

Albury-Wodonga Development Repeal Bill 2000

Explanatory note

This explanatory note relates to this Bill as introduced into Parliament.

Overview of Bill

The object of this Bill is to repeal the *Albury-Wodonga Development Act 1974* and to dissolve the Albury-Wodonga (New South Wales) Corporation constituted by that Act. The Bill makes provision for the transfer of the assets, contractual rights and obligations, and liabilities of the Corporation to the Albury-Wodonga Development Corporation established by the *Albury-Wodonga Development Act 1973* of the Commonwealth, subject to the consent of the Minister administering the *Albury-Wodonga Development Act 1973* of the Commonwealth (“the relevant Commonwealth Minister”).

Outline of provisions

Clause 1 sets out the name (also called the short title) of the proposed Act.

Clause 2 provides for the commencement of the proposed Act on a day or days to be appointed by proclamation.

Clause 3 defines certain words and expressions used in the proposed Act.

Clause 4 repeals the *Albury-Wodonga Development Act 1974*.

Clause 5 dissolves the Albury-Wodonga (New South Wales) Corporation.

Clause 6 provides that the members of the Corporation are to vacate office on the dissolution of the Corporation.

Clause 7 transfers those assets of the Corporation that the relevant Commonwealth Minister has agreed to accept to the Albury-Wodonga Development Corporation established by the *Albury-Wodonga Development Act 1973* of the Commonwealth.

Clause 8 transfers those contractual rights and obligations of the Corporation that the relevant Commonwealth Minister has agreed to accept to the Albury-Wodonga Development Corporation.

Clause 9 transfers those liabilities of the Corporation that the relevant Commonwealth Minister has agreed to accept to the Albury-Wodonga Development Corporation.

Clause 10 provides that the transfer of assets, contractual rights and obligations, and liabilities under clauses 7, 8 and 9 is not to be regarded as a wrongful act of the Corporation and does not give rise to any remedy against it.

Clause 11 provides that any assets, contractual rights and obligations, and liabilities that are not transferred under clauses 7, 8 and 9 on or before the dissolution of the Corporation become assets, rights and obligations, and liabilities, of the Crown.

Clause 12 provides that any references to the Corporation in any other laws or documents are to be construed as references to the Albury-Wodonga Development Corporation.

Clause 13 relates to the entry into an agreement by the Commonwealth, New South Wales and Victoria for the termination of the Agreement (and the amendments to that Agreement) approved by the *Albury-Wodonga Development Act 1974*. The Minister administering the proposed Act is to table in each House of Parliament a determination that a specified form of agreement is the approved form of winding-up agreement. Either House may disallow the determination within 15 sitting days.

Clause 14 authorises the Minister, if the Minister’s determination under clause 13 is not disallowed, to execute on behalf of the State of New South Wales an agreement substantially in

accordance with the approved form of winding-up agreement.

Clause 15 provides that if the agreement referred to in clause 14 is signed by or on behalf of the Commonwealth, New South Wales and Victoria, the agreement is approved by Parliament.

Clause 16 enables the Albury-Wodonga Development Corporation of the Commonwealth to exercise certain functions conferred on it by the proposed Act or the winding-up agreement.

Clause 17 is a formal provision that gives effect to the amendment of the Acts specified in Schedule 1.

Clause 18 provides for the making of regulations containing provisions of a savings or transitional nature.

Schedule 1 contains consequential amendments to the *Environmental Planning and Assessment Act 1979*, the *Land Tax Management Act 1956* and the *Public Authorities (Financial Arrangements) Act 1987* to remove from those Acts references to the Corporation.