



TASMANIA

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**TASMANIAN DEVELOPMENT AMENDMENT ACT 1995**

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**No. 76 of 1995**

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## TASMANIAN DEVELOPMENT AMENDMENT ACT 1995

No. 76 of 1995

AN ACT to amend the *Tasmanian Development Act 1983*

[Royal Assent 14 November 1995]

**B**E 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 *Tasmanian Development Amendment Act 1995*.

### Commencement

2—(1) Subject to subsection (2), this Act is taken to have commenced on 1 July 1995.

(2) Section 27 commences on the day on which this Act receives the Royal Assent.

## Principal Act

3—In this Act, the *Tasmanian Development Act 1983\** is referred to as the Principal Act.

## Section 3 substituted

4—Section 3 of the Principal Act is repealed and the following section is substituted:—

### Interpretation

3—(1) In this Act, unless the contrary intention appears—

“**annual report**” means the annual report for TDR prepared under section 29E;

“**Australian Accounting Standards**” means Statements of Accounting Standards issued jointly by the National Councils of the Australian Society of Certified Practising Accountants and The Institute of Chartered Accountants in Australia or their successors;

“**Authority**” means the Tasmanian Development Authority as existing on 30 June 1995;

“**authorized officer**” means an officer of TDR to whom any of its functions or powers is delegated under section 19 (1);

“**Board**” means Tasmania Development and Resources Board;

“**business undertaking**” includes the provision of services;

“**chairperson**” means the chairperson of the Board appointed under section 5 (3);

“**chief executive**” means the chief executive appointed under section 5 (3);

“**commencement day**” means the day fixed under section 2 (2);

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\* No. 84 of 1983. Amended by No. 29 of 1984, No. 55 of 1985, No. 39 of 1986, No. 106 of 1987, No. 36 of 1988, Nos. 40 and 46 of 1991, No. 60 of 1993, No. 68 of 1994 and S.R. 1987, Nos. 66 and 187 and S.R. 1989, No. 80.

“**corporate plan**” means the corporate plan approved under section 15A;

“**director**” means a person appointed as a director under section 5;

“**financial statements**” means the financial statements prepared under section 29B and includes the consolidated financial statements prepared in respect of TDR and all its subsidiaries under that section;

“**financial year**” means a period of 12 months ending on 30 June in any year;

“**functions**” includes duties;

“**officer of TDR**” means a person appointed and holding office under section 16;

“**Primary Industry Bank**” means the Australian Resources Development Bank Limited, incorporated in Victoria;

“**public authority**” means a body corporate that is constituted or established by or under an Act, or appointed by the Governor by or under the authority of an Act, for a public purpose;

“**repealed Act**” means an Act specified in Schedule 5 or a corresponding former enactment;

“**statement of corporate intent**” has the meaning given by section 15C;

“**TDR**” means Tasmania Development and Resources;

“**TDR Act**” means an Act administered by TDR under the *Administrative Arrangements Act 1990*.

(2) In this Act a reference to a subsidiary has the meaning given by the Corporations Law as if TDR were a corporation within the meaning of that Law.

**Part II heading substituted**

5—The heading to Part II is omitted and the following heading is substituted:—

**PART II****TASMANIA DEVELOPMENT AND RESOURCES****Section 4 amended (Establishment of Tasmania Development and Resources)**

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

(1) The Tasmanian Development Authority is continued as a body corporate with the corporate name of Tasmania Development and Resources.

**Section 5 amended (Board of Directors of TDR)**

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

(a) by omitting subsections (1) and (2) and substituting the following subsections:—

(1) The affairs and activities of TDR are to be conducted by a Board of Directors to be known as Tasmania Development and Resources Board.

(2) The Board consists of not more than 8 directors including the chairperson.

(b) by omitting “managing director” from subsection (3) (b) and substituting “chief executive”;

(c) by inserting after subsection (3) the following subsection:—

(3A) The Minister must not make a nomination under subsection (3) unless he or she is satisfied that the person nominated has the experience and skills necessary to enable TDR to achieve its objectives.

**Section 6 substituted**

8—Section 6 of the Principal Act is repealed and the following section is substituted:—

**Appointment and duties of chief executive**

6—(1) The chief executive is, subject to Schedule 1, to be appointed on such terms and conditions as are specified in the instrument of his or her appointment.

(2) The chief executive is responsible to the Board for the conduct of the affairs and activities of TDR in accordance with—

- (a) any directions given to him or her by the Board; and
- (b) in a case where he or she is a delegate of TDR under section 19 (1), any condition or limitation that is applicable to him or her under that section.

(3) The chief executive must, on request by the Board, provide the Board with such information as it may require relating to the affairs and activities of TDR.

(4) The appointment or employment of a person as chief executive is not invalid by reason only of a defect or irregularity in relation to the appointment or contract of employment.

**Section 6A inserted**

9—After section 6 of the Principal Act, the following section is inserted:—

**Acting chief executive**

6A—(1) For the purposes of this section, the chief executive is absent if he or she—

- (a) is absent from duty; or
- (b) is otherwise unable to perform the functions of the office of chief executive; or
- (c) has died, resigned or been removed from office and a new chief executive has not been appointed.

(2) The Minister may appoint a person who is eligible to be appointed as chief executive to act as chief executive during any or every period during which the chief executive is absent.

(3) An appointment is for such term, not exceeding 6 months, as is specified in the instrument of appointment.

(4) While a person appointed under subsection (2) is acting as chief executive, that person is taken to be the chief executive.

(5) Section 6 (1) applies in relation to the appointment of an acting chief executive as if it were an appointment of a chief executive.

#### Section 8 amended (Functions of TDR)

10—Section 8 of the Principal Act is amended as follows:—

- (a) by omitting “The Authority” and substituting “(1)—TDR”;
- (b) by omitting “10.” from paragraph (f) (ii) and substituting “10;”;
- (c) by inserting after paragraph (f) the following paragraph:—
  - (g) to administer the TDR Acts.
- (d) by adding at the end the following subsection:—

(2) Where TDR is responsible under the *Administrative Arrangements Act 1990* for the administration of an Act which confers functions or powers on a person or body, the administration of that Act by TDR does not derogate from the functions or powers of that person or body.

#### Section 9 amended (General powers of TDR)

11—Section 9 (2) (l) of the Principal Act is amended by inserting “or any other” after “this”.



**Sections 15A to 15E inserted**

**12**—After section 15 of the Principal Act, the following sections are inserted in Division 2 of Part II:—

**Corporate plan**

15A—(1) In each financial year, the Board must prepare a corporate plan for TDR and its subsidiaries.

(2) The corporate plan is to—

- (a) cover a period of not less than 3 financial years commencing on the day when it takes effect; and
- (b) contain a summary of the projected financial results of TDR and each of its subsidiaries in respect of the current financial year and each financial year covered by the plan; and
- (c) contain a summary of the financial results of TDR and each of its subsidiaries in respect of the financial year immediately preceding the current financial year; and
- (d) contain a statement of corporate intent; and
- (e) be in such form and contain such information as the Minister specifies.

(3) The Board must provide a draft of the corporate plan to the Minister and the Treasurer not later than 90 days before the day on which the corporate plan will take effect.

(4) When a draft corporate plan is approved by the Minister it becomes the corporate plan of TDR.

(5) The Minister must approve a corporate plan, prepared in accordance with this section and section 15B, by not later than 30 days before the day on which the corporate plan will take effect.

(6) A corporate plan takes effect on the first day of the financial year next commencing after its approval by the Minister or such other time as the Minister may approve.

(7) TDR may prepare an amendment of its corporate plan at any time.

(8) An amendment of a corporate plan takes effect when it is approved by the Minister.

(9) The Board must provide a copy of its corporate plan and an amended corporate plan to the Treasurer within 14 days after the Board has been notified of its approval by the Minister.

(10) Except where the Minister otherwise approves, TDR must act in accordance with its corporate plan or amended corporate plan and ensure that a subsidiary acts in accordance with that corporate plan or amended corporate plan.

#### **Consultation with Minister**

15B—(1) In the course of preparing a draft corporate plan, the Board must consult with the Minister in relation to the interests of the State as a whole and the long term objectives of TDR and its subsidiaries.

(2) The Minister may give a direction to the Board in relation to a long term objective of TDR and its subsidiaries.

(3) Subject to subsection (4), the Board must comply with a direction if it is in writing and signed by the Minister.

(4) A direction has no effect in respect of a contract entered into by TDR before the direction was given if compliance with the direction would result in TDR failing to perform the contract.

#### **Statement of corporate intent**

15C—(1) The statement of corporate intent of TDR is a summary of its corporate plan.

(2) The statement of corporate intent of TDR must not disclose any information which the Minister considers may, if disclosed—

- (a) disadvantage or cause damage to TDR, directly or indirectly; or
- (b) enable another person, directly or indirectly, to gain an advantage.

(3) The statement of corporate intent is to be in a form and contain the information specified by the Minister.

### Strategic and operating plans

15D—(1) The strategic plan of the Authority in force immediately before the commencement of the *Tasmanian Development Amendment Act 1995* together with its operating plan in force immediately before that day is taken to be a corporate plan of TDR that takes effect on that commencement.

(2) TDR must prepare a statement of corporate intent in respect of the corporate plan referred to in subsection (1) in sufficient time to enable it to be included in the annual report in respect of the financial year ending on 30 June 1995.

(3) In subsection (1), “operating plan” and “strategic plan” have the same meanings as in the *State Authorities Financial Management Act 1990* as in force immediately before 1 July 1995.

### Validity of actions, &c.

15E—Anything done by, or in relation to, TDR is not void or unenforceable only because TDR has contravened this Part.

### Section 16 amended (Officers of TDR)

13—Section 16 (1) of the Principal Act is amended by omitting “an executive officer and other”.

**Section 19 amended (Delegation of functions, &c., by TDR)**

14—Section 19 of the Principal Act is amended as follows:—

(a) by omitting from subsections (1) and (5) “the managing director or an officer” and substituting “a director or an officer or committee”;

(b) by omitting subsection (6) and substituting the following subsection:—

(6) An instrument purporting to be executed by the delegate as such is to be received in evidence in all courts and before all persons acting judicially as if it were an instrument executed by TDR and, until the contrary is proved, is taken to be an instrument executed by the delegate under this section.

**Section 20 amended (Register of delegations)**

15—Section 20 (1) of the Principal Act is amended by omitting “, with respect to the managing director and each authorized officer,”.

**Section 21 amended (Trust accounts, funds, &c., of TDR)**

16—Section 21 of the Principal Act is amended by omitting subsection (2) and substituting the following subsection:—

(2) TDR may open and operate bank accounts as it considers necessary.

**Section 23 amended (Recurrent expenditure of TDR and payment of certain income to Consolidated Fund)**

17—Section 23 of the Principal Act is amended by inserting after subsection (2) the following subsection:—

(3) Subsection (2) does not apply to income from money advanced for the purposes of the *Rural Adjustment Act 1990*.

**Section 24 amended (TDR's power to borrow)**

**18**—Section 24 of the Principal Act is amended as follows:—

- (a) by omitting from subsection (1) “or the *Closer Settlement Act 1957*” and substituting “the *Closer Settlement Act 1957* or the *Rural Adjustment Act 1990*”;
- (b) by omitting subsection (1A) and substituting the following subsection:—

(1A) Money borrowed under subsection (1) is to be borrowed on bank overdraft or in such other manner as the Treasurer may approve.

- (c) by omitting subsection (3).

**Section 26 amended (State loans to TDR)**

**19**—Section 26 of the Principal Act is amended by omitting “Loan” and substituting “Consolidated”.

**Section 28 repealed and section 29 and Division 4A substituted**

**20**—Section 28 of the Principal Act is repealed and the following section and Division are substituted:—

**Capital contribution by Treasurer**

29—(1) The Treasurer may pay an amount to TDR as a contribution to its reserves out of money provided by Parliament for the purpose.

(2) An amount paid under subsection (1) is not a borrowing and is not subject to the payment of interest.

***Division 4A—Accounting records, financial statements and reports*****Accounting records**

29A—(1) The Board must—

- (a) keep such accounting records as correctly record and explain its transactions (including any transactions as trustee) and financial position; and

- (b) keep those records in a manner that—
- (i) allows true and fair accounts of TDR to be prepared from time to time; and
  - (ii) allows its accounts to be conveniently and properly audited or reviewed; and
  - (iii) subject to any contrary written direction given by the Minister to the Board, complies with Australian Accounting Standards; and
  - (iv) complies with any written directions given by the Minister to the Board.

(2) The Minister may, after consultation with the Treasurer, give written directions to the Board for the purposes of keeping records under subsection (1).

#### **Financial statements**

29B—(1) Within 60 days after the end of each financial year, the Board must—

- (a) prepare the financial statements of TDR relating to that financial year; and
- (b) if TDR has subsidiaries, prepare consolidated financial statements in respect of TDR and all its subsidiaries relating to that financial year; and
- (c) provide the Auditor-General with TDR's financial statements.

(2) Financial statements in respect of a financial year are to consist of—

- (a) a profit and loss account or other operating statement for that financial year; and
- (b) a balance-sheet or other statement of financial position as at the end of that financial year; and
- (c) a statement of the cash flows for that financial year; and
- (d) any other financial information required to be included by a direction given under subsection (4); and
- (e) statements, reports and notes, other than a directors' report or an auditor's report, attached to, or intended to be read with, the profit and loss account, other operating statement, balance-sheet or other statement of financial position.

- (3) The financial statements must—
- (a) comply with any directions given under subsection (4); and
  - (b) subject to such a direction, comply with Australian Accounting Standards; and
  - (c) be signed or certified as specified in such a direction.

(4) The Minister may, after consultation with the Treasurer, give written directions to the Board with respect to the form and contents of the financial statements as he or she considers appropriate.

#### **Extension of time for preparing financial statements**

29C—(1) Within 45 days after the end of the financial year, the Board may apply to the Treasurer for an extension of the period within which it must prepare, and provide to the Auditor-General, the financial statements of TDR.

- (2) An application is to—
- (a) include the reasons, in detail, for the need for an extension of time; and
  - (b) specify the day by which the Board estimates that it can provide the financial statements.
- (3) The Treasurer may—
- (a) refuse to grant an extension of the period in which the Board is required to prepare and provide financial statements; or
  - (b) grant such an extension for such period as the Treasurer considers appropriate.

(4) The Treasurer must not grant an extension of time that would prevent the Minister from tabling an annual report in accordance with section 29F (1).

#### **Opinion of Auditor-General**

29D—The Auditor-General must provide the Board, the Minister and the Treasurer with a copy of his or her opinion in respect of the financial statements of TDR given under section 40 of the *Financial Management and Audit Act 1990*.

**Annual report**

29E—(1) The Board must prepare for TDR an annual report for each financial year.

(2) The annual report is to include the following information and documents:—

- (a) the statement of corporate intent which relates to the corporate plan that takes effect at the beginning of the next financial year;
- (b) the financial statements of TDR for the financial year to which the annual report relates;
- (c) a copy of the opinion of the Auditor-General in respect of the financial statements received under section 29D;
- (d) a report on the performance of TDR during the financial year to which the annual report relates compared with the performance indicators specified in the corporate plan;
- (e) a report on the operations of TDR during the financial year to which the annual report relates;
- (f) the details of any extension of the time within which the financial statements must be prepared and provided to the Auditor-General;
- (g) the details of any direction given under section 15B;
- (h) any information relating to the directors, chief executive and employees required by the Minister by written notice provided to the Board to be included;
- (i) any other information that the Minister by written notice provided to the Board requires to be included;
- (j) any other information that the Board considers is appropriate or necessary to properly inform the Minister and Parliament as to the performance and progress of TDR during the financial year to which the annual report relates;
- (k) a summary, by reference to categories, of all loans and grants of money made by TDR, and all guarantees given by the Treasurer on the recommendation of TDR, in respect of the financial year to which the annual report relates;



- (l) particulars of each grant or loan of money made by TDR as the agent of the Minister for the purposes of compliance by the Minister with section 37 (3) (a);
  - (m) a copy of any statement of policy objectives given to TDR under section 11 (1) that was in force for the whole or part of the financial year to which the annual report relates.
- (3) For the purposes of subsection (2) (a), “**next financial year**” means the financial year immediately following the financial year in respect of which the annual report is prepared.
- (4) The Board must provide the annual report to the Minister and the Auditor-General.
- (5) Section 33AB of the *Tasmanian State Service Act 1984* does not apply in respect of TDR.

### **Tabling of annual report**

29F—(1) The Minister must cause a copy of the annual report to be laid before each House of Parliament within 5 months after the end of the financial year to which the annual report relates.

(2) Where the Minister is unable to comply with subsection (1) for any reason other than that a House of Parliament is not sitting at the expiration of the period specified in that subsection, he or she must, before the expiration of that period, cause to be laid before each House of Parliament a statement specifying the reasons for the failure to comply with that subsection and an estimate of the day by which a copy of the annual report will be ready to be laid before each House of Parliament.

(3) Where the Minister is unable to cause a copy of the annual report to be laid before a House of Parliament within the period specified in subsection (1) or by the day specified in a statement referred to in subsection (2) because either House of Parliament is not sitting at the expiration of that period or on that day, the Minister must—

- (a) immediately after the expiration of that period or that day, forward a copy of the annual report to the Clerk of that House of Parliament; and
- (b) within the next 7 sitting days of that House, cause the annual report to be laid before that House.

### **Quarterly reports**

29G—(1) The Board must prepare a report on the operations of TDR for each of the first 3 quarters of a financial year.

(2) A quarterly report is to be provided to the Minister and the Treasurer—

- (a) within 30 days after the end of the quarter; or
- (b) if another period after the end of the quarter is agreed between the Board and the Minister, within the agreed period.

(3) A quarterly report must include the information required to be given in the report by the Minister by written notice provided to the Board.

### **Minister may require information**

29H—(1) The Minister, at his or her discretion or on the request of the Treasurer, may require the Board to provide to the Minister specified in the requirement, information relating to the affairs, or the performance and exercise of the functions and powers, of TDR.

(2) The Board must comply with a requirement made under subsection (1).

**Directions, &c., given by Minister**

291—(1) A direction given by the Minister under this Division may adopt either wholly or partly and with or without modification, and either specifically or by reference, any Treasurer's Instructions, within the meaning of the *Government Business Enterprises Act 1995*, whenever issued.

(2) The Board must comply with a direction given to it by the Minister under this Division.

**Section 41 repealed**

21—Section 41 of the Principal Act is repealed.

**Section 42 amended (Disclosure of interests in contracts, grants, &c.)**

22—Section 42 of the Principal Act is amended by omitting "executive officer" from subsection (2) and substituting "Board".

**Section 48 amended (Regulations)**

23—Section 48 (2) (c) of the Principal Act is amended by omitting "Act," and substituting "Act or any amending Act,".

**Section 49 amended (Dissolution of Agricultural Bank and certain boards, repeals, &c.)**

24—Section 49 of the Principal Act is amended as follows:—

(a) by inserting before subsection (1) the following subsection:—

(1AA) In this section, "transitional functions" means any function, power or right of TDR arising from the transitional and savings provisions specified in Schedule 4.

(b) by inserting after subsection (1) the following subsection:—

(1A) For the purposes of exercising any transitional functions of TDR on or after 1 July 1995, references in Schedule 4 to “the Authority” are taken to be references to TDR.

#### **Schedule 1 amended (Provisions with respect to directors)**

25—Schedule 1 to the Principal Act is amended as follows:—

- (a) by omitting from clause 1(1) “managing director or an associate director” and substituting “chief executive”;
- (b) by omitting subclause (2) from clause 1;
- (c) by omitting from clause 4 (1) “, other than an associate director,”;

#### **Schedule 2 amended (Provisions with respect to meetings of the Board)**

26—Schedule 2 to the Principal Act is amended as follows:—

- (a) by omitting clause 1;
- (b) by omitting from clause 3 (4) “, but an associate director is not entitled to vote”;
- (c) by omitting from clause 4 (2) “a director” and substituting “any director other than the chief executive”.

#### **Schedule 4 amended (Transitional and savings provisions)**

27—Schedule 4 to the Principal Act is amended by inserting the following Part after Part III:—

## PART IV

### TRANSITIONAL AND SAVINGS PROVISIONS RELATING TO TDR

#### Interpretation

1—(1) In this Part—

“**prescribed obligations and liabilities**” means obligations and liabilities of the Crown arising from the administration of a TDR Act;

“**prescribed property**” means—

- (a) an estate or interest in land of the Crown used in the administration of a TDR Act; or
- (b) money, investments or other property of the Crown used in the administration of a TDR Act;

“**relevant date**” means the date specified in a notice under this Part as the date on which the notice takes effect.

#### Transfer of property, &c., to TDR

2—(1) With the agreement of the Minister, the Treasurer and TDR or a subsidiary, a Minister to whom a Government department that is responsible for any prescribed property or prescribed obligations and liabilities is responsible may, by notice published in the *Gazette*—

- (a) transfer any of that prescribed property or those prescribed obligations and liabilities to TDR or a subsidiary; and
- (b) provide for any matter that is incidental to that transfer.

(2) The Minister must not transfer an estate or interest in land of the Crown under this clause unless he or she has consulted with the Minister administering the *Crown Lands Act 1976*.

(3) On the day specified in a notice made under subclause (1)—

- (a) the property specified in, and transferred by, the notice vests in TDR or the subsidiary; and
- (b) the prescribed obligations and liabilities specified in, and transferred by, the notice become the obligations and liabilities of TDR or the subsidiary.

(4) A notice under subclause (1) is not a statutory rule for the purposes of the *Rules Publication Act 1953*.

### Construction of instruments

3—(1) This clause applies to an instrument that—

- (a) arises from the administration of a TDR Act; and
- (b) relates to prescribed obligations and liabilities or to prescribed property; and
- (c) was in force immediately before the relevant date; and
- (d) contains a reference to the Crown.

(2) Unless the context or subject-matter of an instrument to which this clause applies otherwise indicates or requires, the instrument has effect on and from the relevant date as if—

- (a) the reference to the Crown were a reference to TDR; or
- (b) if the case so requires, the reference to the Crown included a reference to TDR.

### Continuation of proceedings

4—(1) This clause applies to legal or other proceedings relating to prescribed property or prescribed obligations and liabilities that are transferred to TDR under clause 2.

(2) Any legal or other proceedings to which this clause applies that might, before the relevant date, have been continued or instituted by or against the Crown may, on and after that date, be continued or instituted by or against TDR.

(3) A judgment or order of a court obtained in legal proceedings to which this clause applies where the proceedings are brought by or against the Crown may be enforced by or against TDR on or after the relevant date.

### **Powers of TDR in respect of matters arising under this Part**

5—(1) This clause applies to debts, money, claims, securities and charges relating to prescribed property or prescribed obligations and liabilities that are transferred to TDR under clause 2.

(2) On and after the relevant date, TDR may, in the administration of a TDR Act—

- (a) in addition to pursuing any other remedies or exercising any other powers that may be available to it, pursue the same remedies for the recovery of debts, money and claims to which this clause applies that are payable to, or recoverable by, the Crown and for the prosecution of proceedings relating to any such debts, money or claims as the Crown might have done but for the enactment of this clause; and
- (b) enforce and realise any security or charge to which this clause applies and which is existing immediately before the relevant date in favour of the Crown and may exercise any powers conferred under the security or charge on the Crown as if it were a security or charge in favour of TDR.

### **Contracts and agreements**

6—(1) This clause applies to a contract, agreement, arrangement or undertaking entered into by the Crown for the purposes of a TDR Act and which relates to prescribed property or prescribed obligations and liabilities that are transferred to TDR under clause 2.

(2) A contract, agreement, arrangement or undertaking to which this clause applies, if not executed, discharged or otherwise terminated before the relevant date, is taken to be a contract, agreement, arrangement or undertaking entered into by TDR.

(3) A person who is a party to a contract or agreement to which this clause applies is not entitled to terminate that contract or agreement by reason only of a transfer under this Part of any property, obligation or liability to which that contract relates.

#### **Saving for directors and officers**

7—The amendments made by the *Tasmanian Development Amendment Act 1995* do not affect the tenure or term of office of a director or officer of TDR and the person who held office as managing director on 30 June 1995 is taken to have been appointed as chief executive.

#### **Consequential amendments of Principal Act**

28—(1) Each of the provisions of the Principal Act specified in Schedule 1 is amended by omitting references to “The Authority” and “the Authority” and substituting references to “TDR”.

(2) Each of the provisions of the Principal Act specified in Schedule 2 is amended by omitting references to “Chairman” and “chairman” and substituting references to “chairperson”.

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## SCHEDULE 1

## Section 28 (1)

CONSEQUENTIAL AMENDMENTS OF PRINCIPAL ACT RELATING  
TO THE AUTHORITY

PROVISION AMENDED	NO. OF TIMES PASSAGE SUBSTITUTED OCCURS IN PROVISION
section 4 (except subsection (1))	5
heading to Division 2 of Part II	1
section 7	1
section 9	5
section 10	1
section 11	8
section 12	1
section 13	1
section 14	2
section 15	1
heading to Division 3 of Part II	1
section 16	7
section 17	1
section 18	3
section 19 (except subsection (6))	9
section 20	2
section 21 (except subsection (2))	7
section 22	6
section 23	6
section 24 (except subsection (3))	4
section 25	5
section 26	1
section 27	1
heading to Division 5 of Part II	1
section 31	4
section 32	13
section 33	4
section 34	2
section 35	7
section 36	3
section 37	1
section 38	1
section 39	1
section 40	1
section 42	4

SCHEDULE 1—*continued*

PROVISION AMENDED	NO. OF TIMES PASSAGE SUBSTITUTED OCCURS IN PROVISION
section 43	1
section 44	2
section 45	2
section 48	4
Schedule 1, clause 7	4
Schedule 1, clause 8	2
Schedule 3, Part 2, clause 1	4
Schedule 3, Part 2, clause 2	4
Schedule 3, Part 2, clause 3	3
Schedule 3, Part 2, clause 4	1
Schedule 3, Part 2, clause 5	2 (except where lastly occurring)
Schedule 3, Part 2, clause 6	8
Schedule 3, Part 2, clause 7	1
Schedule 3, Part 2, clause 9	3
Schedule 3, Part 2, clause 10	4
Schedule 3, Part 2, clause 12	2

## SCHEDULE 2

Section 28 (2)

CONSEQUENTIAL AMENDMENTS OF THE PRINCIPAL ACT  
RELATING TO THE CHAIRMAN

PROVISION AMENDED	NO. OF TIMES PASSAGE SUBSTITUTED OCCURS IN PROVISION
section 5 (3) (a)	1
Schedule 1, clause 4 (2) (a)	4
Schedule 2, clause 2 (2)	1
Schedule 2, clause 4 (1)	1
Schedule 2, clause 4 (2)	1
Schedule 2, clause 4 (3)	2

[Second reading presentation speech made in:—  
House of Assembly on 5 October 1995  
Legislative Council on 18 October 1995]

