



EDUCATION

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No. 26 of 1975
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ANALYSIS

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AN ACT to authorize subsidies to be paid under Part VI of the Education Act 1932 in respect of moneys applied from the Schools Provident Fund to meet capital expenditure at certain schools.

[23 May 1975]

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 *Education Act 1975*.

Short title and
citation.

(2) The *Education Act 1932*, as subsequently amended, is in this Act referred to as the Principal Act.

Interpretation.

2 In this Act the " Schools Provident Fund " means the fund of that name vested in The Trustees of the Roman Catholic Church in Tasmania.

Special provisions applying to Schools Provident Fund.

3—(1) The application of moneys from the Schools Provident Fund to meet capital expenditure referred to in section 51 of the Principal Act, may, with the approval of the Minister, be treated for the purposes of Part VI of the Principal Act as a loan made to the governing body of the school in respect of which the capital expenditure is incurred.

(2) The Minister shall not give his approval under subsection (1) in respect of the application of any moneys unless the governing body has given an undertaking with respect to the repayment of the moneys to the fund and the payment to the fund of any interest on the moneys.

(3) Where pursuant to this section any application of moneys is treated as a loan the terms of the undertaking referred to in subsection (2) shall for the purposes of Part VI of the Principal Act be treated as the terms of the loan agreement under which the moneys were lent.

(4) This section applies in respect of the application of any moneys from the Schools Provident Fund whether or not made before or after the commencement of this Act.

Validation of previous subsidies.

4 Notwithstanding the provisions of the Principal Act the moneys appearing from the books of the Schools Provident Fund to have been applied for the purposes referred to in section 51 of the Principal Act before the 1st April 1970 and not at that date to have been repaid to that fund shall be deemed and shall be deemed always to have been a loan made on that date to the governing body of the schools in respect of which the moneys were applied under a loan agreement containing the provisions mentioned in section 52A (1) (c).