

**STATUTORY AUTHORITIES (PROTECTION FROM
LIABILITY OF MEMBERS) ACT 1993**

No. 76 of 1993

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**AN ACT to protect members of statutory authorities from
liability in respect of certain acts****[Royal Assent 23 November 1993]**

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 *Statutory Authorities
(Protection from Liability of Members) Act 1993*.

Commencement

2—This Act commences on the day on which it receives the Royal Assent.

Interpretation

3—In this Act—

“**member**”, in relation to a statutory authority, includes any deputy, alternate or acting member of the statutory authority;

“**statutory authority**” means a body or authority, whether incorporated or not, which is established or constituted by or under an Act or under the royal prerogative, being a body or authority which, or of which the governing authority, wholly or partly comprises a person or persons appointed by the Governor, a Minister or another statutory authority and includes the governing authority of a statutory authority.

Protection from liability

4—(1) A member of a statutory authority does not incur any personal liability in respect of any act done or omitted to be done by the member in good faith in the performance or exercise, or purported performance or exercise, of any function or power of the statutory authority or in the administration or execution, or purported administration or execution, of the Act under which the statutory authority is established.

(2) Subsection (1) does not preclude the Crown or statutory authority from incurring liability that a member of the statutory authority would, but for subsection (1), incur.

Provisions of this Act to prevail

5—Where there is an inconsistency between a provision of this Act and a provision of any other Act, the provision of this Act prevails.

*[Second reading presentation speech made in:—
House of Assembly on 14 October 1993
Legislative Council on 26 October 1993]*

