



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

made under the

*Public Governance, Performance and Accountability Act 2013*

## **Compilation No. 7**

**Compilation date:** 27 April 2023

**Includes amendments up to:** F2023L00463

**Registered:** 5 May 2023

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 27 April 2023 (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](http://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If a provision of the compiled law has been repealed in accordance with a provision of the law, details are included in the endnotes.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
<b>Endnotes</b>		3
<b>Endnote 1—About the endnotes</b>		3
<b>Endnote 2—Abbreviation key</b>		4
<b>Endnote 3—Legislation history</b>		5
<b>Endnote 4—Amendment history</b>		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"> <li>(a) developing and commercialising a prototype 10-qubit silicon quantum integrated circuit; and</li> <li>(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</li> </ul>
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
5	A company limited by shares or guarantee	To assist with the performance of the functions, or the exercise of the powers, of: <ul style="list-style-type: none"> <li>(a) an intelligence or security agency; or</li> <li>(b) a listed law enforcement agency</li> </ul>
6	A company limited by shares	To develop and maintain sovereign ship design and

## Section 5

<b>Relevant companies</b>		
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<b>Item</b>	<b>Kind of company</b>	<b>The company's objects or proposed activities</b>
		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
8	A company limited by guarantee	To strengthen the national education evidence base for school and early childhood education, including through: (a) collaborating with government, the school and early childhood education sector, the vocational education and training sector, the higher-education and research sector and philanthropic organisations; and (b) developing and implementing a national agenda relating to research; and (c) mobilising high-quality resources for school and early childhood education; and (d) supporting teaching and learning in school and early childhood education
9	A company limited by shares	To: (a) undertake research on, design, manufacture, assemble, develop, support, maintain and provide other services in relation to radar and communications systems and products: (i) for Australia's defence and national security; or (ii) to be exported; and to undertake related activities; or (b) acquire and hold shares in a company with these objects.

## 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 how an amendment is to be made. If, despite the misdescription, the amendment can be given effect as intended, then the misdescribed amendment can be incorporated through an editorial change made under section 15V of the *Legislation Act 2003*.

If a misdescribed amendment cannot be given effect as intended, the amendment is not incorporated and “(md not incorp)” is added to 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**

<b>Name</b>	<b>Registration</b>	<b>Commencement</b>	<b>Application, saving and transitional provisions</b>
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)	—
Public Governance, Performance and Accountability (Relevant Company) Amendment (2020 Measures No. 1) Rules 2020	28 Sept 2020 (F2020L01234)	29 Sept 2020 (s 2(1) item 1)	—
Public Governance, Performance and Accountability (Relevant Company) Amendment (2023 Measures No. 1) Rules 2023	26 Apr 2023 (F2023L00463)	27 Apr 2023 (s 2(1) item 1)	—

## Endnotes

Endnote 4—Amendment history

---

### Endnote 4—Amendment history

---

<b>Provision affected</b>	<b>How affected</b>
s 2.....	rep LA s 48D
s 5.....	am F2017L00294; F2017L00935; F2017L01381; F2018L01340; F2019L00388; F2020L01234; F2023L00463

---