



TASMANIA

TASMANIAN FILM CORPORATION ACT (REPEAL) ACT 1993

No. 51 of 1993

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**TASMANIAN FILM CORPORATION ACT (REPEAL)
ACT 1993**

No. 51 of 1993

AN ACT to repeal the *Tasmanian Film Corporation Act 1977* and to provide for matters consequential on the dissolution of the Tasmanian Film Corporation

[Royal Assent 10 September 1993]

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:—

Short title

1—This Act may be cited as the *Tasmanian Film Corporation Act (Repeal) Act 1993*.

Commencement

2—This Act commences on the day on which it receives the Royal Assent.

Interpretation

3—In this Act, unless the contrary intention appears—

“**administrator**” means an administrator appointed under section 6A of the *Tasmanian Film Corporation Act 1977*;

“**commencement day**” means the day on which this Act commences;

“**Corporation**” means the Tasmanian Film Corporation established under section 3 of the *Tasmanian Film Corporation Act 1977*;

“**Crown**” means the Crown in right of Tasmania;

“**legal proceedings**” includes an arbitration;

“**obligations**” includes duties, functions and liabilities;

“**property**” means any legal or equitable estate or interest, whether present or future and whether vested or contingent, or real or personal property;

“**right**” includes an entitlement, a power and a privilege.

Repeals

4—The *Tasmanian Film Corporation Act 1977* and the *Tasmanian Film Corporation Amendment Act 1982* are repealed.

Dissolution of the Corporation

5—The Corporation is dissolved.

Dissolution of the office of administrator

6—The office of the administrator is dissolved.

Property vests in the Crown

7—All property vested in the Corporation or the administrator and not disposed of before the commencement day vests in the Crown.

Rights and obligations

8—All rights vested in the Corporation or the administrator immediately before the commencement day and all obligations to which the Corporation or the administrator were subject on that day, vest in the Crown.

Contracts

9—If a contract entered into by the Corporation or the administrator before the commencement day has not been discharged or executed before that day, all rights and obligations of the Corporation or the administrator under the contract are assigned to the Crown on that day.

Legal proceedings and documents

10—On and from the commencement day—

- (a) legal proceedings instituted by or against the Corporation or the administrator before the commencement day and pending on that day may be continued by or against the Crown; and
- (b) a judgment or order of a court obtained by or against the Corporation or the administrator is to be enforced by or against the Crown; and
- (c) a document addressed to, and purporting to be served on, the Corporation or the administrator is to be treated as served on the Crown.

Liability for losses

11—An administrator is not liable for any loss incurred by the Corporation during that administrator's term of office unless the loss is attributable to the administrator's gross negligence, misconduct or failure to comply with a provision of the *Tasmanian Film Corporation Act 1977*.

Payment of debts

12—If, on or after the commencement day, any obligation of the Corporation or the administrator involves payment by the Crown of an amount of money to satisfy the obligation and any interest due on it, that amount, or such part of that amount as determined by the Treasurer, is to be paid out of the Consolidated Fund without any further appropriation.

Administration

13—Until provision is made in relation to this Act by order under section 4 of the *Administrative Arrangements Act 1990*—

- (a) the administration of this Act is assigned to the Minister for Justice; and
- (b) the Department responsible to the Minister for Justice in relation to the administration of this Act is the Department of Justice.

[Second reading presentation speech made in:—
House of Assembly on 12 May 1993
Legislative Council on 18 August 1993]