

**2009**

**THE LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN  
CAPITAL TERRITORY**

**EXHIBITION PARK CORPORATION REPEAL BILL 2009**

**EXPLANATORY STATEMENT**

**Circulated by authority by  
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## EXHIBITION PARK CORPORATION REPEAL BILL 2009

### Overview

The Exhibition Park Corporation (the EPC) is a statutory authority established by the *Exhibition Park Corporation Act 1976*. The EPC administers the site known as "Exhibition Park in Canberra" (EPIC) located in North Canberra. The EPC has a board of management established under the *Financial Management Act 1996*. It has staff employed under the *Public Sector Management Act 1994*.

There are many similarities between the nature of the EPIC facilities, operations and business objectives and those of the other venues in the ACT currently being administered directly by the Territory, through the Department of Territory and Municipal Services (TAMS) such as Canberra Stadium, Manuka Oval and the Stromlo Forest Park. These similarities include—

- facilities that provide a focal point for a diversity of local, national sporting and community events;
- operational imperatives relevant to the nature of these events such as partnerships with the business and community sectors, flexibility and responsiveness to meet specific access and use needs, security and safety issues, 'neighbourhood' issues such as traffic management and noise; and
- business objectives that balance maximising income with affordable use as well as minimising operational dependence on recurrent government funding.

Incorporating the EPIC venue within TAMS can capitalise on the expertise available within both existing organisations, particularly in relation to management issues such as event planning, contract management, asset management, security and insurance.

In order to facilitate the integration of the EPIC site into TAMS it is necessary to dissolve the EPC and repeal the *Exhibition Park Corporation Act 1976*.

The Bill inserts provisions into the *Financial Management Act 1996* that will facilitate the transfer of assets and liabilities from the EPC back to the Territory utilising existing divisions 9.6 and 9.7 of the *Financial Management Act 1996*. EPC permanent staff are already public servants and will continue to be so after 1 July 2009.

### Financial Impact

The abolition of the EPC will result in some small annual savings to the Territory in relation to board sitting fees, secretariat costs and reporting overheads. These savings need to be offset against some integration costs in the short term. It is expected that the abolition of the EPC will save the Territory approximately \$50,000 per year.

### Notes on Clauses

#### Clause 1

#### Name of Act

This clause is a formal provision setting out the name of the Act.

**Clause 2                      Commencement**

This clause outlines the commencement dates for various provisions of the proposed Act. The formal provisions and the amendments to the *Financial Management Regulation 2005* will commence upon notification on the ACT Legislation Register. The repeal of the *Exhibition Park Corporation Act 1976* and its subordinate instruments (section 3 of the proposed Act ) will commence on 30 June 2009. The remainder of the provisions commence on 1 July 2009.

**Clause 3                      Legislation repealed**

This clause repeals the *Exhibition Park Corporation Act 1976* and any subordinate instruments made under that Act.

**Clause 4                      Legislation amended—sch 1**

This clause amends the legislation identified in schedule 1 of the proposed Act.

**Schedule 1                      Consequential amendments**

**Part 1.1                      Financial Management Act 1996**

**Clause 1.1                      Section 54(1)**

This clause will remove the reference to the Exhibition Park Corporation from section 54(1) of the *Financial Management Act 1996* from 1 July 2009. As EPIC will cease to exist from 1 July 2009, part 8 of the *Financial Management Act 1996* will not be required to apply from that date. As the operations of EPIC will be taken over by the Territory, Part 4 of that Act will apply.

**Clause 1.2                      section 76(2)**

This clause removes the reference to the Exhibition Park Corporation from section 76(2) of the *Financial Management Act 1996* from 1 July 2009, as the governing board of EPIC will cease to exist from that date.

**Clause 1.3                      New part 30**

This clause inserts a new part 30 into the *Financial Management Act 1996*.

New section 300 clarifies that any appointments made under the *Exhibition Park Corporation Act 1976*, particularly board appointments made using the provisions in Division 9.2 of the *Financial Management Act 1996* end upon the abolition of EPIC.

New section 301 permits the making of transitional regulations to address unforeseen matters, in the event that this Act has not adequately addressed the problem.

New sections 300 and 301 expire on 1 July 2011 by virtue of new section 350.

**Part 1.2                      Financial Management Regulation 2005**

**Clause 1.4                      Section 4**

This clause adds the Exhibition Park Corporation to the list of statutory authorities that can be dealt with under division 9.6 of the *Financial Management Act 1996*.

**Clause 1.5                      Section 5**

This clause adds the Exhibition Park Corporation to the list of statutory authorities that can be dealt with under division 9.7 of the *Financial Management Act 1996*.

The effect of clauses 1.4 and 1.5 of the proposed Act is to enable assets and liabilities of EPIC to be moved to the Territory, using either division 9.6 or 9.7 of the *Financial Management Act 1996*. These divisions also address transitional reporting requirements, transfer of litigation and the provision of assistance in the transfer process by EPIC, its staff and governing board to the Territory. Division 9.6 of the *Financial Management Act 1996* will operate to enable the transfer of assets and liabilities from the EPC to the Territory prior to the abolition of the EPC on 1 July 2009, should that be necessary. Division 9.7 will operate to transfer to the Territory any residual assets or liabilities or other matters of the EPC as at 1 July 2009.

EPC permanent staff are already public servants and will continue to be so after 1 July 2009.