



STRAITS ISLANDS ABATTOIRS ACT (REPEAL) ACT 1984

No. 82 of 1984

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AN ACT to repeal the Straits Islands Abattoirs Act 1950 and to provide for matters consequential on the dissolution of the King Island Abattoirs Board.

[Royal Assent 30 November 1984]

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 *Straits Islands Abattoirs Act* Short title. *(Repeal) Act 1984.*

Commence-
ment.

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

Interpretation.

3—In this Act, except in so far as the context or subject-matter otherwise indicates or requires—

“ the Board ” means the King Island Abattoirs Board established under section 3 of the Principal Act;

“ the commencement day ” means the day on which this Act receives the royal assent;

“ legal proceedings ” includes an arbitration;

“ obligations ” includes duties and liabilities;

“ Principal Act ” means the *Straits Islands Abattoirs Act 1950** as in force immediately before the commencement day;

“ property ” means any legal or equitable estate or interest, whether present or future and whether vested or contingent, or real or personal property of any description, and includes things in action;

“ rights ” includes entitlements, powers, and privileges.

Dissolution of
the Board.

4—On the commencement day, by virtue of this section—

(a) the Board is dissolved;

(b) all property vested in the Board and not disposed of by the Board before the commencement day vests in the Crown;

(c) where a contract entered into by the Board before the commencement day has not been executed or discharged before that day, all rights and obligations of the Board under the contract are assigned to the Crown; and

(d) the *Straits Islands Abattoirs Act 1950* is repealed.

Supplementary
provisions
with respect
to legal
proceedings,
documents, &c.

5—(1) Without limiting the general effect of section 4, but subject to subsection (2), the following provisions have effect on and from the commencement day:—

(a) legal proceedings instituted by or against the Board before and pending on the commencement day may be continued by or, as the case may be, against the Crown;

* No. 24 of 1950. For this Act, as amended to 1959, see the Reprint of Statutes (1826-1959), Vol. 5, p. 917. Subsequently amended by No. 55 of 1965, No. 24 of 1974, and No. 1 of 1977.

- (b) legal proceedings by or against the Board to enforce rights that had accrued before, and are in existence on, the commencement day may be commenced by or, as the case may be, against the Crown;
- (c) a judgment or order of a court obtained by or against the Board may be enforced by or, as the case may be, against the Crown;
- (d) a document addressed to and purporting to be served on the Board shall be deemed to be served on the Crown.

(2) Where, before the commencement day, any remedy which would not have been available to a person against the Crown was available against the Board, that remedy shall, on and from the commencement day, no longer be available to that person.

6—Any borrowings by overdraft made by the Board for the purposes of the Principal Act that exceeded in the whole the sum of \$10 000 (being the total amount permitted to be borrowed by overdraft by the Board under section 9A of the Principal Act) are, by virtue of this section, deemed to have been as validly and effectually made as if the borrowings had been made in accordance with that section, and any guarantee given by the Governor under that section for the repayment of those moneys, and the payment of interest in respect of the borrowings shall be deemed to have been validly given under that section.

Power of Board to borrow on overdraft.

7—Where under or by virtue of a provision of this Act it becomes necessary for the Crown or the Treasurer to perform a financial obligation by the payment of a sum of money, the payment of that amount shall be a charge on the Consolidated Revenue Fund and the Treasurer shall make payment of that sum without further appropriation than this section.

Certain payments to be made from Consolidated Revenue Fund.

