

(Reprint No. 1)

SOUTH AUSTRALIA

STATE CLOTHING CORPORATION ACT 1977

This Act is reprinted pursuant to the Acts Republication Act 1967 and incorporates all amendments in force as at 25 July 1998.

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STATE CLOTHING CORPORATION ACT 1977

being

State Clothing Corporation Act 1977 No. 54 of 1977
[Assented to 15 December 1977]¹

as amended by

State Clothing Corporation (Winding-Up) Amendment Act 1996 No. 48 of 1996 [Assented to 25 July 1996]²

¹ Came into operation 16 February 1978: *Gaz.* 16 February 1978, p. 540.

² Came into operation 25 July 1998 (by virtue of the Acts Interpretation Act 1915, s. 7(5)).

NOTE:

- *Asterisks indicate repeal or deletion of text.*
- *For the legislative history of the Act see Appendix.*

An Act to establish the State Clothing Corporation; to prescribe its powers and functions; and for purposes incidental thereto.

The Parliament of South Australia enacts as follows:

Short title

1. This Act may be cited as the *State Clothing Corporation Act 1977*.

Commencement

2. This Act shall come into operation on a day to be fixed by proclamation.

* * * * *

Interpretation

4. In this Act, unless the contrary intention appears—

"asset" means—

- (a) a present, contingent or future legal or equitable estate or interest in real or personal property; or
- (b) a present, contingent or future right, power, privilege or immunity,

(and includes a present or future cause of action in favour of the Corporation);

"the Corporation" means the State Clothing Corporation established under this Act;

"liability" means a present, contingent or future liability or obligation (including a non-pecuniary obligation and a present or future cause of action against the Corporation).

Corporation

5. The *State Clothing Corporation* continues in existence.

Corporation's corporate status and capacity

6. (1) The Corporation is a body corporate.
- (2) The Corporation has the legal capacity of a natural person of full age and capacity.
- (3) The Corporation has a common seal.
- (4) The common seal may be affixed to a document on the Minister's authority.
- (5) A document apparently bearing the common seal of the Corporation will be presumed, in the absence of evidence to the contrary, to have been duly executed by the Corporation.

Constitution of Corporation

7. The Corporation is constituted of the Minister.

Corporation to hold its property for Crown

8. The Corporation holds its property for and on behalf of the Crown.

Powers of Corporation

9. The Corporation may exercise its powers for the purpose of winding up the affairs of the Corporation and disposing of its assets and liabilities.

Delegation

10. (1) The Corporation may delegate any of its powers.

(2) A power delegated under this section may, if the instrument of delegation so provides, be further delegated.

(3) A delegation—

(a) may be absolute or conditional; and

(b) does not derogate from the power of the delegator to act personally in a matter; and

(c) is revocable at will.

Disposal of assets or liabilities by proclamation

11. The Governor may, by proclamation, vest assets or liabilities of the Corporation in an authority or person nominated in the same or a later proclamation.

Payment of money as directed by Treasurer

12. The Treasurer may direct the Corporation to pay any money from time to time in the hands of the Corporation to the Asset Management Task Force Operating Account at the Treasury to be used for the purposes of retiring State debt.

Expiry of Act

13. (1) The Governor may, by proclamation, fix a day as the day on which this Act will expire.

(2) If a proclamation is made under subsection (1)—

(a) this Act expires on the day fixed by the proclamation; and

(b) immediately before the expiry, any remaining assets and liabilities of the Corporation vest in the Crown.

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APPENDIX

LEGISLATIVE HISTORY

Parts 1 - 6 headings:

repealed by 48, 1996, s. 3

Section 3:

repealed by 48, 1996, s. 4

Section 4:

definition of "asset" inserted by 48, 1996, s. 5(a)

definition of "the Corporation" amended by 48, 1996, s. 5(b)

definition of "liability" inserted by 48, 1996, s. 5(c)

Sections 5 - 13:

substituted by 48, 1996, s. 6

Sections 14 - 29:

repealed by 48, 1996, s. 6