



MARINE BOARD OF DEVONPORT (SPECIAL POWERS)

No. 29 of 1980

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AN ACT to authorize a meat rendering processing plant to be carried on on land of the Marine Board of Devonport in accordance with an agreement purporting to have been entered into by the Board, to validate that agreement, and to provide for incidental matters.

[Royal Assent 21 May 1980]

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—This Act may be cited as the *Marine Board of Devonport* Short title. (*Special Powers*) Act 1980.

Interpretation.

2—In this Act, except in so far as the context or subject-matter otherwise indicates or requires—

“Agreement ” means the agreement purporting to have been made on 3rd November 1977 between the Board of the one part and S. P. Holman and Sons Pty. Ltd., Alan Charles Turner, and John George Robert Turner, both of Rooke Street, Devonport, master butchers, trading as T. & H. Industries, of the other part, for the use of certain land of the Board as a meat rendering processing plant for the purpose of producing tallow, meatmeal, and other associated products;

“ Board ” means the Marine Board of Devonport.

Validation of the Agreement.

3—The Agreement is by virtue of this section validated and the Board shall be deemed always to have had the power to enter into the Agreement.

Powers of Board with respect to the Agreement, &c.

4—(1) The Board has, and shall be deemed always to have had, all the powers necessary for the purpose of carrying the Agreement into effect.

(2) Without limiting subsection (1), the Board has, and shall be deemed always to have had—

- (a) power to erect on land owned by the Board a meat rendering processing plant for the purpose of producing tallow, meatmeal, and other associated products;
- (b) power to erect on that land buildings ancillary to the plant referred to in paragraph (a);
- (c) power to equip that plant and those buildings with all things necessary for the purpose of enabling that plant to be operated and to make or cause to be made such improvements and alterations to the plant and those buildings as may be necessary for that purpose;
- (d) subject to the terms of the Agreement, power to manage, control, and operate that plant and those buildings, and the equipment maintained therein; and
- (e) power to do anything incidental or conducive to the exercise of any of the preceding powers.

(3) With the consent of the Minister, the Agreement may be varied by agreement of the parties and the Board has power to do all things necessary for carrying into effect the Agreement as so varied.

(4) Where by virtue of the termination of the Agreement or otherwise, the land to which it relates cannot under the foregoing provisions of this section be used for the purposes for which it could formerly be used under the Agreement, the Board may, with the approval of the Minister, use, or make arrangement for the use of, that land for those purposes or any of them.

5—(1) The Board shall cause separate accounts to be kept of its revenue and expenditure under this Act and under the Agreement and the provisions of Division V of Part IX of the *Marine Act 1976* shall apply in respect of those accounts in the same way as they apply in respect of accounts kept of money received and expended by the Board under that Act. Financial provisions.

(2) The powers of the Board under the *Marine Act 1976* to borrow money apply to the borrowing of money for the purposes of this Act.

6—The Board has, and shall be deemed always to have had, power to appoint and engage as an independent contractor, on such terms and conditions as may be arranged, any person or group of persons considered by the Board to be capable of providing services required by the Board in connection with the exercise of its powers under this Act. Power of Board to enter into arrangements for performance of certain services.

7—(1) The Board may appoint and employ such persons as it considers necessary to enable it to exercise its powers under this Act. Power to appoint and employ staff.

(2) Subject to any other Act, and to any award or industrial agreement, governing the terms and conditions of employment of persons appointed under subsection (1), those persons may be employed on such terms and conditions as the Board may determine in respect of them from time to time.

**CARBIDE INDUSTRY DEVELOPMENT AMENDMENT
ACT (No. 2) 1980**

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