



TASMANIA

**STATE POLICIES AND PROJECTS AMENDMENT
ACT 2023**

No. 16 of 2023

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**STATE POLICIES AND PROJECTS AMENDMENT
ACT 2023**

No. 16 of 2023

An Act to amend the State Policies and Projects Act 1993

[Royal Assent 31 August 2023]

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 *State Policies and Projects Amendment Act 2023*.

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 *State Policies and Projects Act 1993** is referred to as the Principal Act.

4. Section 18 amended (Declaration of project of State significance)

Section 18 of the Principal Act is amended by inserting after subsection (3) the following subsection:

- (3A) An order under subsection (2) in respect of a project of State significance –
- (a) may include the requirement that an order made under section 26 in respect of the project is of no effect until the order under section 26 has been approved, under that section, by resolution of each House of Parliament; and
 - (b) must include the requirement referred to in paragraph (a) if one or more of the persons proposing the project of State significance is –
 - (i) the Crown in right of Tasmania including, but not limited to, an Agency within the meaning of the

*No. 65 of 1993

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Financial Management Act 2016; or

- (ii) an entity within the meaning of the *Financial Management Act 2016*.

5. Section 26 amended (Recommendation to Minister on project of State significance)

Section 26 of the Principal Act is amended as follows:

- (a) by omitting from subsection (6) “The” and substituting “Subject to subsection (6A), the”;
- (b) by inserting the following subsection after subsection (6):

(6A) If an order made under section 18 in respect of a project of State significance includes a requirement, under section 18(3A), that the order made under this section in respect of the project is of no effect until it has been approved by resolution of each House of Parliament, a recommendation of the Minister under subsection (5) in respect of the project is taken to be a recommendation of the Minister under subsection (7).

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- (c) by inserting in subsection (8) “or a recommendation that is taken, by virtue of subsection (6A), to have been made under subsection (7)” after “subsection (7)”.

6. 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 8 August 2023
Legislative Council on 15 August 2023]*