PUBLIC WORKS COMMITTEE AMENDMENTS BILL 2009

NOTES ON CLAUSES

Clause 1 Short title.

Clause 2 Provides for the Act to commence on the date of Royal Assent.

Clause 3 Defines the Principal Act as being the *Public Works Committee Act 1914* .

Clause 4 Amends section 15(1) to remove reference to a public work as being characterised as a work funded out of the Loan Fund and replaces the characteristic of a public work as one that is proposed to be undertaken by a general government sector body.

     This clause also amends section 15(1) to replace the current threshold amount of $2 million with the new threshold amount of $5 million.

     Inserts new sections 15(3)(a) and 15(3)(b) after section 15(2) to provide a definition of what is meant by "general government sector body".

Clause 5 Amends section 16(1) to replace the current threshold of $2 million, for which any public work exceeding this amount must be referred to the Committee, with the new threshold amount of $5 million.

     This clause also amends section 16(2) by removing reference to the submission of a proposed public work to Parliament, after referral of the proposed public work to the Committee, as this does not occur. (In practice, Cabinet approval is given to an agency's budget submissions and the Appropriations Bill is then submitted to Parliament. Thereafter, an agency submits relevant matters to the Committee and once approved by the Committee, advertises for contractors to undertake the works).

Clause 6 Amends section 17 to replace the current threshold of $2 million, for which the House of Assembly may by resolution direct any public work under this amount to be referred to the Committee for scrutiny, with the new threshold amount of $5 million.

Clause 7 Inserts a new section to provide that any work currently under scrutiny by the Committee still requires its approval, even if the amendments to the Act would otherwise cause that work to no longer be covered by the Act. That is, a project of a value between $2 million and $5 million.