

# Government Employee Housing Authority (Repeal) Bill

No.

## TABLE OF PROVISIONS

*Clause*

### PART 1—PRELIMINARY

1. Purpose
2. Commencement
3. Principal Act
4. Definitions

### PART 2—AMENDMENT OF PRINCIPAL ACT

5. New Part IIIA inserted

### PART IIIA—TRANSFER OF PROPERTY

- 13A. Certain properties to vest in Minister
- 13B. Amendment of Register

### PART 3—WINDING UP OF AUTHORITY

6. Minister to become successor of Authority
7. GEHA instruments
8. Proceedings
9. Repeal

By Authority, Victorian Government Printer



# LEGISLATIVE ASSEMBLY

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Read 1° 4 October 1995

*(Brought in by Mr Stockdale and Mr Hayward)*

## A BILL

to repeal the **Government Employee Housing Authority Act 1981**  
and for other purposes.

### **Government Employee Housing Authority (Repeal) Act 1995**

The Parliament of Victoria enacts as follows:

#### PART 1—PRELIMINARY

##### 1. *Purpose*

5 The purpose of this Act is to make provision for the winding up of the Government Employee Housing Authority, to amend the **Government Employee Housing Authority Act 1981** and to repeal that Act.

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Section headings appear in bold italics and are not part of the Act.  
(See **Interpretation of Legislation Act 1984**.)

**2. Commencement**

- (1) Parts 1 and 2 come into operation on the day on which this Act receives the Royal Assent.
- (2) Subject to sub-section (3), Part 3 comes into operation on a day or days to be proclaimed.
- (3) If Part 3 does not come into operation before 30 June 1996, it comes into operation on 30 June 1996.

N . 9550 as amended by No 9714, 9902, 10020, 10029, 41/1987, 12/1989, 31/1994 and 32/1995.

**3. Principal Act**

In this Act, the **Government Employee Housing Authority Act 1981** is called the Principal Act.

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**4. Definitions**

In this Act—

“**Authority**” means the Government Employee Housing Authority;

“**GEHA instrument**” means an instrument subsisting immediately before the commencement of Part 3—

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(a) to which the Authority was a party; or

(b) that was given to or in favour of the Authority; or

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(c) that refers to the Authority; or

(d) under which—

(i) money is, or may become, payable to or by the Authority; or

(ii) other property is to be, or may become liable to be, transferred to or by the Authority;

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“**liabilities**” means any liabilities, duties and obligations, whether actual, contingent or prospective;

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“**property**” means any legal or equitable estate or interest (whether present or future and whether vested or contingent) in real or personal property or any description;

“**rights**” means all rights, powers, privileges and immunities, whether actual, contingent or prospective.

## PART 2—AMENDMENT OF PRINCIPAL ACT

### 5. *New Part IIIA inserted*

After Part III of the Principal Act **insert**—

#### “PART IIIA—TRANSFER OF PROPERTY

##### 13A. *Certain properties to vest in Minister*

The Authority and the Minister may, by instrument, determine that any land or house vested in or acquired by the Authority and specified in the instrument vests, by force of the instrument, in the Minister.

##### 13B. *Amendment of Register*

The Registrar of Titles, on being requested to do so and on delivery of any relevant certificate of title or instrument, must make any amendments in the Register that are necessary because of the operation of section 13A.”.

## PART 3—WINDING UP OF AUTHORITY

### 6. *Minister to become successor of Authority*

On the commencement of this Part—

(a) all property and rights of the Authority, wherever located, vest in the Minister; and

*Government Employee Housing Authority (Repeal)*

- (b) all liabilities of the Authority, wherever located, become liabilities of the Minister; and
- (c) the Minister becomes the successor in law of the Authority; and
- (d) the Authority is dissolved.

**7. *GEHA instruments***

Each GEHA instrument continues to have effect according to its tenor on and after the commencement of this Part as if a reference in the instrument to the Authority were a reference to the Minister.

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**8. *Proceedings***

If, immediately before the commencement of this Part, proceedings (including arbitration proceedings) to which the Authority was a party were pending or existing in any court or tribunal, then, on and after that commencement, the Minister is substituted for the Authority as a party to the proceedings and has the same rights in the proceedings as the Authority had.

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**9. *Repeal***

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**The Government Employee Housing Authority Act 1981 and the Government Employee Housing Authority (Amendment) Act 1995 are repealed.**