



TASMANIA

**PUBLIC WORKS COMMITTEE AMENDMENT
ACT 2019**

No. 42 of 2019

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PUBLIC WORKS COMMITTEE AMENDMENT ACT 2019

No. 42 of 2019

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

[Royal Assent 12 December 2019]

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.

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

(b) road or bridges works –
means \$15 000 000;

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,

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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”.

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

Section 17 of the Principal Act is amended as follows:

- (a) by inserting “or Legislative Council” after “Assembly”;
- (b) 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*;

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

(2) If –

- (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.

*[Second reading presentation speech made in:–
House of Assembly on 12 September 2019
Legislative Council on 30 October 2019]*