



STATE SINKING FUND AMENDMENT ACT 1982

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No. 30 of 1982

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**AN ACT to amend the State Sinking Fund Act 1929 for the purpose of making further provision with respect to the powers and duties of the Board of Commissioners of the State Sinking Fund constituted by that Act.**

**[Royal Assent 1 September 1982]**

**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 Sinking Fund Amendment Act* 1982. Short title.

Principal Act.

**2**—In this Act, the *State Sinking Fund Act 1929\** is referred to as the Principal Act.

Amendment of section 5 of Principal Act (Powers and duties of Commissioners).

**3**—(1) Section 5 (2) of the Principal Act is amended by omitting “subsections (3) and (4) of this section” and substituting “section 5A”.

(2) Section 5 of the Principal Act is further amended by omitting subsections (3) and (4).

Insertion in Principal Act of new section 5A.

**4**—After section 5 of the Principal Act, the following section is inserted:—

Delegation.

**5A**—(1) The Commissioners may, by resolution, delegate to an officer of the Treasury nominated by the Under-Treasurer the exercise or performance of such of the Commissioners’ powers and duties (other than this power of delegation) as are specified in the resolution, and may, by resolution, revoke wholly or in part any such delegation.

(2) A power or duty, the exercise or performance of which has been delegated under this section, may, while the delegation remains unrevoked, be exercised or performed from time to time in accordance with the terms of the delegation.

(3) A delegation under this section may be made subject to such conditions or limitations as to the exercise or performance of any of the powers or duties delegated, or as to time or circumstance, as are specified in the resolution.

(4) Notwithstanding any delegation under this section, the Commissioners may continue to exercise or perform all or any of the powers or duties delegated.

(5) Any act or thing done by or to a delegate while acting in the exercise of a delegation under this section shall have the same force and effect as if the act or thing had been done by or to the Commissioners and shall be deemed to have been done by or to the Commissioners.

\* 20 Geo. V No. 27. For this Act, as amended to 1959, see the Reprint of Statutes (1826-1959), Vol. 5, p. 741. Subsequently amended by No. 55 of 1965, No. 37 of 1969, No. 3 of 1975, and Nos. 28 and 62 of 1976.

(6) An instrument purporting to be signed by a delegate of the Commissioners in his capacity as such a delegate shall in all courts and before all persons acting judicially be received in evidence as if it were an instrument executed by the Commissioners and, until the contrary is proved, shall be deemed to be an instrument signed by a delegate of the Commissioners under this section.

