

Queensland



Government Owned Corporations Act 1993

**GOVERNMENT OWNED
CORPORATIONS
(QUEENSLAND
TRANSMISSION AND
SUPPLY CORPORATION)
REGULATION 1994**

**Reprinted as in force on 13 September 1994
(SL not amended up to this date)**

Reprint No. 1

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the Office of the Queensland Parliamentary Counsel
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Information about this reprint

This regulation is reprinted as at 13 September 1994.

Minor editorial changes allowed under the provisions of the Reprints Act 1992 have also been made to omit the words of notification (s 42A).

Also see Endnotes for information about—

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

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(QUEENSLAND TRANSMISSION AND
SUPPLY CORPORATION) REGULATION 1994**

[reprinted as in force on 13 September 1994²]

Short title

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

Purpose of this regulation

2. This regulation—

- (a) establishes a GOC Act entity and nominates it to be an associate of an existing candidate GOC; and
- (b) establishes 8 other GOC Act entities and declares them to be subsidiaries of the candidate GOC associate; and
- (c) provides for the candidate GOC associate and the associate subsidiaries to be bodies corporate and for related matters; and
- (d) provides for the functions and powers of—
 - (i) the candidate GOC associate; and
 - (ii) each associate subsidiary; and
- (e) provides for the candidate GOC associate and each associate subsidiary to have an interim board of directors and chief executive officer; and
- (f) provides for the role of each 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 each associate subsidiary; and

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- (h) provides for certain matters about the functioning, as a body corporate, of the candidate GOC associate and each associate subsidiary; and
- (i) gives the candidate GOC associate power to give directions to the associate subsidiaries.

Definitions

3. In this regulation—

“**CBU**” means the candidate GOC known as Corporate Business Unit of QEC.

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

“**QETC**” means Queensland Electricity Transmission Corporation.

“**QGC**” means Queensland Generation Corporation, established under the *Government Owned Corporations (Queensland Generation Corporation) Regulation 1994*.

“**QTSC**” means Queensland Transmission and Supply Corporation.

“**QTSC entity**” means an entity mentioned in section 4.

“**QTSC subsidiary**” means an entity mentioned in section 4(2).

“**TBU**” means the subsidiary of CBU known as the Transmission Business Unit of QEC.

Establishment of GOC Act entities

4.(1) The entity Queensland Transmission and Supply Corporation is established.

(2) The following entities are also established—

- (a) Capricornia Electricity Corporation;
- (b) Far North Queensland Electricity Corporation;
- (c) Mackay Electricity Corporation;
- (d) North Queensland Electricity Corporation;

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- (e) Queensland Electricity Transmission Corporation;
- (f) South-East Queensland Electricity Corporation;
- (g) South-West Queensland Electricity Corporation;
- (h) Wide Bay-Burnett Electricity Corporation.

Nomination of QTSC to become candidate GOC associate

5. QTSC is nominated to be an associate of CBU.

Declaration of other QTSC entities to be subsidiaries of candidate GOC associate

6. Each entity mentioned in section 4(2) is a subsidiary of QTSC.

Status of QTSC entities

7. On the commencement of this section, each QTSC entity—
- (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.

QTSC's functions

8.(1) On the commencement of this section, the functions of QTSC 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 CBU; and
- (b) to do other things as directed in writing by its responsible Ministers.

- (2) In making arrangements under subsection (1)(a), QTSC is limited

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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 a QTSC subsidiary, or with QGC, about the commercial operations of QTSC, including, for example—
 - (i) the supply of electricity to or by QTSC; and
 - (ii) associated arrangements for the supply of goods or services.

QETC's functions

9.(1) On the commencement of this section, the functions of QETC are—

- (a) to make arrangements necessary to ensure it will be ready to start operating as a GOC subsidiary on the corporatisation day as the successor, or substantially as the successor, of TBU; and
- (b) to do other things as directed in writing by QTSC's responsible Ministers.

(2) In making arrangements under subsection (1)(a), QETC 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 another QTSC subsidiary, or with QGC or QTSC, about the commercial operations of QETC, including, for example—

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- (i) the connection of the other party to the contract to QETC's system of electric lines, substations and associated equipment; and
- (ii) associated arrangements for the supply of goods or services.

Functions of QTSC subsidiaries (other than QETC)

10.(1) In this section—

“QTSC subsidiary” does not include QETC.

(2) On the commencement of this section, the functions of each QTSC subsidiary are—

- (a) to make arrangements necessary to ensure it will be ready to start operating as a GOC subsidiary on the corporatisation day as the successor, or substantially as the successor, of its corresponding CBU subsidiary; and
- (b) to do other things as directed in writing by QTSC's responsible Ministers.

(3) In making arrangements under subsection (2)(a), each QTSC subsidiary 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 QGC, QTSC or QETC about the commercial operations of the QTSC subsidiary, including, for example—
 - (i) the supply of electricity to or by the QTSC subsidiary; and
 - (ii) the connection of the QTSC subsidiary to QETC's system of electric lines, substations and associated equipment; and
 - (iii) associated arrangements for the supply of goods or services.

(4) For subsection (2)(a), the corresponding CBU subsidiary of—

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- (a) Capricornia Electricity Corporation is Capricornia Electricity Board; and
- (b) Far North Queensland Electricity Corporation is Far North Queensland Electricity Board; and
- (c) Mackay Electricity Corporation is Mackay Electricity Board; and
- (d) North Queensland Electricity Corporation is North Queensland Electricity Board; and
- (e) South-East Queensland Electricity Corporation is South-East Queensland Electricity Board; and
- (f) South-West Queensland Electricity Corporation is South-West Queensland Electricity Board; and
- (g) Wide Bay-Burnett Electricity Corporation is Wide Bay-Burnett Electricity Board.

QTSC entities' powers

11. On the commencement of this section, a QTSC entity—

- (a) may do all things necessary or convenient to be done for the performance of its functions, including, for example—
 - (i) borrowing; and
 - (ii) hiring consultants to advise it; and
- (b) has the other powers given to it under this regulation.

Limitation about contracts

12.(1) In this section—

“major contract” for a QTSC entity means a contract under which the entity 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;

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- (b) goods;
- (c) services.

(2) A QTSC entity must not, without the written agreement of QTSC's responsible Ministers, enter into a contract that is a major contract for the QTSC entity.

Interim board of directors and chief executive officer

13. Each QTSC entity is to have an interim board of directors and chief executive officer.

Role of interim board of directors

14. It is the role of the interim board of directors of each QTSC entity to ensure the entity performs its functions in an appropriate, efficient and effective way.

Application of s 100 of Act

15. For its application to a QTSC entity, 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 a QTSC entity may delegate the chief executive officer's powers (including a power delegated to the chief executive officer) to an employee of the entity or an officer or employee whose services are made available to the entity 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 the QTSC entity's interim board of directors.

Delegation by interim board

16. A QTSC entity's interim board of directors may, by resolution, delegate its powers to—

- (a) a director; or

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- (b) a committee of the board; or
- (c) the entity's chief executive officer; or
- (d) an officer or employee whose services are made available to the entity under assistance given or an arrangement made under section 57C of the Act.

QTSC may direct QTSC subsidiary

17.(1) QTSC may give written directions to a QTSC subsidiary to ensure the QTSC subsidiary complies with, and gives effect to the purpose of, this regulation.

(2) A QTSC subsidiary must comply with a direction given to it under subsection (1).

QTSC entity's seal

18.(1) A QTSC entity's seal must be kept in the custody directed by the entity'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 the entity; or
- (c) a director or the chief executive officer and 1 or more persons authorised by the board.

Authentication of documents

19. A document made by a QTSC entity (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 the entity; or
- (b) the chief executive officer of the entity; or
- (c) a person authorised to sign the document by—

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- (i) resolution of the board; or
- (ii) direction of the chief executive officer.

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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 Transmission and Supply 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 Transmission and Supply Corporation) Regulation 1994 SL No. 331
notfd Gaz 9 September 1994 pp 165–6
commenced on date of notification