

1990
THE LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

(As presented)

(Attorney-General)

Unclaimed Moneys (Amendment) Bill 1990

A BILL

FOR

**An Act to amend the *Unclaimed Moneys Act 1950* and for
related purposes**

The Legislative Assembly for the Australian Capital Territory enacts
as follows:

Short title

- 5 **1.** This Act may be cited as the *Unclaimed Moneys (Amendment)
Act 1990*.

14145/90 (T31/90) Cat. No.

145/7.8.1990

Commencement

2. (1) Sections 1, 2 and 3 commence on the day on which this Act is notified in the *Gazette*.

(2) The remaining provisions commence on 3 September 1990.

Principal Act

3. In this Act, "Principal Act" means the *Unclaimed Moneys Act 1950*.¹

Interpretation

4. Section 3 of the Principal Act is amended by inserting the following definition:

" 'Registrar' means the Registrar of Unclaimed Moneys."

Insertion

5. After section 3 of the Principal Act the following sections are inserted:

Registrar

"3AA. For the purposes of this Act, the Minister may by instrument appoint—

- (a) a Registrar of Unclaimed Moneys; and
- (b) an Acting Registrar of Unclaimed Moneys to act in the office of Registrar of Unclaimed Moneys during a vacancy in that office or during the illness or absence of the Registrar.

Seal of office

"3AB. (1) The Registrar shall have an official seal the design of which shall be published by the Minister in the *Gazette*.

"(2) A document shall not be invalid on the ground of—

- (a) an informality in connection with the affixing of the seal; or
- (b) a failure to affix the seal."

Further amendments

6. The following provisions of the Principal Act are amended by omitting "Corporate Affairs Commission" and substituting "Registrar":

- (a) subsections 4 (2) and (4);
- (b) paragraph 8 (c);
- (c) subsections 12 (1) and (2).

Transitional

7. (1) Where immediately before the commencement day particulars had been given to the Corporate Affairs Commission pursuant to subsection 4 (4) of the former Act, on and after that day those particulars

shall be deemed to have been given to the Registrar pursuant to subsection 4 (4) of the amended Act.

5 (2) Where immediately before the commencement day a copy of a register and of a statutory declaration had been lodged with the Corporate Affairs Commission pursuant to paragraph 8 (c) of the former Act, on and after that day the copies shall be deemed to have been lodged with the Registrar pursuant to paragraph 8 (c) of the amended Act.

10 (3) In this section—
“amended Act” means the former Act as amended by this Act;
“commencement day” means the day on which this Act commences;
“former Act” means the Principal Act as in force immediately before the commencement day.

NOTES

1. Ordinance No. 15, 1950 as amended by No. 14, 1954; No. 7, 1962; No. 19, 1966 as amended by No. 36, 1967; Nos. 18 and 57, 1974; No. 64, 1976; No. 65, 1977; No. 49, 1978; Nos. 38 and 51, 1982; No. 57, 1984; No. 17, 1988; Nos. 21 and 38, 1989.

NOTE ABOUT SECTION HEADING

On the day on which the *Unclaimed Moneys Act 1950* is amended by this Act, the following section heading is inserted before section 5A of the Principal Act: **Interpretation.**