

TASMANIA

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**BEN LOMOND SKIFIELD MANAGEMENT  
AUTHORITY (REPEAL) BILL 2007**

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**CONTENTS**

1. Short title
  2. Commencement
  3. Administration of Act
  4. Savings and transitional provisions
  5. Legislation repealed
  6. Legislation rescinded
- Schedule 1 – Savings and Transitional Provisions
- Schedule 2 – Legislation repealed
- Schedule 3 – Legislation rescinded



**BEN LOMOND SKIFIELD MANAGEMENT  
AUTHORITY (REPEAL) BILL 2007**

*(Brought in by the Minister for Tourism, Arts and the  
Environment, the Honourable Paula Catherine Wriedt)*

**A BILL FOR**

**An Act to repeal the *Ben Lomond Skifield Management  
Authority Act 1995***

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. Short title**

This Act may be cited as the *Ben Lomond  
Skifield Management Authority (Repeal) Act  
2007*.

**2. Commencement**

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

**3. Administration of Act**

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

*Ben Lomond Skifield Management Authority (Repeal) Act 2007*  
*Act No. of*

**s. 4**

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- (a) the administration of this Act is assigned to the Minister for Tourism, Arts and the Environment; and
- (b) the department responsible to that Minister in relation to the administration of this Act is the Department of Tourism, Arts and the Environment.

**4. Savings and transitional provisions**

Schedule 1 has effect.

**5. Legislation repealed**

The legislation specified in Schedule 2 is repealed.

**6. Legislation rescinded**

The legislation specified in Schedule 3 is rescinded.

**SCHEDULE 1 – SAVINGS AND TRANSITIONAL  
PROVISIONS**

**Section 4**

**1. Interpretation**

In this Schedule –

**“Authority”** means the Ben Lomond Skifield Management Authority in existence immediately before the commencement day;

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

**“repealed Act”** means the *Ben Lomond Skifield Management Authority Act 1995*.

**2. Assets and liabilities of Authority**

(1) On the commencement day –

- (a) the assets of the Authority are, by virtue of this clause, vested in the Crown on the same terms and conditions as they were vested in the Authority; and
- (b) all rights, obligations and liabilities of the Authority which were subsisting immediately before that day are transferred to the Crown.

(2) Any instrument made for the purposes of subclause (1) is exempt from stamp duty and

*Ben Lomond Skifield Management Authority (Repeal) Act 2007*  
*Act No. of*

**sch. 1**

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may be filed, recorded or registered without payment of any fee.

**3. Leases and licences, &c.**

On the commencement day, a lease or licence granted under the repealed Act –

- (a) is taken to be a lease or licence granted under the *National Parks and Reserves Management Act 2002*; and
- (b) is subject to the same terms and conditions as it was subject to under the repealed Act; and
- (c) continues in force for the remainder of the period for which it was granted or renewed.

**4. Contracts and agreements**

On the commencement day, a contract, agreement or arrangement entered into by the Authority under the repealed Act –

- (a) is taken to have been entered into by the Crown; and
- (b) is subject to the same terms and conditions as it was subject to under the repealed Act; and
- (c) continues in force for the remainder of the period for which it was granted.

**5. References to Authority**

On and from the commencement day a reference to the Authority in –

- (a) a written law; or
- (b) a contract, award or other instrument to which the Authority was a party –

is to be construed as a reference to the Crown.

**6. Legal proceedings**

- (1) Any legal or other proceedings which may, before the commencement day, have been instituted or continued by or against the Authority may, on and after that day, be instituted or continued by or against the Crown.
- (2) On the commencement day –
  - (a) a judgment or order of a court obtained by or against the Authority may be enforced by or against the Crown; and
  - (b) a document addressed to and purporting to be served on the Authority is taken to be served on the Crown.

**7. Acts, &c., done by or to the Authority**

All acts, matters and things done or omitted to be done by, or done or suffered in relation to, the Authority before the commencement day have,

*Ben Lomond Skifield Management Authority (Repeal) Act 2007*  
*Act No. of*

**sch. 1**

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on that day, the same force and effect as if they  
had been done or omitted to be done by, or done  
or suffered in relation to, the Crown.



*Ben Lomond Skifield Management Authority (Repeal) Act 2007*  
*Act No. of*

**sch. 2**

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**SCHEDULE 2 – LEGISLATION REPEALED**

Section 5

*Ben Lomond Skifield Management Authority Act 1995 (No. 7*  
*of 1995)*

*Ben Lomond Skifield Management Authority (Repeal) Act 2007*  
*Act No. of*

**sch. 3**

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**SCHEDULE 3 – LEGISLATION RESCINDED**

Section 6

*Ben Lomond Skifield Management Authority Regulations 2000*  
(No. 107 of 2000)