



STATE ADVANCES AMENDMENT (No. 2)

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 No. 57 of 1979
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AN ACT to amend the State Advances Act 1935 to enable the Agricultural Bank of Tasmania to attain prime lender non-shareholder status with the Primary Industry Bank of Australia.

[Royal Assent 14 December 1979]

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 *State Advances Amendment Act (No. 2) 1979*. Short title.

Principal Act.

2—In this Act, the *State Advances Act 1935** is referred to as the Principal Act.

Amendment of section 3 of Principal Act (Interpretation).

3—Section 3 (1) of the Principal Act is amended as follows:—

- (a) by omitting “Bank.” from the definition of “manager” and substituting “Bank;”;
- (b) by inserting the following definition after the definition of “manager”:—

“Primary Industry Bank” has the meaning assigned to that expression by section 3 of the *Primary Industry Bank Act 1977*** of the Parliament of the Commonwealth, as amended from time to time.

Amendment of section 14A of Principal Act (Power to borrow).

4—Section 14A of the Principal Act is amended by omitting subsection (1) and substituting the following subsections:—

(1) For the purposes of this Act and the *Homes Act 1935*, the Board may, with the consent of the Treasurer, borrow money—

- (a) on bank overdraft;
- (b) on the security of bonds issued under subsection (4);
- or
- (c) as provided in subsection (6).

(1A) Without limiting its powers under subsection (1), the Board may, for the purposes of this Act, borrow money with the consent of the Treasurer from the Primary Industry Bank subject to such terms or conditions as may be agreed in writing between the Board and that Bank, including terms or conditions requiring the Board to make to that Bank loans or deposits of such amounts as may be determined by reference to the agreement.

Substitution of section 14B of Principal Act.

5—Section 14B of the Principal Act is repealed and the following section is substituted:—

Guarantee of loans, etc.

14B—(1) The due repayment of money borrowed under section 14A, and the payment of interest payable in respect of

* 26 Geo. V. No. 41. For this Act as amended to 1959, see the Reprint of Statutes (1826-1959), Vol. 5, p. 685. Subsequently amended by No. 45 of 1960, No. 18 of 1961, No. 13 of 1962, No. 11 of 1963, Nos. 55 and 60 of 1965, No. 12 of 1971, No. 28 of 1976, No. 29 of 1977, No. 6 of 1978, and No. 30 of 1979.

** No. 156 of 1977.

that money, are a charge on the revenue of the Board from whatever source arising, and are, by virtue of this section, guaranteed by the State.

(2) Where the Board has borrowed money pursuant to an agreement made under section 14A and the agreement specifies any terms or conditions subject to which the repayment of that money and interest payable in respect of that money are guaranteed under subsection (1), the due repayment of that money and the payment of that interest are so guaranteed subject to those terms or conditions.

(3) Where the Board has made an agreement under section 14A (1A) and under the agreement the Board is required to make a loan or deposit to the Primary Industry Bank, the Treasurer may execute on behalf of the State a guarantee guaranteeing the payment to that Bank of that loan or deposit.

(4) The execution by the Treasurer of a guarantee expressed to be entered into pursuant to subsection (3) is conclusive evidence in favour of the Primary Industry Bank that the guarantee has been lawfully executed pursuant to that subsection.

(5) Any liability of the State arising under subsection (1) or (2), or under any guarantee executed pursuant to subsection (3), shall be payable out of the Consolidated Revenue Fund, and the amount of any such liability is to the extent necessary, by virtue of this subsection, appropriated accordingly.

