



Victoria Government Gazette

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State Owned Enterprises Act 1992

ORDER DECLARING THE EMERALD TOURIST RAILWAY BOARD AS A REORGANISING BODY AND CHANGING THE CONSTITUTION OF THAT BOARD

Order in Council

The Governor in Council:

1. Under section 7(1) of the **State Owned Enterprises Act 1992** (the Act), declares the Emerald Tourist Railway Board, (the Board) to be a reorganising body, effective from 22 June 2018; and
2. Under section 7(2) of the Act specifies that the reasons for this declaration is to appoint a new Board while the governance arrangements of the Board are reviewed and streamlined in light of the current 'Investigation into Victorian Railways and convicted child sex offender Robert Whitehead' being conducted by the Victorian Ombudsman.
3. Under section 8(1) and 8(2) of the Act declares the following changes to the constitution of the Board, effective from 22 June 2018:
 - (a) The number of members, the appointment and the qualifications of persons for appointment to the Board as set out in section 6(1) and 6(1A) of the **Emerald Tourist Railway Act 1977** (ETR Act) is varied as follows:

6 Membership and remuneration of the Board

- (1) the Board shall consist of not less than one member and not more than seven members appointed by the Governor in Council on the recommendation of the Minister for Tourism and Major Events, of whom –
 - (a) the required qualifications are to be determined by the responsible Minister, who must ensure that the appointed members together have knowledge, skills and or expertise in:
 - i. finance; and
 - ii. records management; and
 - iii. tourism; and
 - iv. working with volunteers; and
 - v. child safety standards; and
 - vi. governance
- (1A) Each member is to be entitled to remuneration as determined by the Minister for Tourism and Major Events.
- (b) The term of office of the members of the Board, as set out in section 11 of ETR Act is varied as follows:

11 Term of Office

Subject to the ETR Act, the members of the Board are entitled to hold office for the period specified in the instrument of appointment which must not be more than two years and are eligible for reappointment.

SPECIAL

- (c) The provision for casual vacancies of members of the Board, as set out in section 12(1) of ETR Act is varied as follows:

12 Casual vacancies

- (1) In the event of a vacancy occurring in the office of member of the Board the Governor in Council may appoint some eligible person to be a member on the recommendation of the Minister for Tourism and Major Events.

- (d) The appointment of the Chairman, as set out in section 13(1) of ETR Act is varied as follows:

13 Chairperson and deputy chairperson

The Minister for Tourism and Major Events, from the members of the Board –

- (a) shall appoint a chairperson; and
(b) may appoint a deputy chairperson.

- (e) The entitlement to travel allowances set out in section 16 of the ETR Act is varied as follows:

16 Travel allowances

The Chairperson, deputy chairperson and each member shall be entitled to such travel and other allowances as specified by the Minister for Tourism and Major Events.

4. In this Order:

Emerald Tourist Railway Board means the body corporate established under section 2 of the **Emerald Tourist Railway Act 1977**.

5. This Order comes into operation on 22 June 2018.

Dated 22 June 2018

Responsible Minister:

TIM PALLAS

Treasurer

ANDREW ROBINSON
Clerk of the Executive Council

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Level 2, 1 Macarthur Street
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