



AUSTRALIAN CAPITAL TERRITORY

# Community Development Fund (Repeal) Act 1990

No. 47 of 1990

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## **An Act to repeal the *Community Development Fund Act 1981***

[Notified in ACT Gazette S87: 10 December 1990]

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

### **Short title**

1. This Act may be cited as the *Community Development Fund (Repeal) Act 1990*.

### **Commencement**

2. (1) Section 1 and this section commence on the day on which this Act is notified in the *Gazette*.

(2) The remaining provisions commence on 1 January 1991.

### **Repeal**

3. The following Acts are repealed:

*Community Development Fund Act 1981*

*Community Development Fund (Amendment) Act 1984*.

**Transitional**

**4. (1)** The amount standing to the credit of the Trust Account on the commencement date shall be paid into the Consolidated Revenue Fund.

**(2)** To the extent that the whole or any part of the amount referred to in subsection (1)—

- (a) has been committed for payment pursuant to the repealed Act for the purposes of the Trust Account;
- (b) has not been paid out of that account for those purposes prior to the commencement date; and
- (c) is not appropriated by the Appropriation Act;

then the whole or that part, as the case may be, of that amount is appropriated from the Consolidated Revenue Fund by this Act for payment by the relevant Minister for the same purposes.

**(3)** Notwithstanding section 3, subsections 4 (2), 5 (3) and 7 (6), (7) and (8) of the repealed Act continue to apply after the commencement date in relation to amounts paid out of the Trust Account in accordance with that Act before the commencement date.

**(4)** In the application of subsections 5 (3) and 7 (6) and (8) of the repealed Act, by virtue of subsection (3), the references in those applied subsections to the fund shall be read as references to the Consolidated Revenue Fund.

**(5)** In this section—

“Appropriation Act” means an Act appropriating money for the financial year ending on 30 June 1991, and includes an Act making interim provision for such an appropriation;

“commencement date” means 1 January 1991;

“relevant Minister”, in relation to the whole or a part of the amount referred to in subsection (2), means the Minister who would have been responsible for the commitment of the whole or that part of that amount for payment pursuant to the repealed Act if that Act had continued in force;

“repealed Act” means the *Community Development Fund Act 1981* as amended and in force immediately before the commencement date;

“Trust Account” means the Australian Capital Territory Community Development Fund Trust Account taken to be established under the *Audit Act 1989*.

*[Presentation speech made in Assembly on 22 November 1990.]*