



FISHERIES DEVELOPMENT AMENDMENT ACT 1980

No. 85 of 1980

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AN ACT to amend the Fisheries Development Act 1977 for the purposes of clarifying the provisions of that Act in relation to the functions of the Fisheries Development Authority and of validating the appointment and employment of certain persons and for other purposes.

[Royal Assent 19 December 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 *Fisheries Development Amendment Act 1980*. Short title.

Principal Act.

2—In this Act, the *Fisheries Development Act 1977** is referred to as the Principal Act.

Amendment of section 7 of Principal Act (Functions of Chairman).

3—Section 7 (1) of the Principal Act is amended by omitting “objects for which the Authority is established are fulfilled” and substituting “functions of the Authority are exercised”.

Amendment of section 9 of Principal Act (Functions and powers of the Authority).

4—(1) Section 9 (1) of the Principal Act is amended by omitting “The Authority is established with the following objects, namely:—” and substituting “The functions of the Authority are as follows:—”.

(2) Section 9 of the Principal Act is further amended by omitting subsection (3) and substituting the following subsection:—

(3) Subject to subsection (5), the Authority may make such arrangements, carry on such businesses, carry out such activities, and take such other steps as, in all the circumstances, seem to it incidental or conducive to the performance of any of its functions.

(3) Section 9 (4) of the Principal Act is amended by omitting “this section the powers of the Authority thereunder” and substituting “subsection (3), the powers of the Authority under that subsection”.

(4) Section 9 (5) of the Principal Act is amended by omitting “in relation to the attainment of the objects of this Act or otherwise”.

Amendment of section 10 of Principal Act (Staff of the Authority).

5—Section 10 of the Principal Act is amended as follows:—

(a) by omitting from subsection (5) “set up” and substituting “constituted”;

(b) by omitting from subsection (6) “of the department established pursuant to” and substituting “constituted as provided in”;

(c) by inserting the following subsection after subsection (7):—

(8) Where a separate department is constituted as provided in subsection (5), any persons who are appointed to, and employed in, the Public Service for the purposes of the *Fisheries Act* 1959 in relation to matters under the control of the Minister under that Act shall be deemed to form part of that department.

6—A person who was, during any period before the commencement of this Act, appointed to and employed in the Public Service under section 10 (5) of the Principal Act but was employed otherwise than for the purpose of assisting the Authority in the exercise of its functions under that Act shall, notwithstanding that he was so appointed and employed, be deemed always to have been validly and properly appointed to and employed in the Public Service if he was appointed and employed for the purposes of the *Fisheries Act* 1959 in relation to matters under the control of the Minister under that Act.

Validation of
appointment of
certain persons
appointed, &c.,
under section
10 (5) of
Principal Act.

