**ROAD SAFETY AND STANDARDS**

**AUTHORITY (REPEAL) ACT 1976**

**No. 81 of 1976**

An Act to repeal the Road Safety and Standards Authority Act 1975, and for related purposes.

BE IT ENACTED by the Queen, and the Senate and House of Representatives of the Commonwealth of Australia, as follows:—

**Short title.**

1. This Act may be cited as the *Road Safety and Standards Authority (Repeal) Act* 1976.

**Commencement.**

**2.** This Act shall come into operation on the day on which it receives the Royal Assent.

**Repeal.**

**3.** The *Road Safety and Standards Authority Act* 1975 is repealed.

**Definitions.**

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

“Authority” means the Road Safety and Standards Authority established by the repealed Act;

“commencing day” means the day on which this Act comes into operation;

“repealed Act” means the Road Safety and Standards Authority Act 1975.

**Transfer of assets, liabilities, &c.**

**5.** On the commencing day—

(a) any rights, property or assets that immediately before that day were vested in the Authority are, by force of this section, vested in the Commonwealth; and

(b) the Commonwealth becomes, by force of this section, liable to pay and to discharge any debts, liabilities or obligations of the Authority that existed immediately before that day.

**Officers’ Rights Declaration Act.**

**6.** Where, at the expiration of the day before the commencing day, the Officers’ Rights Declaration Act 1928-1975 applied in relation to the person who was at that time the Chairman of the Authority, that Act continues, by force of this section, to apply in relation to that person as if the repealed Act had not been repealed but that person had resigned on the first-mentioned day from his office of Chairman of the Authority.

**Engagements, arrangements and contracts.**

**7.** An engagement, arrangement or contract entered into by or on behalf of the Authority and in force immediately before the commencing day continues in force notwithstanding the repeal of the repealed Act, but that engagement, arrangement or contract has effect on and after the commencing day as if—

(a) any reference in the engagement, arrangement or contract to the Authority were (except in relation to matters that occurred before that day) a reference to the Commonwealth; and

(b) any reference in the engagement, arrangement or contract to the Chairman of the Authority were (except in relation to matters that occurred before that day) a reference to the Minister or a person authorized by the Minister.

**Appropriation.**

**8.**  Where, by an Act, moneys have been appropriated before the commencing day for expenditure by the Authority under the repealed Act in the year ending on 30 June 1976, so much of those moneys as have not been expended before the commencing day are appropriated for expenditure in that year by the Department of Transport—

(a) in the discharge of the liability imposed upon the Commonwealth by paragraph 5(b);

(b) in the making of payments required to be made under the engagements, arrangements and contracts referred to in section 7; and

(c) in the discharge of costs, expenses and other obligations incurred in the performance by the Department of Transport of functions that could have been performed by the Authority if the repealed Act had not been repealed.

**Exemption from taxation.**

**9.** An instrument or document that the Secretary to the Department of Transport or a person authorized by him certifies to have been made, executed or given by reason of, or for a purpose connected with or arising out of, the operation of this Act is not liable to stamp duty or other tax under a law of the Commonwealth or of a State or Territory.

**Pending proceedings**.

**10.** Where, immediately before the commencing day, proceedings to which the Authority was a party were pending in any court, the Commonwealth is, by force of this section, substituted for the Authority as a party to the proceedings.

**Report on operations of Authority**.

**11.** (1) The Minister shall, as soon as practicable after the commencing day, prepare a report of the operations of the Authority together with financial statements in respect of those operations in such form as the Treasurer approves.

(2) The Minister shall submit the financial statements prepared in accordance with sub-section (1) to the Auditor-General, who shall report to the Minister—

(a) whether the statements are based on proper accounts and records;

(b) whether the statements are in agreement with the accounts and records;

(c) whether the receipt and expenditure of moneys and the acquisition and disposal of assets by the Authority were in accordance with the repealed Act; and

(d) as to such matters arising out of the statements as the Auditor-General considers should be reported to the Minister.

(3) The Minister shall cause the report and financial statements prepared in accordance with sub-section (1), together with the report of the Auditor-General, to be laid before each House of the Parliament within 15 sitting days of that House after receipt by the Minister of the report from the Auditor-General.