



## COMMISSIONER FOR CORPORATE AFFAIRS ACT 1980

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**No. 64 of 1980**  
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**AN ACT to make provision for the appointment of a Commissioner for Corporate Affairs, and for related matters.**

[Royal Assent 28 October 1980]

**BE** it enacted by His Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:—

**1**—This Act may be cited as the *Commissioner for Corporate Affairs Act 1980*. Short title.

Commence-  
ment.

**2**—(1) This section and section 1 shall commence on the date of assent to this Act.

(2) Except as provided in subsection (1), this Act shall commence on such date as may be fixed by proclamation.

Interpretation.

**3**—In this Act, except in so far as the context or subject-matter otherwise indicates or requires—

“Commissioner” means the Commissioner for Corporate Affairs holding office under section 4;

“functions” includes duties.

Appointment,  
powers, &c.,  
of Com-  
missioner.

**4**—(1) Subject to subsection (2), a person shall be appointed and hold office as Commissioner for Corporate Affairs subject to and in accordance with the provisions of the *Public Service Act* 1973.

(2) Until another person is appointed as Commissioner under subsection (1), the Registrar of the Supreme Court, by virtue of that office, shall be deemed to be appointed to, and hold the office of, Commissioner for Corporate Affairs.

(3) The person holding office under this section shall have the charge and control of the Corporate Affairs Office of the State and be responsible for carrying out the functions imposed and the powers conferred on the Commissioner by or under the *Companies Act* 1962 or any other Act or law.

Appointment,  
powers, &c.,  
of Deputy  
or Assistant  
Commissioners  
and other  
officers.

**5**—(1) Subject to, and in accordance with, the provisions of the *Public Service Act* 1973, there may be appointed and employed such Deputy or Assistant Commissioners and other officers as are required for the purposes of this Act.

(2) Anything authorized or required by or under the *Companies Act* 1962 to be done or signed by the Commissioner may be done or signed by any Deputy Commissioner or Assistant Commissioner and, if so done or signed, is as valid and effective as if done or signed by the Commissioner.

Seal and  
signature of  
Commissioner,  
&c., to be  
judicially  
noticed.

**6**—(1) The Commissioner may have and use as the seal of his office a seal in such form as the Minister may approve.

(2) Every court, judge, and person acting judicially shall take judicial notice of the signature and seal of the Commissioner.

(3) Where any document executed before the commencement of this section contains the signature of a person who, before that commencement, held office as Registrar of Companies or as a Deputy Registrar or an Assistant Registrar, a court, judge, or person acting judicially shall take judicial notice of that signature as if it were the signature of the Commissioner, or, as the case may be, of a Deputy Commissioner or an Assistant Commissioner.

(4) Where any document executed before the commencement of this section has affixed to it the seal of the Registrar of Companies, a court, judge, or person acting judicially shall take judicial notice of that seal as if it were the seal of the Commissioner.

**7—(1)** In this section, “Principal Act” means the *Companies Act 1962*. Savings and transitional provisions.

(2) A person holding office as the Registrar of Companies or as a Deputy Registrar or an Assistant Registrar of Companies under section 7 of the Principal Act, as in force immediately before the commencement of this section, shall, on that commencement, be deemed to have been appointed under section 4 to hold office as the Commissioner for Corporate Affairs or, as the case may be, appointed under section 5 as a Deputy Commissioner or an Assistant Commissioner for Corporate Affairs on the same terms and conditions as those under which he was appointed and employed immediately before that commencement.

(3) A reference to the Registrar of Companies or to a Deputy Registrar of Companies or an Assistant Registrar of Companies in any Act, other than the Principal Act, or in any instrument or other document, that is in force or that has effect at the commencement of this section, shall, on and after that commencement, be deemed to be a reference to the Commissioner for Corporate Affairs or, as the case may be, to a Deputy Commissioner or an Assistant Commissioner for Corporate Affairs.

(4) All acts, matters, and things done or omitted to be done by, or done or suffered in relation to, the Registrar of Companies before the commencement of this section, shall, on and after that commencement, have the same force and effect as if they had been done or omitted to be done by, or done or suffered in relation to, the Commissioner.

(5) Where, immediately before the commencement of this section, property was vested in the Registrar of Companies by reason of the operation of section 310 of the *Companies Act 1962*, the property, on that commencement, vests by force of this section in the Commissioner.

(6) Any legal or other proceedings taken by or against the Registrar of Companies before the commencement of this section and pending at that commencement may be continued by or against the Commissioner.

(7) A reference to the Companies Office in any Act, or in any instrument or other document that is in force or that has effect at the commencement of this section, shall, on and after that commencement, be read as a reference to the Corporate Affairs Office.