



Public Governance, Performance and Accountability (Relevant Company) Rule 2016

made under the

Public Governance, Performance and Accountability Act 2013

Compilation No. 5

Compilation date: 26 March 2019

Includes amendments up to: F2019L00388

Registered: 28 March 2019

Prepared by the Office of Parliamentary Counsel, Canberra

About this compilation

This compilation

This is a compilation of the *Public Governance, Performance and Accountability (Relevant Company) Rule 2016* that shows the text of the law as amended and in force on 26 March 2019 (the *compilation date*).

The notes at the end of this compilation (the *endnotes*) include information about amending laws and the amendment history of provisions of the compiled law.

Uncommenced amendments

The effect of uncommenced amendments is not shown in the text of the compiled law. Any uncommenced amendments affecting the law are accessible on the Legislation Register (www.legislation.gov.au). The details of amendments made up to, but not commenced at, the compilation date are underlined in the endnotes. For more information on any uncommenced amendments, see the series page on the Legislation Register for the compiled law.

Application, saving and transitional provisions for provisions and amendments

If the operation of a provision or amendment of the compiled law is affected by an application, saving or transitional provision that is not included in this compilation, details are included in the endnotes.

Editorial changes

For more information about any editorial changes made in this compilation, see the endnotes.

Modifications

If the compiled law is modified by another law, the compiled law operates as modified but the modification does not amend the text of the law. Accordingly, this compilation does not show the text of the compiled law as modified. For more information on any modifications, see the series page on the Legislation Register for the compiled law.

Self-repealing provisions

If a provision of the compiled law has been repealed in accordance with a provision of the law, details are included in the endnotes.

Contents

| | | |
|--------------------------------------|-----------------------|---|
| 1 | Name..... | 1 |
| 3 | Authority..... | 1 |
| 4 | Definitions | 1 |
| 5 | Relevant company..... | 1 |
| Endnotes | | 3 |
| Endnote 1—About the endnotes | | 3 |
| Endnote 2—Abbreviation key | | 4 |
| Endnote 3—Legislation history | | 5 |
| Endnote 4—Amendment history | | 6 |

1 Name

This instrument is the *Public Governance, Performance and Accountability (Relevant Company) Rule 2016*.

3 Authority

This instrument is made under the *Public Governance, Performance and Accountability Act 2013*.

4 Definitions

In this instrument:

Act means the *Public Governance, Performance and Accountability Act 2013*.

5 Relevant company

For the purposes of subsection 85(2) of the Act, a company is a **relevant company** if:

- (a) it is of a kind mentioned in column 2 of an item in the following table; and
- (b) its objects or proposed activities are of a kind mentioned in column 3 of the item.

| Relevant companies | | |
|--------------------|--------------------------------|--|
| Column 1 | Column 2 | Column 3 |
| Item | Kind of company | The company's objects or proposed activities |
| 1 | A company limited by shares | To conduct world-leading quantum computing research by: <ul style="list-style-type: none"> (a) developing and commercialising a prototype 10-qubit silicon quantum integrated circuit; and (b) developing and commercialising applications of the prototype, including for use and exploitation in the development and applications of a silicon-based quantum computer and associated intellectual property |
| 2 | A company limited by guarantee | To assist with increasing the professional standards of financial advisers, including by assisting with the setting of education and training standards and ethical standards |
| 3 | A company limited by shares | To manage infrastructure to support current and future shipbuilding and submarine programs |
| 4 | A company limited by guarantee | To undertake research on, and develop, technologies relevant to Australia's defence and national security sectors |

Section 5

Relevant companies

| Column 1 | Column 2 | Column 3 |
|-----------------|--|---|
| Item | Kind of company | The company's objects or proposed activities |
| 5 | A company limited by shares or guarantee | To assist with the performance of the functions, or the exercise of the powers, of: (a) an intelligence or security agency; or (b) a listed law enforcement agency |
| 6 | A company limited by shares | To develop and maintain sovereign ship design and construction capabilities and to undertake shipbuilding projects and related activities |
| 7 | A company limited by shares | To: (a) own, operate and maintain a fibre optic cable system between the following places: (i) Sydney, Australia; (ii) Port Moresby, Papua New Guinea; (iii) Honiara, Solomon Islands; and (b) make the fibre optic cable system available in the telecommunications markets in Papua New Guinea and Solomon Islands |

Endnotes

Endnote 1—About the endnotes

The endnotes provide information about this compilation and the compiled law.

The following endnotes are included in every compilation:

Endnote 1—About the endnotes

Endnote 2—Abbreviation key

Endnote 3—Legislation history

Endnote 4—Amendment history

Abbreviation key—Endnote 2

The abbreviation key sets out abbreviations that may be used in the endnotes.

Legislation history and amendment history—Endnotes 3 and 4

Amending laws are annotated in the legislation history and amendment history.

The legislation history in endnote 3 provides information about each law that has amended (or will amend) the compiled law. The information includes commencement details for amending laws and details of any application, saving or transitional provisions that are not included in this compilation.

The amendment history in endnote 4 provides information about amendments at the provision (generally section or equivalent) level. It also includes information about any provision of the compiled law that has been repealed in accordance with a provision of the law.

Editorial changes

The *Legislation Act 2003* authorises First Parliamentary Counsel to make editorial and presentational changes to a compiled law in preparing a compilation of the law for registration. The changes must not change the effect of the law. Editorial changes take effect from the compilation registration date.

If the compilation includes editorial changes, the endnotes include a brief outline of the changes in general terms. Full details of any changes can be obtained from the Office of Parliamentary Counsel.

Misdescribed amendments

A misdescribed amendment is an amendment that does not accurately describe the amendment to be made. If, despite the misdescription, the amendment can be given effect as intended, the amendment is incorporated into the compiled law and the abbreviation “(md)” added to the details of the amendment included in the amendment history.

If a misdescribed amendment cannot be given effect as intended, the abbreviation “(md not incorp)” is added to the details of the amendment included in the amendment history.

Endnotes

Endnote 2—Abbreviation key

Endnote 2—Abbreviation key

| | |
|---|---|
| ad = added or inserted | o = order(s) |
| am = amended | Ord = Ordinance |
| amdt = amendment | orig = original |
| c = clause(s) | par = paragraph(s)/subparagraph(s) /sub-subparagraph(s) |
| C[x] = Compilation No. x | pres = present |
| Ch = Chapter(s) | prev = previous |
| def = definition(s) | (prev...) = previously |
| Dict = Dictionary | Pt = Part(s) |
| disallowed = disallowed by Parliament | r = regulation(s)/rule(s) |
| Div = Division(s) | reloc = relocated |
| ed = editorial change | renum = renumbered |
| exp = expires/expired or ceases/ceased to have effect | rep = repealed |
| F = Federal Register of Legislation | rs = repealed and substituted |
| gaz = gazette | s = section(s)/subsection(s) |
| LA = <i>Legislation Act 2003</i> | Sch = Schedule(s) |
| LIA = <i>Legislative Instruments Act 2003</i> | Sdiv = Subdivision(s) |
| (md) = misdescribed amendment can be given effect | SLI = Select Legislative Instrument |
| (md not incorp) = misdescribed amendment cannot be given effect | SR = Statutory Rules |
| mod = modified/modification | Sub-Ch = Sub-Chapter(s) |
| No. = Number(s) | SubPt = Subpart(s) |
| | <u>underlining</u> = whole or part not commenced or to be commenced |

Endnote 3—Legislation history

Endnote 3—Legislation history

| Name | Registration | Commencement | Application, saving and transitional provisions |
|---|-------------------------------|------------------------------|--|
| Public Governance, Performance and Accountability (Relevant Company) Rule 2016 | 18 Oct 2016 (F2016L01626) | 19 Oct 2016 (s 2(1) item 1) | |
| Public Governance, Performance and Accountability (Relevant Company) Amendment (2017 Measures No. 1) Rules 2017 | 24 Mar 2017 (F2017L00294) | 25 Mar 2017 (s 2(1) item 1) | — |
| Public Governance, Performance and Accountability (Relevant Company) Amendment (2017 Measures No. 2) Rules 2017 | 20 July 2017 (F2017L00935) | 21 July 2017 (s 2(1) item 1) | — |
| Public Governance, Performance and Accountability (Relevant Company) Amendment (2017 Measures No. 3) Rules 2017 | 23 Oct 2017 (F2017L01381) | 24 Oct 2017 (s 2(1) item 1) | — |
| Public Governance, Performance and Accountability (Relevant Company) Amendment (2018 Measures No. 1) Rules 2018 | 25 Sept 2018 (F2018L01340) | 26 Sept 2018 (s 2(1) item 1) | — |
| Public Governance, Performance and Accountability (Relevant Company) Amendment (2019 Measures No. 1) Rules 2019 | 25 Mar 2019 (F2019L00388) | 26 Mar 2019 (s 2(1) item 1) | — |

Endnotes

Endnote 4—Amendment history

Endnote 4—Amendment history

| Provision affected | How affected |
|---------------------------|--|
| s 2..... | rep LA s 48D |
| s 5..... | am F2017L00294; F2017L00935; F2017L01381; F2018L01340; F2019L00388 |