

Victorian Debt Retirement Fund Bill

EXPLANATORY MEMORANDUM

PART 1

Clause 1 states the purpose of the Bill.

Clause 2 provides for the commencement of the Bill.

Clause 3 contains definitions of terms referred to in the Bill.

PART 2

Clause 4 establishes the Victorian Debt Retirement Authority as the body corporate responsible for the operations of the Victorian Debt Retirement Fund.

Clause 5 provides that the Authority holds its property for and on behalf of the Crown.

Clause 6 provides that the Authority has the functions and powers conferred by the Act.

Clause 7 provides that in the exercise of its powers and the performance of its functions the Authority is subject to the directions of the Treasurer.

Clause 8 provides that the Authority must provide a debt retirement strategy to the Treasurer each year.

Clause 9 appoints the members of the Authority.

Clause 10 provides that members of the Authority must retire once they become 70 years of age.

Clause 11 provides that the Director-General of the Treasury is the Chairperson of the Authority.

Clause 12 provides for the term of appointment for a member of the Authority.

Clause 13 provides for a member to be remunerated for his or her services.

Clause 14 provides for the vacancies, resignation or removal of members of the Authority.

Clause 15 provides that a member who has a pecuniary interest in a matter being considered must disclose that interest.

Clause 16 provides for a replacement Chair-person, if the Chair-person is absent.

Clause 17 provides for the proceedings of the Authority.

Clause 18 provides that decisions by the Authority are valid irrespective of any defect or irregularity.

Clause 19 provides for the Authority to employ staff subject to the provisions of the Public Service Act.

Clause 20 provides for the Authority to delegate its functions and powers.

PART 3

Clause 21 establishes the Victorian Debt Retirement Fund which is to be administered by the Authority.

Clause 22 contains a standing appropriation of the Consolidated Fund to enable payments to be made into the Fund from the Consolidated Fund as determined by the Treasurer.

PART 4

Clause 23 establishes the Debt Retirement Trust Account as a Trust Account within the Trust Fund of the Public Account.

Clause 24 provides for the Governor-in-Council to designate that real or personal property of the State is a designated asset for the purposes of clause 40. The effect of clauses 40–41 is that the proceeds of a sale of a designated asset are paid into the Debt Retirement Trust Account and not the Consolidated Fund.

PART 5

Clause 25 requires the Authority to maintain appropriate records and accounts.

Clause 26 requires the Authority to prepare an annual report and financial statements.

Clause 27 provides that the Authority's financial statements are to be audited by the Auditor-General.

PART 6

Clause 28 provides that any reference to the Debt Retirement Fund in the **Appropriation (1990–91 No. 1) Act 1990** is a reference to the Victorian Debt Retirement Fund.