

Tabled by Mr Seener on a matter of privilege.

LAI'D UPON THE TABLE OF THE HOUSE
THE CLERK OF THE PARLIAMENT

5/10/04

Queensland



GOVERNMENT OWNED CORPORATIONS ACT 1993

Reprinted as in force on 28 March 2003
(includes commenced amendments up to 2003 Act No. 8)

Reprint No. 6C

This reprint is prepared by
the Office of the Queensland Parliamentary Counsel
Warning—This reprint is not an authorised copy

*Division 3—Company GOCs***183 Application of Crime and Misconduct Act**

A company GOC is not a unit of public administration under the *Crime and Misconduct Act 2001*.

184 Application of Ombudsman Act 2001

The *Ombudsman Act 2001* does not apply to a company GOC.

CHAPTER 4—MISCELLANEOUS**185 Monitoring and assessment of GOCs**

(1) The shareholding Ministers of a GOC may delegate their powers under section 133 (Board to keep shareholding Ministers informed) to any person.

(2) The shareholding Ministers of a GOC may request the chief executive of the department (the “chief executive”) to investigate, and report to them on, any matter relating to the GOC or a subsidiary or proposed subsidiary of the GOC.

(3) The responsible Ministers of a candidate GOC may request the chief executive to investigate, and report to them on, any matter relating to the candidate GOC or a subsidiary or proposed subsidiary of the candidate GOC.

(4) For the purposes of an investigation under this section of a matter relating to a GOC or candidate GOC (the “entity”) or a subsidiary or proposed subsidiary of the entity, the chief executive may give the entity written directions.

(5) Without limiting subsection (4), the chief executive may direct the entity—

- (a) to give to the chief executive any information about the entity and its subsidiaries and proposed subsidiaries that the chief executive considers necessary or desirable in connection with the investigation; and

Government Owned Corporations Act 1993

- (b) to permit persons authorised by the chief executive to have access to specified records and other documents about the entity and its subsidiaries and proposed subsidiaries that the chief executive considers necessary or desirable in connection with the investigation; and
- (c) to take steps that the chief executive considers necessary or desirable for the purposes of the investigation.

(6) The entity must ensure that any direction given to it under this section is complied with in relation to itself and must, as far as practicable, ensure that it is also complied with in relation to its subsidiaries and proposed subsidiaries.

(7) The chief executive may delegate to an officer of the department, an officer of the relevant portfolio Minister's department or another person the chief executive's powers under this section (including powers delegated to the chief executive under subsection (1)).

186 Giving of documents to board

If this Act authorises or requires a document to be given to the board of a GOC or a candidate GOC, it may be given to the chairperson of the board.

187 Proceedings for offences

(1) In this section—

“prescribed offence” means an offence against this Act for which the maximum penalty of imprisonment is 2 years or more.

(2) A proceeding for a prescribed offence may, at the election of the prosecution, be taken—

- (a) by way of summary proceedings under the *Justices Act 1886*; or
- (b) on indictment.

(3) Any other offence against this Act is a summary offence.

(4) A proceeding must be before a magistrate if it is a proceeding—

- (a) with a view to the summary conviction of a person on a charge of a prescribed offence; or
- (b) for an examination of witnesses in relation to a charge for a prescribed offence.