



KING AND FLINDERS ISLANDS (POWER) FINANCIAL  
ASSISTANCE ACT 1984

—  
No. 59 of 1984  
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**AN ACT to provide for the making of loans to owners of property on King Island and Flinders Island to assist in paying for the reticulation of electrical power to properties, its connection to dwellings, and the rewiring of buildings, on those islands, and to make provision for incidental matters.**

[Royal Assent 11 July 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 *King and Flinders Islands (Power) Financial Assistance Act 1984*. Short title.

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—

“ Authority ” means the Tasmanian Development Authority;

“ dwelling ” means a building used or intended for use as a dwelling;

“ eligible person ” means a person who owns property on King Island or Flinders Island;

“ loan ” means a loan under this Act.

Power of  
Authority to  
make loans.

**4**—Subject to this Act, the Authority may make loans to eligible persons out of the money provided under section 12 to the Authority for the purposes specified in section 5.

Purposes  
of loan.

**5**—A loan may be made to an eligible person for the purposes of—

(a) the reticulation of electrical power to a property which the person owns on King Island or Flinders Island;

(b) the connection of reticulated electrical power to a dwelling on that property; and

(c) the rewiring of buildings intended to be connected with reticulated electrical power on that property.

Terms and  
conditions  
of loans.

**6**—(1) Subject to this section, a loan shall be made subject to such terms and conditions as the Authority may determine.

(2) A loan—

(a) is repayable in full within 15 years after the day on which it is made;

(b) is repayable by equal monthly instalments; and

(c) is subject to the payment of interest—

(i) at the rate of 12·5 per cent per annum until 30th June 1985; and

(ii) thereafter, at such rate as may be determined by the Treasurer from time to time,

on the amount of the loan for the time being remaining owing to the Authority.

(3) Notwithstanding subsection (2), the Authority may, in its discretion, extend the term of a loan—

(a) for such period; and

(b) subject to such other terms and conditions, other than as to the rate of interest payable,

as the Authority may determine.

**7**—(1) An eligible person who seeks a loan may make application to the Authority. Application for loan.

(2) An application for a loan—

(a) shall be in writing in a form provided for that purpose by the Authority; and

(b) shall contain such particulars and information as may be specified in the form.

(3) The Authority may require an applicant under this section to provide it with such information as the Authority considers necessary in order to show to its satisfaction whether or not the applicant is an eligible person.

(4) On receipt of an application made in accordance with this section, the Authority may grant the application for a loan or refuse to grant the application for a loan.

**8**—Where a person has applied for a loan, the Authority may require that person— Power of Authority to obtain information.

(a) to give the Authority an authorization to obtain from any person information available to him with respect to the applicant; and

(b) to produce to the Authority such documents as the Authority may require.

**9**—The Authority may take and require such security for the repayment of loans as in each case it considers to be adequate in the circumstances. Security.

**10**—An instrument made by the Authority for the purposes of this Act is exempt from stamp duty and may be filed, recorded, or registered without payment of any fee. Exemption from fees and stamp duty.

Repayment  
of loans.

**11**—The Authority shall pay all money received by it under this Act in repayment of loans and payment of interest on loans into such accounts created in the Treasury as the Treasurer may require in such manner as the Treasurer may direct.

Advances  
from the  
Loan Fund.

**12**—The Treasurer may make advances to the Authority out of the Loan Fund for the purposes of this Act.

False or  
misleading  
statements.

**13**—(1) A person shall not, in connection with, or in support of, an application for a loan, make, whether orally or in writing, a statement that, to his knowledge, is false or misleading in a material particular.

Penalty: \$1 000.

(2) A person shall not obtain payment of a loan by means of a statement, whether orally or in writing, that, to his knowledge, is false or misleading in a material particular or by means of impersonation or a fraudulent device.

Penalty: \$2 000.

(3) Where a person is convicted of an offence against this section, the court may, in addition to imposing a penalty in respect of the offence, order him to pay to the Authority an amount equal to the amount of the outstanding balance of the loan paid under this Act in consequence of the act, failure, or omission in respect of which he was convicted, together with interest calculated up to a date determined by the court.

(4) It is a defence to a charge under this section if it is proved that, at the time the application or statement was made, the defendant believed on reasonable grounds that it was neither false nor misleading.

Protection of  
members of  
Parliament.

**14**—A contract to which a member of either House of Parliament is a party and which is for or in relation to the making of a loan is not a contract or agreement with the Government of the State within the meaning of section 33 of the *Constitution Act 1934*.

Regulations.

**15**—(1) The Governor may make regulations for the purposes of this Act.

(2) Regulations under subsection (1) may be made subject to such conditions, or be made so as to apply differently according to such factors, as may be specified in the regulations or according to such limitations or restrictions, whether as to time or circumstance or otherwise, as may be so specified.

(3) Regulations under subsection (1) may provide that it is an offence, punishable on summary conviction, for a person to contravene or fail to comply with, any of the regulations and may provide in respect of any such offence for the imposition of a penalty not exceeding \$500 and, in the case of a continuing offence, a further penalty not exceeding \$10 for each day during which the offence continues.

(4) A regulation under subsection (1) may authorize any matter or thing to be from time to time determined, applied, or regulated by the Authority or any person or body specified in the regulations.

