

Queensland



Government Owned Corporations Act 1993

**GOVERNMENT OWNED
CORPORATIONS
(QUEENSLAND
GENERATION
CORPORATION)
REGULATION 1994**

**Reprinted as in force on 20 September 1994
(SL not amended up to this date)**

Reprint No. 1

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Information about this reprint

This regulation is reprinted as at 20 September 1994.

See Endnotes for information about—

- **when provisions commenced**
- **provisions that have not commenced and are not incorporated in the reprint.**

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TABLE OF PROVISIONS

Section	Page
1 Short title	3
2 Purpose of this regulation	3
3 Definitions	4
4 Establishment of GOC Act entity	4
5 Nomination of QGC to become candidate GOC associate	4
6 Status of QGC	4
7 QGC's functions	4
8 QGC's powers	5
9 Limitation about contracts	5
10 Interim board of directors and chief executive officer	6
11 Role of interim board of directors	6
12 Application of s 100 of Act	6
13 Delegation by interim board	6
14 QGC's seal	7
15 Authentication of documents	7

ENDNOTES

1 Index to Endnotes	8
2 Date to which amendments incorporated	8
3 List of legislation	8

GOVERNMENT OWNED CORPORATIONS (QUEENSLAND GENERATION CORPORATION) REGULATION 1994

[reprinted as in force on 20 September 1994²]

Short title

1. This regulation may be cited as the *Government Owned Corporations (Queensland Generation Corporation) Regulation 1994*³.

Purpose of this regulation

2. This regulation—

- (a) establishes a GOC Act entity; and
- (b) nominates the GOC Act entity to be an associate of an existing candidate GOC; and
- (c) provides for the candidate GOC associate to be a body corporate and for related matters; and
- (d) provides for the functions and powers of the candidate GOC associate; and
- (e) provides for the candidate GOC associate to have an interim board of directors and chief executive officer; and
- (f) provides for the role of the interim board of directors; and
- (g) prescribes changes in the way section 100 (Delegation by chief executive officer) of the Act applies to the candidate GOC associate; and
- (h) provides for certain matters about the functioning of the candidate GOC associate as a body corporate.

*Government Owned Corporations (Queensland
Generation Corporation) Regulation 1994*

Definitions

3. In this regulation—

“**corporatisation day**” means the day QGC becomes a GOC.

“**GBU**” means the candidate GOC known as Generation Business Unit of QEC.

“**QGC**” means Queensland Generation Corporation.

“**QTSC**” means Queensland Transmission and Supply Corporation, established under the *Government Owned Corporations (Queensland Transmission and Supply Corporation) Regulation 1994*.

Establishment of GOC Act entity

4. The entity Queensland Generation Corporation is established.

Nomination of QGC to become candidate GOC associate

5. QGC is nominated to be an associate of GBU.

Status of QGC

6. On the commencement of this section, QGC—

- (a) is a body corporate; and
- (b) has the name under which it is established; and
- (c) has a seal; and
- (d) may sue and be sued in its corporate name.

QGC’s functions

7.(1) On the commencement of this section, the functions of QGC are—

- (a) to make arrangements necessary to ensure it will be ready to start operating as a GOC on the corporatisation day as the successor, or substantially as the successor, of GBU; and

*Government Owned Corporations (Queensland
Generation Corporation) Regulation 1994*

(b) to do other things as directed in writing by its responsible Ministers.

(2) In making arrangements under subsection (1)(a), QGC is limited to—

- (a) making arrangements about—
 - (i) its banking; and
 - (ii) its organisational structure; and
 - (iii) other matters of internal administration; and
- (b) entering into contracts (applying on or after the corporatisation day) with QTSC, or a subsidiary of QTSC, about the commercial operations of QGC, including, for example—
 - (i) the supply of electricity to or by QGC; and
 - (ii) associated arrangements for the supply of goods or services.

QGC's powers

8. On the commencement of this section, QGC may do all things necessary or convenient to be done for the performance of its functions, including, for example—

- (a) borrowing; and
- (b) hiring consultants to advise it.

Limitation about contracts

9.(1) In this section—

“**major contract**” means a contract under which QGC can reasonably be expected to have to provide or to have the right to receive, to the total value of more than \$5 000 000, 1 of the following, or a combination of 2 or more of the following—

- (a) cash;
- (b) goods;

*Government Owned Corporations (Queensland
Generation Corporation) Regulation 1994*

(c) services.

(2) QGC must not, without the written agreement of its responsible Ministers, enter into a major contract.

Interim board of directors and chief executive officer

10. QGC is to have an interim board of directors and chief executive officer.

Role of interim board of directors

11. It is the role of the interim board of directors to ensure QGC performs its functions in an appropriate, efficient and effective way.

Application of s 100 of Act

12. For its application to QGC, section 100 (Delegation by chief executive officer) of the Act is changed as follows—

Delegation by chief executive officer

100.(1) The chief executive officer of QGC may delegate the chief executive officer's powers (including a power delegated to the chief executive officer) to an employee of QGC or an officer or employee whose services are made available to QGC under assistance given or an arrangement made under section 57C (Assistance to candidate GOC associates and associate subsidiaries).

(2) Subsection (1) has effect subject to any directions of QGC's interim board of directors.

Delegation by interim board

13. QGC's interim board of directors may, by resolution, delegate its powers to—

- (a) a director; or
- (b) a committee of the board; or
- (c) QGC's chief executive officer; or

*Government Owned Corporations (Queensland
Generation Corporation) Regulation 1994*

- (d) an officer or employee whose services are made available to QGC under assistance given or an arrangement made under section 57C of the Act.

QGC's seal

14.(1) QGC's seal must be kept in the custody directed by QGC's interim board of directors and may be used only as authorised by the board.

(2) The affixing of the seal to a document must be attested by—

- (a) 2 or more directors; or
- (b) at least 1 director and the chief executive officer of QGC; or
- (c) a director or the chief executive officer and 1 or more persons authorised by the board.

Authentication of documents

15. A document made by QGC (other than a document that is required by law to be sealed) is sufficiently authenticated if it is signed by—

- (a) the chairperson of the interim board of directors of QGC; or
- (b) the chief executive officer of QGC; or
- (c) a person authorised to sign the document by—
 - (i) resolution of the board; or
 - (ii) direction of the chief executive officer.

ENDNOTES

1 Index to Endnotes

		Page
2	Date to which amendments incorporated	8
3	List of legislation	8

2 Date to which amendments incorporated

This is the reprint date mentioned in the Reprints Act 1992, section 5(c). However, no amendments have commenced operation on or before that day. Future amendments of the Government Owned Corporations (Queensland Generation Corporation) Regulation 1994 may be made in accordance with this reprint under the Reprints Act 1992, section 49.

3 List of legislation

**Government Owned Corporations (Queensland Generation Corporation)
Regulation 1994 SL No. 330**
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