



Victoria Government Gazette

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By Authority L. V. North, Government Printer Melbourne

SPECIAL

State Owned Enterprises Act 1992

STATE OWNED ENTERPRISES (STATE BODY—ENERGY BRIX AUSTRALIA CORPORATION) ORDER 1993

The Governor in Council in the exercise of powers contained in section 14 of the *State Owned Enterprises Act 1992* declares that—

(1) this Order may be cited as the *State Owned Enterprises (State Body—Energy Brix Australia Corporation) Order 1993*.

(2) this Order comes into operation on the day on which it is made.

(3) there is established, for the purposes of the *State Owned Enterprises Act 1992*, a body by the name of *Energy Brix Australia Corporation*.

(4) the particular purpose of establishing the Corporation is to create a statutory body to provide for the efficient production and marketing of briquettes and for the production and marketing of steam and electricity and for associated purposes.

- (5) The functions of the Corporation are to:
- (a) manufacture briquettes from brown coal;
 - (b) market briquettes, briquette by-products and crushed brown coal;
 - (c) produce steam and electricity, and in the case of electricity, produce non cogeneration electricity within the arrangements determined by the Government;
 - (d) market and distribute steam and electricity; and
 - (e) conduct and support research and development concerning the manufacture, production, use and sale of briquettes, steam and electricity.

(6) (a) Subject to (b) the Corporation has the power to do all things necessary or convenient to be done for, or in connection with, or incidental to, the performance of its functions.

(b) The Corporation shall not borrow or re-borrow money or obtain advances or other financial accommodation from any institution, person or body.

(7) The Corporation shall perform its functions for the public benefit by operating its business and pursuing its undertaking as efficiently as possible consistent with prudent commercial practice and maximising its contribution to the economy and well-being of the State.

(8) The Corporation may carry on its functions and exercise its powers within or outside Victoria and Australia.

(9) There shall be a board of directors of the Corporation. The board shall comprise a Chair and three other directors:

- Roger Marshall, who shall be Chairman;
- Clement John Joyce, who shall be Deputy Chairman;
- Charles E. Bright, General Director; and
- James Barry Ritchie, General Director.

- (10) Remuneration will be as follows—
- Roger Marshall: \$50 000 per annum;
 - Clement John Joyce: Nil;
 - Charles E. Bright: \$11 044 per annum; and
 - James Barry Ritchie: \$11 044 per annum.

In addition all Board members will be reimbursed for all expenses reasonably incurred in the discharge of their office.

(11) Each director is appointed until the Corporation is declared to be a State business corporation under section 17 of the *State Owned Enterprises Act 1992*, and is eligible for re-appointment.

(12) The board of directors may regulate its own proceedings.

(13) The Minister may, at any time, give directions to the Board of Directors concerning the performance or carrying out of the corporation's functions. The Board and each director shall comply with directions given by the Minister.

Definitions

“**Board**” means the Board of Directors of Energy Brix Australia Corporation.

“**Corporation**” means the Energy Brix Australia Corporation established by this Order.

“**Director**” means a member of the Board.

“**Minister**” means the Minister for Energy and Minerals.

Dated 5 October 1993

Responsible Minister:

ALAN STOCKDALE
Treasurer

DAMIEN O'SHEA
Clerk of the Executive Council



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