



**CHIEF SECRETARY (STATUTORY REFERENCES)  
AMENDMENT ACT 1987**

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**No. 17 of 1987**

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**AN ACT to amend the Chief Secretary (Statutory References) Act 1976.**

**[Royal Assent 29 April 1987]**

**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 *Chief Secretary (Statutory References) Amendment Act 1987*. Short title.

Commence-  
ment.

**2**—This Act shall commence on the day on which it receives the Royal assent.

Principal Act.

**3**—In this Act, the *Chief Secretary (Statutory References) Act 1976\** is referred to as the Principal Act.

Amendment of  
long title to  
Principal Act.

**4**—The long title to the Principal Act is amended by adding “and to provide for the application of certain money formerly vested in the Chief Secretary” after “Secretary”.

Insertion of  
new sections 3  
and 4 in  
Principal Act.

**5**—After section 2 of the Principal Act, the following sections are inserted:—

Application  
of certain  
money vested  
in Chief  
Secretary  
under the  
*Charitable  
Institutions  
Act 1888*.

**3**—(1) In this section—

“charitable institution” means—

- (a) a hospital established for the treatment of the sick;
- (b) a home or refuge for destitute or unfortunate persons;
- (c) an institution for the gratuitous education or gratuitous maintenance and education of children;
- (d) a society or an association of persons established or associated for the purpose of raising and disbursing money for the relief or maintenance of indigent persons; or
- (e) any other institution that at any time was, or was capable of being, registered under the *Charitable Institutions Act 1888*,

but does not include an institution that was formerly subject to the provisions of a special Act regulating its maintenance and management;

“indigent person” means a person who was at any time maintained in, or in receipt of relief from the funds of, a charitable institution.

\* No. 62 of 1976. For this Act, as amended to 1st June 1979, see the continuing Reprint of Statutes. Subsequently amended by No. 99 of 1982.

## (2) Where—

- (a) before 18th June 1970, a sum of money given to a charitable institution or for the benefit of persons maintained in a charitable institution had vested in the Chief Secretary pursuant to section 24 (1) of the *Charitable Institutions Act 1888* as in force at that time; and
- (b) the whole or a part of that sum of money had not, before 18th June 1970, been applied by the Chief Secretary for charitable purposes in accordance with that section,

the whole or that part of that sum of money, as the case may be, shall, by force of this section, vest in the Minister having the administration of the *Child Welfare Act 1960* to be applied by him in and towards such charitable purposes as the Governor may direct.

(3) Nothing in this section affects the operation of the *Fox and Dexter Trusts Act 1987*.

4—No action or legal proceeding may be instituted against any person in respect of any matter arising out of the operation of section 3 on the ground that the exercise of a power or the performance of a duty under that section is inconsistent with the administration of any trusts to which the money referred to in that section is, or was, subject.

Exoneration  
for trustees,  
&c.

