

DUDLEY POINT MESS (WINDING-UP) ORDINANCE 1946.*

511

An Ordinance relating to the Winding-up of the Association known as Dudley Point Mess at Darwin.

1. This Ordinance may be cited as the *Dudley Point Mess* Citation. (Winding-up) Ordinance 1946.*

2. In this Ordinance, unless the contrary intention appears— Definition.
“ the Association ” means the Association known as the Dudley Point Mess at Darwin.

3.—(1.) The Association is hereby wound up.

Winding-up of Association.

(2.) All moneys and other assets the property of the Association immediately prior to the commencement of this Ordinance, including moneys and other assets credited or held by any person, bank, banking company or banking corporation to, in trust for or on account of the Association, are hereby vested in the Commonwealth.

(3.) All debts which immediately prior to the commencement of this Ordinance were due to the Association or to any person on behalf of the Association shall continue to be due as if this Ordinance had not been passed provided that the Commonwealth shall be substituted as the creditor in lieu of the Association or such person and all legal and other remedies for the recovery of such debts are hereby transferred to and vested in the Commonwealth.

(4.) Any person, bank, banking company or banking corporation who or which immediately prior to the commencement of this Ordinance had in his or its possession custody or control any assets being the property of the Association or who or which had any moneys credited to or held any moneys in trust for or on account of the Association shall deliver such assets and pay such moneys to the Administrator at Darwin.

(5.) Any person, bank, banking company or banking corporation who or which fails to comply with the provisions of the last preceding sub-section shall be guilty of an offence.

Penalty: Fifty pounds.

* No. 4, 1946; notified in *Commonwealth Gazette* and commenced on 23rd May, 1946.

(6.) In any prosecution for a breach of sub-section (4.) of this section a certificate under the hand of the Administrator that any moneys have or have not been paid in pursuance of that sub-section shall be prima facie evidence of the matters stated.

**Claims
against the
Association.**

4.—(1.) Any person having any claim against the Association shall lodge such claim with the Administrator within six months after the date of commencement of this Ordinance.

(2.) The Administrator may reject or admit any claim so lodged.

(3.) When all admitted claims have been paid, the Administrator shall pay the balance of the moneys paid to him under the last preceding section into the Consolidated Revenue Fund.

**Indemnity in
respect of
acts done by
members of the
Association.**

5.—(1.) No action or legal proceeding shall be brought or instituted against any person who is or was a member of the Association, for or on account of or in respect of any acts, matters or things whatsoever in good faith advised, commanded, ordered, directed or done as a member of the Association.

(2.) Every such person by whom any such act, matter or thing, has, in good faith, been advised, commanded, ordered, directed or done as aforesaid, is freed, acquitted, discharged, released and indemnified against all and every person whomsoever in respect thereof.

(3.) Any action, indictment or legal proceeding brought, filed, instituted or proceeded with in contravention of this Ordinance shall not be maintainable or proceeded with.

(4.) Every act, matter or thing, referred to in this Ordinance, shall be deemed to have been advised, commanded, ordered, directed or done, as the case may be, in good faith until the contrary is proved by the person complaining.