

CHARITABLE INSTITUTIONS (REPEAL).**No. 13 of 1970.**

AN ACT to repeal the *Charitable Institutions Act* 1888 and to make provision with respect to the continuation of the institutions registered thereunder. [18 June 1970.]

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:—

Short title.

1 This Act may be cited as the *Charitable Institutions (Repeal) Act* 1970.

Repeal.

2 The *Charitable Institutions Act* 1888 is repealed.

Existing registered institutions.

3 The provisions of the schedule have effect in relation to any charitable institution that, immediately before the commencement of this Act, is registered under the Act repealed by this Act.

THE SCHEDULE.

(Section 3.)

Provisions as to existing registered institutions.

1. In this schedule, unless the contrary intention appears—

“Act of 1964” means the *Associations Incorporation Act* 1964;

“existing rules”, when used in relation to an institution, means the rules filed under the repealed Act in respect of that institution;

“governing body”, when used in relation to an institution, means any board or committee of management, or trustees or guardians or governors, of that institution as constituted pursuant to the existing rules of the institution;

“institution” means an institution specified in section three of this Act;

“repealed Act” means the Act repealed by this Act,

and other words and expressions have the meanings assigned to them by the Act of 1964.

2. Each institution shall be deemed to have become, on the commencement of this Act, an incorporated association under the Act of 1964 and, subject to this schedule, that Act applies to those institutions accordingly.

3. Notwithstanding anything in the Act of 1964, but subject to any change or alteration made, or any other action taken, thereunder—

(a) the name of an institution as an incorporated association is that by which the members of the governing body thereof were incorporated under the repealed Act;

(b) the existing rules of the institution have effect as the rules of the institution as an incorporated association;

- (c) the governing body of the institution shall, for the purposes of the Act of 1964, be deemed to be the committee of the institution; and
- (d) the persons who are members of any body under the existing rules of the institution who have power to alter those rules shall, for the purposes of the Act of 1964, be deemed to be members of the institution.

4. Unless, within a period of three months from the commencement of this Act, or within such further period as the Registrar may allow—

- (a) an application has been made under section ten of the Act of 1964 for the approval of the Registrar to the change of the name of the institution to a name by which it could be incorporated without contravention of section nine of the Act of 1964; and
- (b) the rules of the institution have, in accordance with section eighteen of the Act of 1964, been altered so that they comply with the provisions of that Act,

the Registrar shall cancel the incorporation of the institution and publish notice of the cancellation thereof in the *Gazette*, and section thirty-six of the Act of 1964 applies to the cancellation as it applies to the cancellation of an incorporation under section thirty-four of that Act.

5. The rules of an institution shall, for the purposes of this schedule, be deemed to have been altered so that they comply with the provisions of the Act of 1964 if—

- (a) the model rules have been adopted (with or without modification) in place of the existing rules of the institution; or
- (b) the rules as so altered comply with the provisions of subsection (2) of section seventeen of that Act.

6. The property, rights, and interests that were, immediately before the commencement of this Act, vested in the governing body of an institution as incorporated under the repealed Act shall, on that commencement, vest in the institution as an incorporated association, and any duties, obligations, and liabilities to which, immediately before that commencement, that governing body was subject, shall continue after that commencement as the duties, obligations, and liabilities of that institution as an incorporated association.

PLUMBERS' REGISTRATION.

No. 14 of 1970.

AN ACT to amend the *Plumbers' Registration Act 1951.* [18 June 1970.]

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—(1) This Act may be cited as the *Plumbers' Registration Act 1970.* Short title, citation, and commencement.

(2) The *Plumbers' Registration Act 1951*, as subsequently amended, is in this Act referred to as the Principal Act.

(3) This Act shall commence on a date to be fixed by proclamation.