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K Woodward  
Chief Parliamentary Counsel  
Dated 27 January 2026



TASMANIA

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## METRO TASMANIA ACT 1997

**No. 78 of 1997**

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### **SCHEDULE 1 – PROVISIONS TO BE INCLUDED IN ARTICLES**



## **METRO TASMANIA ACT 1997**

**No. 78 of 1997**

**An Act to establish Metro Tasmania to provide for passenger transport services and for related purposes**

**[Royal Assent 14 January 1998]**

Be it enacted by His 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:

### **PART 1 – PRELIMINARY**

#### **1. Short title**

This Act may be cited as the *Metro Tasmania Act 1997*.

#### **2. Commencement**

This Act commences on a day to be proclaimed.

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### 3. Interpretation

In this Act –

**Board** means the board of directors of the Company referred to in section 9;

**Company** means the company referred to in section 4;

**liability** includes any liability, duty and obligation, whether actual, contingent or prospective;

**member of the Company** means a member referred to in section 7;

**principal objective** means the objective of the Company specified in section 5;

**property** means –

(a) any legal or equitable estate or interest, whether present or future and whether vested or contingent, in real or personal property; and

(b) money, documents and securities; and

(c) any other rights;

**right** includes any right, power, privilege and immunity, whether actual, contingent or prospective;

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***subsidiary board***, in relation to a subsidiary, means the board of directors for the subsidiary;

***Treasurer's Instructions*** means instructions issued under section 114 of the *Government Business Enterprises Act 1995* in accordance with section 19B of this Act;

***wholly-owned subsidiary***, in relation to the Company, means a subsidiary of the Company that falls within the definition of *wholly-owned subsidiary*, within the meaning of the Corporations Act, in respect of the Company.

## **PART 2 – METRO TASMANIA**

### **4. Formation of Company**

The Minister may form, or participate in the formation of, a company limited by shares that is to be incorporated under the Corporations Law to perform functions relating to the operation of one or more public transport systems.

### **5. Principal objective of Company**

The principal objective of the Company is to provide passenger transport services in Tasmania, whether those services are by road, rail, ferry or otherwise, and to operate those services in a manner consistent with sound commercial practice.

### **6. Memorandum and articles of Company**

- (1) The memorandum of association of the Company on its incorporation is to include the principal objective of the Company.
- (1A) As soon as practicable after the commencement of this subsection, the Company is to amend its articles of association to include provisions to the effect of the provisions specified in Schedule 1.
- (2) The provisions of the memorandum and articles of association of the Company on its incorporation are to be consistent with this Act.

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## 7. Members of Company

- (1) The members of the Company are –
  - (a) the Minister; and
  - (b) the Treasurer.
- (2) If, at any one time, one person is both the Minister and Treasurer –
  - (a) the Treasurer must nominate another Minister, being a different person, to be a member of the Company; and
  - (b) a reference in this Act to the Minister is taken to be a reference to the other Minister so nominated; and
  - (c) a reference in this Act, or any other Act, to the members of the Company is taken to include a reference to the other Minister so nominated.
- (3) If the Treasurer nominates another Minister as a member of the Company, the Treasurer is to notify the Company in writing of that fact, as soon as practicable after the Treasurer makes the nomination.

## 8. Shares

- (1) The consideration for shares issued to the members of the Company on its incorporation is to be the property and rights vested in the Company under the *Metro Tasmania*

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*(Transitional and Consequential Provisions) Act 1997.*

(2) Shares issued to the members of the Company are held by the members in trust for the Crown.

## **9. Directors of Company**

The Company is to have a board of directors who must have the experience and skills necessary to enable the Company to achieve its objectives.

## **10. Status of Company**

(1) Unless this or any other Act expressly provides otherwise, the Company –

- (a) is not, and does not represent, the Crown in right of Tasmania; and
- (b) is not exempt from any rate, tax, duty or other impost imposed under any law merely because the Crown in right of Tasmania has beneficial ownership of shares in it; and
- (c) is not subject to any prerogative right or privilege of the Crown in right of Tasmania.

(2) The Crown in right of Tasmania is not liable for any liability or obligation of the Company unless –

- (a) the Treasurer gives a guarantee or indemnity under section 13 in relation to that liability or obligation; or
- (b) a guarantee is given under the *Tasmanian Public Finance Corporation Act 1985* in respect of the Company.

#### **10A. Members' statement of expectations**

- (1) The members are to provide the Board with a statement of expectations.
- (2) The statement of expectations is to specify –
  - (a) the expectations of the members in relation to the strategic priorities of the Company; and
  - (b) the policy expectations of the members for the performance of the Company and its subsidiaries.
- (3) The members, at any time, may at their own discretion or on the application of the Board –
  - (a) amend the statement of expectations; or
  - (b) revoke the statement of expectations and substitute another statement of expectations.
- (4) Before or while preparing a statement of expectations or an amendment to a statement of expectations, the members are to consult with the Board.

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- (5) A statement of expectations and an amendment to a statement of expectations are to be in writing and signed by each member.
- (6) A statement of expectations, or an amendment to a statement of expectations, takes effect on a day specified in it, being a day not earlier than the day on which the statement or amendment is provided to the Company.
- (7) The Minister must cause a copy of the statement of expectations, or of an amendment to a statement of expectations, to be laid before each House of Parliament within 10 sitting-days after the statement or amendment has been signed as required by subsection (5).

**10B. Directions by members**

- (1) The members may give a direction to the Company or a wholly-owned subsidiary of the Company.
- (2) Before the members give a direction under subsection (1) to the Company or a wholly-owned subsidiary of the Company, the members are to notify the Company or wholly-owned subsidiary in writing that –
  - (a) the members intend to give the direction on the matter specified in the notification; and
  - (b) the Company or wholly-owned subsidiary has the period specified in the notification to provide information to the

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members in respect of the specified matter.

(3) A direction given to the Company, or a wholly-owned subsidiary, under subsection (1) –

(a) may be given even if the direction is contrary to –

- (i) the memorandum and articles of association of the Company; or
- (ii) a statement of expectations under section 10A in force in respect of the Company or subsidiary; or
- (iii) the statement of corporate intent under section 10F in force in respect of the Company or subsidiary; or
- (iv) Treasurer's Instructions in force in respect of the Company or subsidiary; or
- (v) if the direction is given to a wholly-owned subsidiary, the constitution of the subsidiary; or
- (vi) if the Company or subsidiary provided information in respect of the direction in accordance with subsection (2), that information; and

(b) may not be given if the direction is contrary to the provisions of this Act or

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another Act of this State or the Commonwealth.

- (4) The members may, by written notice to the Company or its subsidiary at any time, amend or revoke a direction given to the Company or subsidiary under subsection (1) –
  - (a) at their own discretion; or
  - (b) on the written request of the Board or a subsidiary board; or
  - (c) as a result of an objection made under section 10C in respect of the direction.
- (5) As soon as practicable after a direction is given under subsection (1), or amended or revoked under subsection (4), the members must ensure that a written copy of the direction so given, or a copy of the written notice given for an amendment or revocation of a direction –
  - (a) is signed, and dated, by each member; and
  - (b) is given to the Board or the subsidiary board.
- (6) A direction given under subsection (1), or an amendment or revocation of such a direction under subsection (4), takes effect –
  - (a) on the day on which a copy of the direction, or a copy of the written notice of the amendment or revocation, is given

to the relevant board under subsection (5); or

- (b) on such later date as is specified in the direction or notice of the amendment or revocation.
- (7) The Company, or a wholly-owned subsidiary, must comply with each direction given to the Company or subsidiary under this section.
- (8) It is a defence in proceedings for an offence under any Act, if the defendant establishes that the act, or omission, that is the basis of the offence was a result of complying with a direction, or purported direction, given under this section.

#### **10C. Company may object to direction by members**

- (1) Within 21 days after receiving a copy of a direction, or a copy of a written notice of an amendment or revocation of such a direction, under section 10B(5), the Board or the subsidiary board may object to the direction, or its amendment or revocation, on any ground.
- (2) An objection under subsection (1) is to –
  - (a) be made in writing to the members; and
  - (b) specify the grounds of the objection.
- (3) If the members receive an objection under subsection (1) in respect of a direction –

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- (a) the members, within 10 days after receiving the objection, are to notify the relevant board, in writing, that the members –
  - (i) intend to amend or revoke the direction in accordance with section 10B; or
  - (ii) do not intend to amend or revoke the direction; and
- (b) if the members notify the relevant board under paragraph (a)(i) that the direction is to be amended or revoked, the direction is of no effect until it is so amended or revoked; and
- (c) if the members notify the relevant board under paragraph (a)(ii) that the direction is not to be amended or revoked –
  - (i) the Minister must cause a copy of the objection to be tabled in each House of Parliament within 5 sitting-days after the members received the objection; and
  - (ii) if the Minister fails to table a copy of the objection under this paragraph, the direction is void.

**10D. Publication of directions**

- (1) If a copy of a direction, or a copy of a written notice of an amendment or revocation of such a

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direction, is given to the Board or a subsidiary board under section 10B(5), the Minister must table a copy of the direction, or the written notice, in each House of Parliament within 7 sitting-days after the direction or notice is so given.

- (2) Despite subsection (1), within 5 days after a board receives a copy of a direction or a copy of a written notice under section 10B(5), the relevant board may make a written request to the members that the direction, or written notice of an amendment or revocation of a direction, should not be tabled under subsection (1).
- (3) A board may only make a request under subsection (2) if the board is of the opinion that the tabling of the direction or written notice may –
  - (a) disadvantage or cause damage to the Company or a subsidiary, whether directly or indirectly; or
  - (b) enable another person, whether directly or indirectly, to gain an unreasonable advantage; or
  - (c) constitute a breach of confidentiality; or
  - (d) prejudice an investigation into –
    - (i) misconduct or possible misconduct; or
    - (ii) an offence, or possible offence, against this Act.

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- (4) If the members are satisfied that a direction, or written notice of an amendment or revocation of a direction, should not be tabled under subsection (1) for a reason specified in subsection (3) –
  - (a) subsection (1) does not apply in respect of the direction, the amendment or the revocation; and
  - (b) the Minister must table a statement that the direction has been given, or that written notice of an amendment or revocation has been given, in each House of Parliament within 7 sitting-days after the direction or notice is given to the relevant board under section 10B.
- (5) In the report prepared by the Board in respect of the Company and its subsidiaries for a financial year, the Board must publish –
  - (a) subject to paragraph (b), a list of –
    - (i) each direction, given to the Board or a subsidiary board under section 10B, that was in effect in respect of the Company or a subsidiary during the financial year; and
    - (ii) each revocation of a direction that was given to the Board or a subsidiary board, under section 10B, during the financial year; or

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- (b) if the Minister has tabled a statement under subsection (4) in respect of a direction, or the amendment or revocation of a direction, given to the Board or a subsidiary board under section 10B in respect of the financial year – a copy of the statement.

**10E. Duty to notify members of compliance with directions**

If the Board or a subsidiary board is given a direction under section 10B in respect of the Company or a subsidiary, the relevant board must notify the members, in writing, of the progress of the Company, or subsidiary, in complying with the direction –

- (a) at the intervals specified in the direction; and
- (b) when, in the opinion of the relevant board, the Company or subsidiary has complied with the direction in full.

**10F. Statement of corporate intent**

- (1) In this section –

*relevant financial year*, in relation to a statement of corporate intent of the Company, means the financial year during which the statement is to be in force in respect of the Company.

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- (2) Before the commencement of each financial year, the Board must prepare a statement of corporate intent, in respect of the Company and its subsidiaries, that is to be in force for that financial year.
- (3) A statement of corporate intent of the Company must not disclose any information that the Board considers –
  - (a) may, if disclosed –
    - (i) disadvantage or cause damage to the Company or its subsidiaries, either directly or indirectly; or
    - (ii) enable another person, either directly or indirectly, to gain an advantage; or
  - (b) may otherwise be unlawful, or inappropriate, to disclose publicly.
- (4) A draft of a statement of corporate intent prepared under this section in respect of the Company is to –
  - (a) relate to the Company and its subsidiaries; and
  - (b) be consistent with each of the following:
    - (i) the statement of expectations in respect of the Company and its subsidiaries that is in force under section 10A;

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- (ii) each direction under section 10B that is in effect in respect of the Company and its subsidiaries;
- (iii) the Treasurer's Instructions that are in force in respect of the Company and its subsidiaries; and

(c) be in a form, and contain the information, specified in the Treasurer's Instructions; and

(d) be provided to the members before –

- (i) 31 March in the financial year immediately preceding the relevant financial year; or
- (ii) such later day, being a day before the commencement of the relevant financial year, as approved by the members.

(5) After receiving a draft statement of corporate intent under subsection (4)(d), the members may –

- (a) request that the Board make changes to the draft statement of corporate intent before it is approved under this section; or
- (b) approve the draft statement of corporate intent if satisfied that –

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- (i) the statement complies with this section; and
- (ii) the statement does not disclose information in contravention of subsection (3).

(6) A statement of corporate intent approved under this section in respect of the Company –

- (a) takes effect on the day on which it is approved by the members under subsection (5)(b); and
- (b) while it remains in force, is to be published on a website operated by, or on behalf of, the Company, so that it is freely available to members of the public.

(7) The Board may amend, or substitute, the statement of corporate intent for the Company at any time.

(8) An amendment to a statement of corporate intent, or a substitute statement of corporate intent, for the Company takes effect –

- (a) on the day on which it is approved by the members; or
- (b) on such later day as is specified in the amended or substituted statement of corporate intent.

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## **10G. Company to report on progress**

- (1) Before 28 February in each financial year, the Board must –
  - (a) prepare a report on the performance of the Company, and its subsidiaries, for the first 6 months of the financial year; and
  - (b) give a copy of the report to the members.
- (2) A report prepared under subsection (1) is to be in a form, and contain the information, specified in the Treasurer's Instructions.
- (3) Within 7 days after giving a copy of a report to the members under subsection (1), the Board must publish a copy of the report on a website maintained by, or on behalf of, the Company so that it is freely available to members of the public.
- (4) Despite subsection (3), the Board may omit a part of a report prepared under subsection (1) before publishing the report under subsection (3), if the Board is of the opinion that publishing the report, without omitting that part, may –
  - (a) disadvantage or cause damage to the Company or its subsidiaries, whether directly or indirectly; or
  - (b) enable another person, whether directly or indirectly, to gain an unreasonable advantage; or

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- (c) constitute a breach of confidentiality; or
- (d) prejudice an investigation into –
  - (i) misconduct or possible misconduct; or
  - (ii) an offence, or possible offence, against this Act.

(5) If the Board does not publish part of a report under subsection (3), for a reason specified in subsection (4), the Board must include, with the report published in accordance with subsection (3), a statement that part of the report has been omitted under this section before being so published.

**10H. Duty to notify members of adverse circumstances**

(1) In this section –

*governing documents*, in relation to the Company, includes –

- (a) the statement of expectations in force in respect of the Company and its subsidiaries under section 10A; and
- (b) each direction under section 10B in effect in respect of the Company and its subsidiaries; and
- (c) the statement of corporate intent in force in respect of the

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Company and its subsidiaries under section 10F; and

- (d) the Treasurer's Instructions in force in respect of the Company and its subsidiaries.

(2) The Board must notify the members, in writing, of any development which, in the opinion of the Board, may –

- (a) prevent or significantly affect the achievement of the objectives, for the Company or its subsidiaries, as specified in the governing documents of the Company; or
- (b) significantly affect the financial viability or operating ability of –
  - (i) the Company and its subsidiaries; or
  - (ii) any partnership, trust, joint venture or arrangement for the sharing of profits in which the Company or its subsidiaries participate; or
- (c) prevent the Company or its subsidiaries from complying with a direction given to the Company, or a subsidiary, under section 10B; or
- (d) significantly affect the ability of the Company or its subsidiaries to comply

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with a direction given to the Company, or a subsidiary, under section 10B; or

- (e) otherwise significantly affect the Company, or its subsidiaries, in any manner.
- (3) A notification under subsection (2) in respect of a development is to be made as soon as possible after the Board becomes aware of the development.

**10I. Sponsorship framework**

- (1) As soon as practicable after the commencement of this section, the Board is to prepare a framework that specifies the principles and practices that are to be applied in respect of the provision of sponsorship by the Company and its subsidiaries.
- (2) A framework prepared under subsection (1) –
  - (a) must be prepared in accordance with, and must reflect, any Treasurer's Instructions issued in respect of sponsorship; and
  - (b) must include –
    - (i) the prescribed provisions; and
    - (ii) provisions that relate to prescribed matters; and
  - (c) is to reflect contemporary standards, and best-practice principles, that apply in relation to sponsorship; and

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- (d) may include such other matters as the Board considers relevant.
- (3) The Board is to ensure that, as far as is reasonably practicable, there is always a framework in force under this section in respect of the Company and its subsidiaries.
- (4) As soon as practicable after a framework under this section comes into force, the Board is to ensure that –
  - (a) a copy of the framework is published on a website maintained by, or on behalf of, the Company; and
  - (b) as far as is reasonably practicable, the framework remains so published while it is in force.

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Part 3 – Financial Provisions

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## **PART 3 – FINANCIAL PROVISIONS**

### **11. Accounts and report of Company**

- (1) The Board is to provide the Minister with copies of the following:
  - (a) the memorandum and articles of association of the Company and any amendments to the memorandum or articles;
  - (b) any financial statement, directors' report or auditor's report and the annual return for the Company as required by the Corporations Act.
- (2) The Minister must cause to be laid before each House of Parliament the copies referred to in subsection (1) within 7 sitting days after receiving them.

### **12. Loan from Treasurer**

- (1) The Treasurer may lend to the Company, out of money provided by Parliament for the purpose, any money the Treasurer considers appropriate.
- (2) A loan is subject to any conditions the Treasurer determines.
- (3) An amount lent under subsection (1) and any interest or other charge payable in respect of the loan is a debt repayable by the Company to the Crown.

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### **13. Guarantee or indemnity**

- (1) On the written request of the Company, the Treasurer, in writing, may guarantee or give an indemnity relating to –
  - (a) . . . . .
  - (b) the performance of an obligation undertaken by the Company, or which the Company has agreed to undertake, whether that obligation is monetary or otherwise.
- (2) A guarantee or an indemnity –
  - (a) . . . . .
  - (b) is subject to any conditions the Treasurer determines and specifies in the guarantee or indemnity.
- (3) The Treasurer must make any required payment out of money provided by Parliament for the purpose.
- (4) This section has effect regardless of where the obligation was undertaken or agreed to be undertaken or where it is required to be performed.

### **14. Guarantee fees**

Division 1 of Part 11 of the *Government Business Enterprises Act 1995* applies in respect of the Company as if the Company were a

Government Business Enterprise specified in Schedule 3 to that Act.

**15. Tax equivalents**

The provisions of Part 10 of the *Government Business Enterprises Act 1995* apply in respect of the Company as if the Company were a Government Business Enterprise specified in Schedule 2 to that Act.

16. . . . .

**17. Effect of *Financial Agreement Act 1994***

If, under section 5(1) of the *Financial Agreement Act 1994*, the Treasurer requires the Company to do or refrain from doing anything for the purpose of implementing the Agreement, within the meaning of that Act, the Company must comply with that requirement.

**18. Superannuation**

The Company must comply with any instruction in relation to superannuation given to it by the Minister administering the *Public Sector Superannuation Reform Act 2016*.

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Part 3A - . . . . .

**s. 18A**

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**PART 3A - . . . . .**

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Part 4 – Miscellaneous and Supplemental

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**PART 4 – MISCELLANEOUS AND SUPPLEMENTAL**

**19. Limitation on sale, &c., of assets**

- (1) The Company may not sell or otherwise dispose of the whole or a substantial part of its assets unless the sale or disposal is approved by each House of Parliament.
- (2) For the purposes of subsection (1), a sale or disposal is approved by a House of Parliament –
  - (a) when the House passes a motion approving the sale or disposal; or
  - (b) at the end of 5 sitting days after notice of the sale or disposal was laid before the House if no notice of a motion to disapprove the sale or disposal is before the House; or
  - (c) if any such notice is before the House at the end of that period, when the first of the following occurs:
    - (i) the notice is withdrawn;
    - (ii) the motion is negated;
    - (iii) a further period of 5 sitting days ends.

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### **19A. Limitations on members of Company**

- (1) A member of the Company must not sell or otherwise dispose of the shares held by that member.
- (2) A member of the Company must not vote at a meeting of the shareholders of the Company to allow the Company to –
  - (a) offer shares in the Company for subscription; or
  - (b) invite persons to subscribe for shares in the Company; or
  - (c) allot or issue shares in the Company on a basis other than to existing shareholders pro rata to their existing shareholding.
- (3) If an Act intends to amend or repeal subsection (1), that Act is of no effect unless a motion that approves the proposed amendment or repeal has first been passed by at least two-thirds of the members of each House of Parliament.

### **19B. Treasurer's Instructions**

- (1) In this section –

***Treasurer's Instruction*** means a Treasurer's Instruction issued under section 114 of the *Government Business Enterprises Act 1995*.

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Part 4 – Miscellaneous and Supplemental

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- (2) A Treasurer's Instruction applies to the Company, and each subsidiary of the Company, as if they were Government Business Enterprises specified in Schedules 1, 2 and 3 of the *Government Business Enterprises Act 1995*.
- (3) The Treasurer may issue Treasurer's Instructions specifically in relation to the Company, and each subsidiary of the Company, as if they were Government Business Enterprises specified in Schedules 1, 2 and 3 of the *Government Business Enterprises Act 1995*.
- (4) The Company and each subsidiary of the Company are to comply with all relevant Treasurer's Instructions.
- (5) The Treasurer may exempt the Company or a subsidiary of the Company, or both, from the obligation to comply with all or part of a Treasurer's Instruction.

### **19C. Application of Corporations Act**

To the extent that a provision of this Act is incapable of concurrent operation with the Corporations Act, that provision is declared to be a Corporations legislation displacement provision for the purposes of section 5G of the Corporations Act.

### **20. *Land Acquisition Act 1993* does not apply**

The Company is not a public authority for the purposes of the *Land Acquisition Act 1993*.

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## **21. Arrangements with Minister**

- (1) The Minister may enter into an agreement with the Company consistent with its principal objective under which it agrees to perform, or to cease to perform, functions.
- (2) The terms of the agreement may provide for reimbursement to the Company out of money provided by Parliament for the purpose.

## **22. Transitional and savings provisions consequent on *Metro Tasmania Amendment Act 2018***

- (1) In this section –

***amended order*** means the *Metro Tasmania Fares Order 2016* as amended by the *Metro Tasmania Amendment Act 2018*;

***commencement day*** means the day on which the *Metro Tasmania Amendment Act 2018* commenced.

- (2) Despite the repeal, by the *Metro Tasmania Amendment Act 2018*, of Part 3A of this Act as in force immediately before the commencement day, the amended order remains in force until revoked by the Minister by order.
- (3) An order under subsection (2) is a statutory rule within the meaning of the *Rules Publication Act 1953*.

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**SCHEDULE 1 – PROVISIONS TO BE INCLUDED IN  
ARTICLES**

**Section 6**

**1. Terms of directors**

- (1) Except as approved under clauses 2 and 3, a person may not be appointed to serve as director on the Board if the person –
  - (a) has previously served 2 full terms as director on the Board, whether consecutive or not; or
  - (b) has previously held the position of chief executive officer of the Company.
- (2) For the avoidance of doubt, subclause (1) does not apply to a term as director if –
  - (a) the person –
    - (i) holds the office of director to fill a vacancy in the office of director; and
    - (ii) only holds that office for the remainder of the vacating director's term; and
  - (b) the person has not previously been appointed as director for a full term.
- (3) For the purposes of this clause, a person has served a full term as director –

- (a) if the person has held the office of director for the amount of time for which the person was appointed to that office, before being required to be reappointed to the office; and
- (b) regardless of whether that person served the full term as director before, or after, the commencement of the *Government Business Governance Reforms Act 2025*.

(4) For the purposes of this clause, the operation of section 21(3)(b) of the *Acts Interpretation Act 1931* in respect of a person's appointment to the office of director is taken to be an extension of the person's full term as director and not a reappointment of the person to the office of director.

## **2. Members may appoint directors for further terms**

- (1) A person may be appointed for a third or subsequent term as director if the members are satisfied that exceptional circumstances exist that require the person to serve a third, or subsequent, term.
- (2) If a person is appointed for a third or subsequent term as director, the Minister is to table a notice in each House of Parliament, within 7 sitting-days after the appointment, that includes –
  - (a) a statement that includes the following information:

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- (i) the fact that the appointment has been made;
- (ii) the duration of the term of the appointment so made;
- (iii) how many times the person, so appointed, has been appointed to the office of director; and

(b) if appropriate, the exceptional circumstances relied upon by the members when making the appointment.

**3. Members may appoint former chief executive officers as directors**

- (1) A former chief executive officer of the Company may be appointed as director if the members are satisfied that exceptional circumstances exist that require the person to be appointed as director.
- (2) If a former chief executive officer of the Company is appointed as director under subclause (1), the Minister is to table a notice in each House of Parliament, within 7 sitting-days after the appointment, that includes –
  - (a) a statement that includes the following information:
    - (i) the fact that the appointment has been made;
    - (ii) the duration of the term of the appointment so made;

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- (iii) that the person was previously the chief executive officer of the Company; and
- (b) if appropriate, the exceptional circumstances relied upon by the members when making the appointment.

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## NOTES

The foregoing text of the *Metro Tasmania Act 1997* comprises those instruments as indicated in the following table. Any reprint changes made under any Act, in force before the commencement of the *Legislation Publication Act 1996*, authorising the reprint of Acts and statutory rules or permitted under the *Legislation Publication Act 1996* and made before 1 January 2026 are not specifically referred to in the following table of amendments.

Act	Number and year	Date of commencement
<i>Metro Tasmania Act 1997</i>	No. 78 of 1997	2.2.1998
<i>National Taxation Reform (Commonwealth-State Relations) Act 1999</i>	No. 84 of 1999	1.7.2000
<i>Metro Tasmania Amendment Act 2001</i>	No. 6 of 2001	12.4.2001
<i>Corporations (Consequential Amendments) Act 2001</i>	No. 42 of 2001	15.7.2001
<i>Government Business Enterprises and State-owned Companies Legislation Amendment Act 2009</i>	No. 1 of 2009	27.4.2009
<i>Economic Regulator Amendment Act 2015</i>	No. 13 of 2015	1.7.2015
<i>Public Sector Superannuation Reform (Consequential and Transitional Provisions) Act 2016</i>	No. 54 of 2016	31.3.2017
<i>Metro Tasmania Amendment Act 2018</i>	No. 9 of 2018	10.9.2018
<i>Tasmanian Public Finance Corporation Amendment Act 2023</i>	No. 22 of 2023	1.7.2023
<i>Government Business (Sale Reforms) Act 2025</i>	No. 20 of 2025	27.11.2025
<i>Government Business Governance Reforms Act 2025</i>	No. 18 of 2025	1.1.2026

## TABLE OF AMENDMENTS

Provision affected	How affected
The long title	Amended by No. 9 of 2018, s. 4
Section 3	Amended by No. 18 of 2025, s. 35
Section 4	Amended by No. 9 of 2018, s. 5
Section 5	Amended by No. 9 of 2018, s. 6
Section 6	Amended by No. 18 of 2025, s. 36
Section 7	Substituted by No. 18 of 2025, s. 37

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Provision affected	How affected
Section 10	Amended by No. 22 of 2023, s. 25
Section 10A	Inserted by No. 9 of 2018, s. 7
Section 10B	Inserted by No. 18 of 2025, s. 38
Section 10C	Inserted by No. 18 of 2025, s. 38
Section 10D	Inserted by No. 18 of 2025, s. 38
Section 10E	Inserted by No. 18 of 2025, s. 38
Section 10F	Inserted by No. 18 of 2025, s. 38
Section 10G	Inserted by No. 18 of 2025, s. 38
Section 10H	Inserted by No. 18 of 2025, s. 38
Section 10I	Inserted by No. 18 of 2025, s. 38
Section 11	Amended by No. 42 of 2001, Sched. 1
Section 13	Amended by No. 22 of 2023, s. 26
Section 14	Substituted by No. 1 of 2009, Sched. 1
Section 16	Amended by No. 84 of 1999, s. 16, No. 1 of 2009, Sched. 1 Repealed by No. 9 of 2018, s. 8
Section 18	Amended by No. 54 of 2016, s. 74
Part 3A	Repealed by No. 9 of 2018, s. 9
Section 18A	Inserted by No. 13 of 2015, s. 83 Repealed by No. 9 of 2018, s. 9
Section 18B	Inserted by No. 13 of 2015, s. 83 Repealed by No. 9 of 2018, s. 9
Section 18C	Inserted by No. 13 of 2015, s. 83 Repealed by No. 9 of 2018, s. 9
Section 18D	Inserted by No. 13 of 2015, s. 83 Repealed by No. 9 of 2018, s. 9
Section 18E	Inserted by No. 13 of 2015, s. 83 Repealed by No. 9 of 2018, s. 9
Section 18F	Inserted by No. 13 of 2015, s. 83 Repealed by No. 9 of 2018, s. 9
Section 18G	Inserted by No. 13 of 2015, s. 83 Repealed by No. 9 of 2018, s. 9
Section 18H	Inserted by No. 13 of 2015, s. 83 Repealed by No. 9 of 2018, s. 9
Section 18I	Inserted by No. 13 of 2015, s. 83 Repealed by No. 9 of 2018, s. 9
Section 18J	Inserted by No. 13 of 2015, s. 83 Repealed by No. 9 of 2018, s. 9
Section 18K	Inserted by No. 13 of 2015, s. 83 Repealed by No. 9 of 2018, s. 9
Section 19A	Inserted by No. 6 of 2001, s. 4 Amended by No. 20 of 2025, s. 16
Section 19B	Inserted by No. 9 of 2018, s. 10
Section 19C	Inserted by No. 9 of 2018, s. 10
Section 22	Substituted by No. 9 of 2018, s. 11
Schedule 1	Inserted by No. 18 of 2025, s. 39