documents presented is incorporated in the minutes.

15 Disclosure of interest

- (1) A director who has a direct or indirect personal or financial interest in a matter being considered or about to be considered by the board must, as soon as practicable after the relevant facts have come to the director's knowledge, disclose the nature of the interest at a meeting of the board.
- (2) The disclosure must be recorded in the minutes of the meeting and, unless the board otherwise decides, the director must not—
 - (a) be present during any deliberation of the board on that matter; or
 - (b) take part in any decision of the board on that matter.
- (3) A director who has made a disclosure under this section must not—
 - (a) be present during any deliberation of the board for the purpose of considering whether to make a decision under subsection (2); or
 - (b) take part in the making of a decision.
- (4) The chairperson of the board must, within 7 days after the end of each financial year, give to the Minister a statement that sets out the details of all disclosures under this section made during the financial year.
- (5) The Minister must give to the relevant committee of the Legislative Assembly a copy of a statement received under subsection (4) within 14 days after receiving the statement.
- (6) In this section:
relevant committee means—
 - (a) a standing committee of the Legislative Assembly nominated by the Speaker for this section; or

- (b) if no nomination under paragraph (a) is in effect—the standing committee of the Legislative Assembly responsible for the scrutiny of public accounts.

Division 2.3 Procedures

16 Calling meetings of board

- (1) The chairperson or, if the chairperson cannot do so, the deputy chairperson—
- (a) may at any time call a meeting of the board; and
 - (b) must call a meeting of the board if asked by the Minister or, in writing, by at least 2 directors.
- (2) A person who calls a meeting of the board must give the other directors reasonable notice of the time and place of the meeting.

17 Procedure at meetings

- (1) The chairperson must preside at all meetings of the board at which he or she is present.
- (2) If the chairperson is not present at a meeting, the deputy chairperson must preside.
- (3) If the chairperson and the deputy chairperson are both absent from a meeting, the directors present must elect a director to preside.
- (4) Subject to any decision of the board, the procedures to be followed in connection with a meeting are as the presiding director decides.
- (5) If all the directors so agree, a meeting may be held by means of a method of communication, or a combination of methods of communication, that enables all participants to hear what another participant says without being in each other's presence.
- (6) A director who takes part in a meeting conducted under subsection (5) is taken, for all purposes, to be present at the meeting.

- (7) Questions arising at a meeting may be decided by a majority of the votes of the directors present and voting.
- (8) The presiding director has a deciding vote and, if the votes are equal, a casting vote.
- (9) The board must keep minutes of its proceedings in writing or in such other form as the board decides.

18 Quorum

A majority of the appointed directors is a quorum for a meeting.

Part 3 Chief executive and staff

19 Appointment of chief executive

- (1) The authority must appoint a person as the chief executive of the authority.

Note For the making of appointments (including acting appointments), see *Legislation Act 2001*, pt 19.3.

- (2) The chief executive's conditions of appointment are the conditions agreed to between the authority and the chief executive.
- (3) However, the authority may enter into an agreement mentioned in subsection (2) only after consultation between the Minister and the board.
- (4) Despite any agreement under subsection (2), the authority may end the appointment of a chief executive without compensation if the chief executive contravenes section 20 (2) or any of the following provisions of the Criminal Code:
 - (a) section 333 (General dishonesty);
 - (b) section 335 (Obtaining financial advantage from the Territory);
 - (c) section 359 (Abuse of public office).

Note The chief executive's appointment also ends if the chief executive resigns (see *Legislation Act 2001*, s 210).

20 Functions of chief executive

- (1) The functions of the chief executive are—
 - (a) to manage the authority's affairs on a day-to-day basis on behalf of the board; and
 - (b) to be a director; and
 - (c) such other functions as are given to him or her by the board.

- (2) In exercising the function under subsection (1) (a), the chief executive must act in accordance with any policies decided, and any directions given, by the board.

21 Executive staff

- (1) This section applies to staff at an executive level (*executive staff*).
- (2) The authority may employ, on behalf of the Territory, the executive staff it considers necessary to exercise its functions.
- (3) The conditions of employment of an executive staff employee are the conditions agreed between the authority and the executive staff employee.

22 Other staff

- (1) This section does not apply to staff at an executive level.
- (2) The authority may employ the staff it considers necessary to exercise its functions.
- (3) The authority's staff are to be employed under the *Public Sector Management Act 1994*.

Note The *Public Sector Management Act 1994*, s 24 provides that the chief executive officer of a Territory instrumentality has all the powers of a chief executive under the Act in relation to staff members who are public servants. Under that Act, s 3, def *chief executive officer*, the chief executive officer of an instrumentality is the person who has responsibility for managing its affairs.

- (4) However, if an agreement approved or certified under the *Workplace Relations Act 1996* (Cwlth) provides that the staff to which this section applies are to cease to be public servants, the Minister must, in writing, declare that the *Public Sector Management Act 1994* ceased to apply to the staff on the date of effect of the agreement.
- (5) If the Minister makes a declaration under subsection (4), the *Public Sector Management Act 1994* is taken to have ceased to apply to the

staff to which this section applies on the date of effect of the agreement.

- (6) The declaration is a notifiable instrument.

Note A notifiable instrument must be notified under the Legislation Act.

- (7) This subsection and subsections (3) to (6) expire on the day the declaration is notified.

Part 4 Accountability and finance

23 Requests for information

The authority must provide the Minister with all the information about the affairs of the authority that the Minister requests.

24 Notification of significant events

The authority must, as soon as practicable, tell the Minister of any significant event that affects, or seems likely to affect—

- (a) the value of the authority; or
- (b) a significant part of its assets; or
- (c) the performance of the authority as a whole; or
- (d) the discharge of a significant activity of the authority.

25 Ministerial directions

- (1) The Minister may give written directions to the authority in relation to the exercise of its functions.
- (2) Before giving a direction the Minister must—
 - (a) tell the authority of the effect of the proposed direction; and
 - (b) give the authority a reasonable opportunity to comment on the proposed direction; and
 - (c) consider any comments made by the authority.
- (3) The Minister must present a copy of a direction to the Legislative Assembly within 6 sitting days after the day the Minister makes it.
- (4) On receiving a direction under this section, the authority must comply with it.

- (5) The Territory is liable to reimburse the authority for the net reasonable expense of complying with a direction.
- (6) The net reasonable expense of complying with a direction is—
 - (a) if the direction requires the authority to do something that, but for the direction, it would not have done—the reasonable cost of, and the estimated revenue foregone in, complying with the direction; or
 - (b) if the direction requires the authority to perform an activity in a way that is different from the way in which the authority had intended to perform it—the additional cost incurred, and the estimated revenue foregone, in performing the activity in accordance with the direction; or
 - (c) if the direction requires the authority to refrain from performing an activity—the difference (if any) between any estimated foregone revenue and the savings resulting from the nonperformance of the activity.
- (7) An amount is not payable under subsection (5) unless it is agreed to by the Minister and the authority or, failing agreement, is determined by the Treasurer.

26 Business plans

- (1) The Minister may request the authority in writing to prepare and give to him or her a business plan made up to a date specified in the direction (the *specified date*).
- (2) If the Minister makes a request under subsection (1), the authority must give to the Minister a business plan that includes—
 - (a) a profit and loss account for the period from the beginning of the financial year to the specified date; and
 - (b) a cash flow statement for that period; and
 - (c) a statement of assets and liabilities at the specified date; and

- (d) estimated profit and loss accounts and cash flow statements for each of the next 3 financial years; and
 - (e) a statement of estimated assets and liabilities at the end of each of the next 3 financial years; and
 - (f) a copy of the statement of intent for the current financial year provided under the *Financial Management Act 1996*, section 58 (1); and
 - (g) a description of the business and corporate strategies adopted by the authority; and
 - (h) a description of any significant action that the authority has taken or intends to take in order to achieve the estimates set out in the statements under paragraphs (d) and (e); and
 - (i) an explanation of any significant variation disclosed by the business plan from—
 - (i) estimates previously given by the authority for the current or a future financial year; or
 - (ii) strategies or policies, whether adopted or contemplated, of which advice had been given;in a previous business plan, information given to the Minister or the Treasurer, a statement of intent or an annual report.
- (3) The Minister must present a copy of each business plan given to the Minister under subsection (2) to the Legislative Assembly within 6 sitting days after the day the Minister receives it.

27 Compliance with business plans

- (1) This section applies to a financial year if the authority has previously given to the Minister a business plan that contains estimates for the financial year.
- (2) As soon as practicable after 31 December and 30 June in a financial year to which this section applies, the authority must give to the Minister a written assessment of its performance, for the 6 month

period ending on those dates, in relation to the estimates for that period contained in the latest business plan given to the Minister.

- (3) A report under subsection (2) must be prepared in a form that facilitates a comparison between the business plan estimates applicable to the period and the outcomes of operations of the authority during the period.

28 Dividends

- (1) If there are profits available for doing so, the Treasurer, after consultation with the board, may direct the authority to declare a dividend for a financial year of the amount directed by the Treasurer.
- (2) The authority must pay to the Territory, within 1 month after receiving a direction under subsection (1), a dividend in accordance with the direction.
- (3) For this section, available profits are—
 - (a) the profits for the financial year to which the Treasurer's direction relates; and
 - (b) any profits for any previous financial year that have not previously been taken into account in deciding whether a dividend should be declared.
- (4) In this section:
profit includes the net proceeds of the sale of assets.

29 Other reporting requirements

- (1) In addition to any other reports that the authority is required by this Act or any other law to make, the authority must give to the Treasurer the reports that the Treasurer requires.
- (2) A report under this section must be prepared in such form and be based on such accounting or other policies or practices as the Treasurer specifies in writing.

Part 5 Miscellaneous

33 Power to bind authority

Anything done on behalf of the authority by the board or the chief executive is taken to have been done by the authority.

U 34 Annual report

A report or information prepared by the authority for the *Annual Reports (Government Agencies) Act 1995*, section 8 must include, for the reporting period—

- (a) a copy of any direction given by the Minister under section 25 during the period; and
- (b) a statement by the authority about action taken during the period to give effect to any direction given by the Minister under that section, whether during that period or an earlier one.

35A Regulation-making power

The Executive may make regulations for this Act.

Note Regulations must be notified, and presented to the Legislative Assembly, under the *Legislation Act 2001*.

Dictionary

(see s 2)

Note 1 The *Legislation Act 2001* contains definitions and other provisions relevant to this Act.

Note 2 In particular, the *Legislation Act 2001*, dict, pt 1, defines the following terms:

- appoint
- chief executive
- contravene
- exercise
- function.

appointed director means a person appointed to be a director of the authority under section 11 (1).

authority means the ACTION Authority established under section 4 (1).

board means the board of management of the authority established under section 8.

chief executive means a person appointed as the chief executive under section 19.

director means a director of the authority.

Endnotes

1 About the endnotes

Endnotes

1 About the endnotes

Amending and modifying laws are annotated in the legislation history and the amendment history. Current modifications are not included in the republished law but are set out in the endnotes.

Not all editorial amendments made under the *Legislation Act 2001*, part 11.3 are annotated in the amendment history. Full details of any amendments can be obtained from the Parliamentary Counsel's Office.

Uncommenced amending laws and expiries are listed in the legislation history and the amendment history. These details are underlined. Uncommenced provisions and amendments are not included in the republished law but are set out in the last endnote.

If all the provisions of the law have been renumbered, a table of renumbered provisions gives details of previous and current numbering.

The endnotes also include a table of earlier republications.

2 Abbreviation key

am = amended	ord = ordinance
amdt = amendment	orig = original
ch = chapter	par = paragraph/subparagraph
cl = clause	pres = present
def = definition	prev = previous
dict = dictionary	(prev...) = previously
disallowed = disallowed by the Legislative Assembly	pt = part
div = division	r = rule/subrule
exp = expires/expired	reg = regulation/subregulation
Gaz = Gazette	renum = renumbered
hdg = heading	reloc = relocated
IA = Interpretation Act 1967	R[X] = Republication No
ins = inserted/added	RI = reissue
LA = Legislation Act 2001	s = section/subsection
LR = legislation register	sch = schedule
LRA = Legislation (Republication) Act 1996	sdiv = subdivision
mod = modified/modification	sub = substituted
o = order	SL = Subordinate Law
om = omitted/repealed	<u>underlining</u> = whole or part not commenced or to be expired

3 Legislation history

ACTION Authority Act 2001 No 61

notified 10 September 2001 (Gaz 2001 No S66)
s 1, s 2 commenced 10 September 2001 (IA s 10B)
remainder (ss 3-39) commenced 1 January 2002 (s 2 and CN 2001 No 1)

as amended by

ACTION Authority Amendment Act 2001 No 99 (as am by A2003-3 pt 3)

notified LR 20 December 2001
s 5 om A2003-3 s 7 before commencement
remainder commenced 20 December 2001 (s 2 (1))

Statute Law Amendment Act 2002 No 30 pt 3.2 (as am by A2003-3 pt 4)

notified LR 16 September 2002
s 1, s 2 taken to have commenced 19 May 1997 (LA s 75 (2))
amdt 3.24, amdt 3.25 om A2003-3 s 9 before commencement
pt 3.2 commenced 17 September 2002 (s 2 (1))

ACTION Authority Amendment Act 2003 A2003-3

notified LR 3 March 2003
pt 1, pt 2 taken to have commenced 10 September 2001 (s 2 (1))
pt 3 taken to have commenced 20 December 2001 (s 2 (2))
pt 4 taken to have commenced 16 September 2002 (s 2 (3))

Note This Act also amends the ACTION Authority Amendment Act 2001 No 99 and the Statute Law Amendment Act 2002 No 30.

Taxation (Government Business Enterprises) Act 2003 A2003-12 sch 1 pt 1.1

notified LR 27 March 2003
s 1, s 2 taken to have commenced 1 July 2002 (LA s 75 (2))
sch 1 pt 1.1 commenced 28 March 2003 (s 2 (2))

Endnotes

4 Amendment history

Annual Reports Legislation Amendment Act 2004 A2004-9 sch 1 pt 1.1

notified LR 19 March 2004

s 1, s 2 commenced 19 March 2004 (LA s 75 (1))

[sch 1 pt 1.1 awaiting commencement \(s 2 and see Annual Reports \(Government Agencies\) Act 2004 A2004-8 s 2\)](#)

Note default commencement under LA s 79: 19 September 2004

Criminal Code (Theft, Fraud, Bribery and Related Offences) Amendment Act 2004 A2004-15 sch 2 pt 2.1

notified LR 26 March 2004

s 1, s 2 commenced 26 March 2004 (LA s 75 (1))

sch 2 pt 2.1 commenced 9 April 2004 (s 2 (1))

4 Amendment history

Dictionary

s 2 om LA s 89 (4)
ins 2002 No 30 amdt 3.4
am A2004-15 amdt 2.1

Notes

s 3 sub 2002 No 30 amdt 3.4

Functions

s 5 am 2002 No 30 amdt 3.5

Powers

s 6 om 2002 No 30 amdt 3.6

Function of the board

s 9 am 2002 No 30 amdt 3.7

Constitution of board

s 10 sub 2002 No 30 amdt 3.8

Appointment of directors

s 11 am 2002 No 30 amdt 3.9, amdt 3.10

Honesty and diligence

s 13 am 2002 No 30 amdt 3.11

Ending of appointment of director

s 14 hdg sub 2002 No 30 amdt 3.12

s 14 am 2002 No 30 amdts 3.13-3.16; A2004-15 amdt 2.2

Disclosure of interest

s 15 am 2002 No 30 amdt 3.17

Calling meetings of board

s 16 sub 2002 No 30 amdt 3.18

The chief executive

div 3.1 hdg om 2002 No 30 amdt 3.19

Appointment of chief executives 19 sub 2002 No 30 amdt 3.20
am A2004-15 amdt 2.3**Functions of chief executive**s 20 hdg sub 2002 No 30 amdt 3.21
s 20 am 2002 No 30 amdt 3.22**Employees**

div 3.2 hdg om 2002 No 30 amdt 3.23

Executive staff

s 21 sub A2003-3 s 4

Other staffs 22 am 2002 No 30 amdt 3.24 (amdt 3.24 om A2003-3 s 9 before
commencement)
renum and reloc as s 36AA 2002 No 30 amdt 3.25 (amdt 3.25
om A2003-3 s 9 before commencement)
sub A2003-3 s 4
(3)-(7) exp on notification of declaration under s 22 (4)
(s 22 (7))**Ministerial directions**

s 25 am 2002 No 30 amdt 3.26, amdt 3.27

Business plans

s 26 am 2002 No 30 amdt 3.28

Conduct of persons associated with the authority

div 5.1 hdg om A2004-15 amdt 2.4

Meaning of relevant person for div 5.1

s 30 om A2004-15 amdt 2.4

Improper use of position

s 31 om A2004-15 amdt 2.4

Improper use of information

s 32 om A2004-15 amdt 2.4

General

div 5.2 hdg om A2004-15 amdt 2.5

Authority's annual reports 34 sub A2004-9 amdt 1.1

Endnotes

4 Amendment history

Taxation

s 35 om A2003-12 amdt 1.1

Regulation-making power

s 35A ins 2001 No 99 amdt 4

Transitional provisions

pt 6 hdg sub 2002 No 30 amdt 3.29
exp 31 December 2003 (s 40 (1))

Transfer of assets, rights and liabilities

s 36 exp 31 December 2003 (s 40 (1))

Other staff

s 36AA (prev s 22) renum and reloc 2002 No 30 amdt 3.25 (amdt 3.25
om A2003-3 s 9 before commencement)

Transferred staff

s 36A ins 2001 No 99 s 5 (s 5 om A2003-3 s 7 before
commencement)

Evidentiary certificate

s 37 exp 31 December 2003 (s 40 (1))

Registration of changes in title to certain assets

s 38 exp 31 December 2003 (s 40 (1))

Proceedings and evidence

s 39 exp 31 December 2003 (s 40 (1))

Validation of new staff employed by authority

s 39A ins A2003-3 s 5
exp 31 December 2003 (s 40 (1))

Powers of commissioner for public administration

s 39B ins A2003-3 s 5
exp 31 December 2003 (s 40 (1))

Operation of s 39A and s 39B preserved despite expiry

s 39C ins A2003-3 s 5
exp 31 December 2003 (s 40 (1))

Modification of pt 6's operation

s 39D ins A2003-3 s 5
exp 31 December 2003 (s 40 (1))

Expiry of pt 6

s 40 ins 2001 No 99 amdt 6
am 2002 No 30 amdt 3.30
exp 31 December 2003 (s 40 (1))

Dictionary

dict

ins 2002 No 30 amdt 3.31
 def **appointed director** ins 2002 No 30 amdt 3.31
 def **authority** ins 2002 No 30 amdt 3.31
 def **board** ins 2002 No 30 amdt 3.31
 def **chief executive** ins 2002 No 30 amdt 3.31
 def **commencement day** ins 2002 No 30 amdt 3.31
 exp 31 December 2003 (s 40 (1))
 def **director** ins 2002 No 30 amdt 3.31
 def **relevant person** ins 2002 No 30 amdt 3.31
 om A2004-15 amdt 2.6

5 Earlier republications

Some earlier republications were not numbered. The number in column 1 refers to the publication order.

Since 12 September 2001 every authorised republication has been published in electronic pdf format on the ACT legislation register. A selection of authorised republications have also been published in printed format. These republications are marked with an asterisk (*) in column 1. Except for the footer, electronic and printed versions of an authorised republication are identical.

Republication No	Amendments to	Republication date
1	Act 2001 No 99	4 January 2002
1 (RI)	Act 2001 No 99 ‡	4 March 2003
2	Act 2002 No 30	24 September 2002
2 (RI)	Act 2002 No 30 ‡	4 March 2003
3	A2003-12	28 March 2003
4	A2003-12	24 December 2003

‡ includes retrospective amendments by A2003-3

Endnotes

6 Uncommenced amendments

6 Uncommenced amendments

The following amendments have not been included in this republication because they were uncommenced at the republication date:

Annual Reports Legislation Amendment Act 2004 A2004-9 sch 1 pt 1.1

Part 1.1 ACTION Authority Act 2001

[1.1] Section 34

substitute

34 Authority's annual report

A report prepared by the authority under the *Annual Reports (Government Agencies) Act 2004* for a financial year must include—

- (a) a copy of any direction given under section 25 (Ministerial directions) during the year; and
- (b) a statement by the authority about action taken during the year to give effect to any direction given (whether before or during the year) under that section.

Note **Financial year** has an extended meaning in the *Annual Reports (Government Agencies) Act 2004*.

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