

TASMANIA

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**FRUIT AND NUT INDUSTRY (RESEARCH,  
DEVELOPMENT AND EXTENSION TRUST FUND)  
REPEAL BILL 2019**

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**CONTENTS**

1. Short title
  2. Commencement
  3. Interpretation
  4. Wind-up of FNRDE Account
  5. Construction of documents
  6. Legal proceedings and related matters
  7. Administration of Act
  8. Legislation repealed
- Schedule 1 – Legislation repealed



**FRUIT AND NUT INDUSTRY (RESEARCH,  
DEVELOPMENT AND EXTENSION TRUST FUND)  
REPEAL BILL 2019**

*(Brought in by the Minister for Primary Industries and Water,  
the Honourable Guy Barnett)*

**A BILL FOR**

**An Act to wind up the Fruit and Nut Research,  
Development and Extension Trust Fund and to repeal the  
*Fruit and Nut Industry (Research, Development and  
Extension Trust Fund) Act 2012***

Be it enacted by Her 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. Short title**

This Act may be cited as the *Fruit and Nut  
Industry (Research, Development and Extension  
Trust Fund) Repeal Act 2019*.

**2. Commencement**

This Act commences on the day on which this  
Act receives the Royal Assent.

**3. Interpretation**

In this Act, unless the contrary intention  
appears –

*Fruit and Nut Industry (Research, Development and Extension  
Trust Fund) Repeal Act 2019*  
*Act No. of 2019*

s. 4

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***Board of Management*** means the Board of Management continued by section 5(1) of the repealed Act;

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

***FNRDE Account*** means the account in the Special Deposits and Trust Fund continued by section 4(1) of the repealed Act;

***repealed Act*** means the *Fruit and Nut Industry (Research, Development and Extension Trust Fund) Act 2012*.

#### **4. Wind-up of FNRDE Account**

On the commencement day –

- (a) the FNRDE Account is wound up; and
- (b) the Board of Management is dissolved.

#### **5. Construction of documents**

(1) In this section –

***document*** means a document, or part of a document, that –

- (a) was in force immediately before the commencement day; and
- (b) contains a reference to the Board of Management; and

*Fruit and Nut Industry (Research, Development and Extension  
Trust Fund) Repeal Act 2019  
Act No. of 2019*

s. 6

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- (c) relates to an asset or liability of the Board of Management.
- (2) Unless the context or subject matter of a document otherwise requires, on and after the commencement day a reference in the document to or including the Board of Management is taken to be or to include a reference to the Crown.

**6. Legal proceedings and related matters**

On and after the commencement day –

- (a) any legal or other proceeding instituted by or against the Board of Management before, and pending on, the commencement day may be continued by or against the Crown; and
- (b) any legal or other proceeding that could have been instituted by or against the Board of Management to enforce an obligation that was required to be performed, or a right that had accrued, before the commencement day may be instituted by or against the Crown; and
- (c) any judgment or order of a court obtained before the commencement day by or against the Board of Management and not executed or satisfied before the commencement day may be enforced by or against the Crown; and

*Fruit and Nut Industry (Research, Development and Extension  
Trust Fund) Repeal Act 2019  
Act No. of 2019*

s. 7

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- (d) a document relating to any legal or other proceeding that has been served on or by the Board of Management is taken, where appropriate, to have been served on or by the Crown.

**7. Administration of Act**

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 Primary Industries and Water; and
- (b) the department responsible to that Minister in relation to the administration of this Act is the Department of Primary Industries, Parks, Water and Environment.

**8. Legislation repealed**

The legislation specified in Schedule 1 is repealed.

*Fruit and Nut Industry (Research, Development and Extension  
Trust Fund) Repeal Act 2019*  
*Act No. of 2019*

**sch. 1**

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**SCHEDULE 1 – LEGISLATION REPEALED**

Section 8

*Fruit and Nut Industry (Research, Development and Extension  
Trust Fund) Act 2012 (No. 5 of 2012)*