

TASMANIA

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**PUBLIC WORKS COMMITTEE AMENDMENT  
BILL 2019**

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**CONTENTS**

1. Short title
2. Commencement
3. Principal Act
4. Section 2 inserted
  2. Interpretation
5. Section 15 amended (Functions of Committee)
6. Section 16 amended (Conditions precedent to commencing public works)
7. Section 17 amended (Power of House of Assembly to extend Act)
8. Part IV: Heading amended
9. Section 32 inserted
  32. Transitional provisions consequent on enactment of *Public Works Committee Amendment Act 2019*
10. Repeal of Act



# **PUBLIC WORKS COMMITTEE AMENDMENT BILL 2019**

This Public Bill originated in the House of Assembly, and, having this day passed, is now ready for presentation to the Legislative Council for its concurrence.

SHANE DONNELLY, *Clerk of the House*  
26 September 2019

*(Brought in by the Treasurer, the Honourable Peter Carl  
Gutwein)*

## **A BILL FOR**

### **An Act to amend the *Public Works Committee Act 1914***

Be it enacted by Her Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:

#### **1. Short title**

This Act may be cited as the *Public Works Committee Amendment Act 2019*.

#### **2. Commencement**

This Act commences on the day on which this Act receives the Royal Assent.

*Public Works Committee Amendment Act 2019*  
*Act No. of 2019*

s. 3

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**3. Principal Act**

In this Act, the *Public Works Committee Act 1914\** is referred to as the Principal Act.

**4. Section 2 inserted**

After section 1 of the Principal Act, the following section is inserted in Part I:

**2. Interpretation**

In this Act, unless the contrary intention appears –

*building or construction works* means any building work, civil engineering work or engineering work, whether such work is a continuation, completion, repair, reconstruction, extension, de-commissioning, demolition or new work, but does not include any road or bridges works;

*public work* means –

- (a) building or construction works; and
- (b) road or bridges works;

*relevant monetary threshold*, in relation to –

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\*No. 32 of 1914

*Public Works Committee Amendment Act 2019*  
*Act No. of 2019*

s. 4

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(a) building or construction works – means \$8 000 000; or

(b) road or bridges works – means \$20 000 000;

***road or bridges works*** means any work in relation to the following:

(a) roads, within the meaning of the *Roads and Jetties Act 1935*;

(b) any carriageway, track, or path, for –

(i) any vehicle that travels on land; or

(ii) trains, trams, buses or motorised bicycles; or

(iii) any self-propelled object that is designed for the carriage of humans or objects;

(c) footpaths, bicycle paths or paths or trails for pedestrians or animals;

(d) bridges –

whether such work is a continuation, completion, repair,

*Public Works Committee Amendment Act 2019*  
*Act No. of 2019*

s. 5

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reconstruction, extension, decommissioning, or demolition, of a road, carriageway, track, path, trail or bridge, is new such work or is for the purposes of the permanent closure of a road, carriageway, track, path, trail or bridge;

*vehicle* has the same meaning as in the *Vehicle and Traffic Act 1999*.

**5. Section 15 amended (Functions of Committee)**

Section 15(1) of the Principal Act is amended by omitting “exceeds \$5 000 000” and substituting “exceeds the relevant monetary threshold in relation to the work”.

**6. Section 16 amended (Conditions precedent to commencing public works)**

Section 16 of the Principal Act is amended as follows:

- (a) by omitting from subsection (1) “exceeds \$5 000 000” and substituting “exceeds the relevant monetary threshold in relation to such work”;
- (b) by omitting from subsection (2) “such proposed work” and substituting “proposed public work that exceeds the relevant monetary threshold in relation to such work”.

*Public Works Committee Amendment Act 2019*  
*Act No. of 2019*

s. 7

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**7. Section 17 amended (Power of House of Assembly to extend Act)**

Section 17 of the Principal Act is amended by omitting “exceed \$5 000 000” and substituting “exceed the relevant monetary threshold in relation to such work”.

**8. Part IV: Heading amended**

Part IV of the Principal Act is amended by omitting “**REMUNERATION OF COMMITTEE**” from the heading to that Part and substituting “**MISCELLANEOUS**”.

**9. Section 32 inserted**

Before section 35 of the Principal Act, the following section is inserted in Part IV:

**32. Transitional provisions consequent on enactment of *Public Works Committee Amendment Act 2019***

(1) In this section –

*amending Act* means the *Public Works Committee Amendment Act 2019*;

*amendment day* means the day on which the amending Act commences.

(2) If –

*Public Works Committee Amendment Act 2019*  
*Act No. of 2019*

**s. 10**

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- (a) any public work is, before the amendment day, referred to the Committee under this Act; and
- (b) the Committee has not, before that day, reported under this Act on the public work –

the provisions of this Act as in force immediately before the amendment day continue to apply to and in relation to the public work as if the amendments to this Act made by the amending Act had not commenced.

**10. Repeal of Act**

This Act is repealed on the first anniversary of the day on which it commenced.