

## **RAIL COMPANY BILL 2009**

### **FACT SHEET**

- The *Rail Company Bill 2009* provides for the establishment of a State-owned Company under Corporations Law for the purpose of owning and operating a rail business in Tasmania.
- The Company will be established in the same manner as other State-owned Companies and will operate under the existing governance arrangements established for State-owned Companies in Tasmania. The members of the Company will be the Treasurer and the Minister for Infrastructure.
- The Bill provides for the Company to act as the nominee of the Crown under the Business Sale Agreement entered into by the Crown to acquire the Tasmanian rail operations and business of Pacific National Tasmania.
- The Company is authorised to own a railway and operate a rail business in Tasmania.
- The Bill includes transfer provisions to allow for the transfer of rail infrastructure and related assets, liabilities and contracts between the Company and the Crown. Provision is also made to enable the transfer of Crown employees to the Company while retaining their existing entitlements.
- The Bill specifically allows the Treasurer and the Minister for Infrastructure to sell their shares in the Company or to give a written direction to the Board of the Company requiring the Company to sell its shares in a subsidiary or all or any of its assets. All sales proceeds to be returned to the Consolidated Fund.