



ACTS INTERPRETATION

No. 4 of 1974

ANALYSIS

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AN ACT to amend the Acts Interpretation Act 1931.

[1 May 1974]

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—(1) This Act may be cited as the *Acts Interpretation Act* Short title and citation. 1974.

(2) The *Acts Interpretation Act* 1931, as subsequently amended, is in this Act referred to as the Principal Act.

Meaning of certain terms and expressions.

2 Section 7 of the Principal Act is amended by omitting paragraph (a).

3 After section 7 of the Principal Act the following section is inserted:—

Cross references to other provisions.

“7A—(1) Where in any provision a reference is made to a division by means of a letter or numeral, or a combination of both, and any division of that provision may be identified by that reference so as to distinguish it from any other division of that provision, that reference shall be construed as a reference to the division of that provision that may be so identified.

“(2) In this section—

‘provision’ means any Act or regulations or any division of an Act or regulations;

‘division’, when used in relation to a provision, means any portion of that provision that can be identified by means of a letter or numeral, or a combination of both.”.

4 After section 23A of the Principal Act the following section is inserted:—

Formation of statutory bodies.

“23AB Where, by or under any Act, there is required to be, or there may be, established, constituted, or appointed any board, commission, committee, or other body of persons (whether incorporated or unincorporated) and the Governor is satisfied that it is necessary for that body to enter upon its functions forthwith but that it is not practicable for the full number of members of the Board to be elected or appointed within a reasonable time he may declare that Board to be duly established, constituted, or appointed if there are sufficient persons appointed or elected as members thereof to constitute a quorum at a meeting of that body; and on the making of that declaration that body shall, accordingly, be deemed to be duly constituted, established, or appointed.”.

5 Section 23C of the Principal Act is repealed and the following section is substituted therefor:—

Power of statutory bodies to act during vacancies in membership.

“23C Where pursuant to any Act there is established, constituted, or appointed any board, commission, committee, or other body of persons (whether incorporated or unincorporated) comprising two or more members that Act shall, unless the contrary intention appears therein, be deemed to empower that board, commission, committee, or other body to function, and the members,

or persons empowered to act as members thereof, to act, notwithstanding any vacancies in the membership thereof, so long as there are sufficient members to constitute a quorum at a meeting of that board, commission, committee, or other body.”.

6 Section 47 of the Principal Act is amended—

Regulations.

- (a) by omitting from paragraph (d) of subsection (1) the words “twenty dollars” and substituting therefor “\$200”; and
- (b) by omitting from that paragraph the words “four dollars” and substituting therefor “\$40”.

7 After section 48 of the Principal Act the following section is added:—

“49—(1) The Attorney-General may, by order, amend any Act or regulations so as to alter the manner in which reference is made to—

Alteration of references.

- (a) any division of a provision;
- (b) any day, time, or period of time;
- (c) any sum of money; or
- (d) any quantity expressed by a weight or measure.

“(2) Expressions used in this section have the same meaning as they have for the purposes of section 7A.”.

8 The Principal Act is amended in the manner set out in the Schedule.

Formal amendments.

SCHEDULE

(Section 8)

1. The following provisions of the Principal Act are amended by omitting the words “of this section” (wherever occurring):—

- Section 16 (2);
- Section 38A (1) and (2);
- Section 46A (1).

2. Section 46 of the Principal Act is amended by omitting from paragraph (a) of the definitions of “statutory declaration” and “solemn declaration” the words “one hundred and thirty-two” and substituting therefor the figures “132”.