

## CLAUSE NOTES

### *National Trust Preservation Fund (Winding-Up) Amendment Bill 2016*

**Clause 1      Short title**

This clause provides a short title for the Act to be used when citing the Act for any legal purpose.

**Clause 2      Commencement**

This clause provides for the commencement of the Act, in this case on Royal Assent.

**Clause 3      Principal Act**

Provides that where the term “Principal Act” is referred to in this Bill, it is defined to mean the *National Trust Preservation Fund (Winding-up) Act 1999*.

**Clause 4      Section 3 amended (Interpretation)**

Paragraph (a) of this clause inserts a definition of the term “*planning scheme*” as this term is used in the amendments made by this Bill.

Paragraph (b) of this clause omits a definition of the term “*National Trust*” as the amendments made by this Bill make the term redundant.

**Clause 5      Section 5 amended (Distribution of funds)**

This clause provides that funds in the Heritage Account established by the Hobart City Council for, and pursuant to section 5(3) of the Principal Act, need only be applied in relation to places of heritage significance in the City of Hobart - and specifically only those places in Hobart that are: (a) heritage listed under a planning scheme of that city or (b) entered on the Tasmanian Heritage Register kept under section 15 the *Historic Cultural Heritage Act 1995*.

This reflects the administrative reality that whereas the Hobart City Council once identified places of heritage significance in Hobart partly by reference to the register kept by the National Trust, it now does so partly through the lists in its own planning scheme.

Finally, the order of the paragraphs in section 5(3) is being changed to give symbolic priority to the Hobart City Council's own entries.

**Clause 6      Repeal of Act**

This is a standard clause in all amending legislation which automatically repeals the amending legislation after the Act commences.