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TREASURER**

2005

**THE LEGISLATIVE ASSEMBLY FOR THE
AUSTRALIAN CAPITAL TERRITORY**

HOTEL SCHOOL (REPEAL) BILL 2005

EXPLANATORY STATEMENT



AUSTRALIAN
CAPITAL TERRITORY

Hotel School (Repeal) Bill 2005

OUTLINE

The objective of this Bill is to repeal the *Hotel School Act 1996* to coincide with the sale of the business undertakings of the Australian International Hotel School.

Upon repeal of the legislation the Territory will become the legal owner replacing the Australian International Hotel School as the relevant party to all contracts and legal proceedings.

Financial Implications

The Bill itself does not contain any significant financial implications. However, the Territory will receive certain financial benefits arising from the subsequent sale of the school.

Details of the Bill

PART 1 Preliminary

Section 1 Name of Act

States the name of the Act.

Section 2 Commencement

Sets the date of commencement of the Act on a day to be fixed by the Minister. This Act will expire unless it has commenced within 6 months of being notified.

Section 3 Notes

Explains a note is provided as a guide and is not part of the Act.

Section 4 Meaning of school for this Act

Provides that for the purposes of this Act **school** refers to the Australian International Hotel School.

PART 2 Repeal of legislation

Section 5 Repeal of legislation

Simply repeals the Act and also various instruments as identified.

PART 3 Assets, rights and liabilities

Section 6 Vesting of assets, rights and liabilities

Transfers the assets, rights and liabilities from the AIHS to the Territory.

Section 7 Proceedings and evidence

Provides that proceedings that would otherwise for this Act be rightly commenced against the AIHS may legitimately be tried against the Territory.

PART 4 Reports and financial statements of school

Section 8 Continuation of school for annual reports

Provides for the AIHS to perform certain functions after the transfer in order to fulfil certain reporting requirements.

Section 9 Continuation of board members for certain purposes

Provides for the board of management to continue to exist after repeal of the enabling legislation until the reporting functions have been fulfilled.

PART 5 Other provisions

Section 10 Records

Provides for the records of the school to be transferred from the Territory to the operator of the school.

Section 11 References to school

Provides for the school to be taken as a reference to the Territory in any contract, agreement or arrangement that transfers to the Territory.

Section 12 Transitional regulations

Provides that regulations may be made as if required as a result of this Act.

Section 13 Taxation (Government Business Enterprises) Regulation 2003, s4

Removes the AIHS from this regulation.

Section 14 Expiry

Provides for the Act to cease 1 year after it commences.