



Australian Institute of Multicultural Affairs Repeal Act 1986

No. 161 of 1986

An Act to repeal the *Australian Institute of Multicultural Affairs Act 1979*, and for related purposes

[Assented to 18 December 1986]

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

Short title

1. This Act may be cited as the *Australian Institute of Multicultural Affairs Repeal Act 1986*.

Commencement

2. This Act shall come into operation on a day to be fixed by Proclamation.

Repeal

3. The following Acts are repealed:

Australian Institute of Multicultural Affairs Act 1979

Australian Institute of Multicultural Affairs Amendment Act 1985.

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Interpretation

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

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

“Institute” means the Australian Institute of Multicultural Affairs established by the repealed Act;

“repealed Act” means the *Australian Institute of Multicultural Affairs Act 1979*.

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 Institute 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 Institute that existed immediately before that day.

Engagements, arrangements and contracts

6. An engagement, arrangement or contract entered into by or on behalf of the Institute and in force immediately before the commencing day continues in force notwithstanding the repeal of the repealed Act, but that engagement, arrangement or contract has effect on and after the commencing day as if—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 Institute 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 Council of the Institute, the Chairperson of the Council of the Institute or the Director of the Institute were (except in relation to matters that occurred before that day) a reference to the Minister or a person authorised by the Minister.

Exemption from taxation

7. An instrument or document that the Secretary to the Department responsible for matters arising under this Act, or an officer of the Department authorised by the Secretary for the purpose, certifies to have been made, executed or given because 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.

Report on operations of Institute

8. The Minister shall, as soon as practicable after the commencing day, cause to be prepared a report of the operations of the Institute during the period that commenced at the end of the last period in respect of which a report of the operations of the Institute was furnished to the Minister and

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that ended immediately before the commencing day, together with financial statements in respect of that period in such form as the Minister for Finance approves.

Audit of financial statements

9. The Minister shall cause the financial statements prepared in accordance with section 8 to be submitted to the Auditor-General, who shall report to the Minister—

- (a) whether, in the Auditor-General's opinion, the statements are based on proper accounts and records;
- (b) whether the statements are in agreement with the accounts and records and, in the Auditor-General's opinion, show fairly the financial transactions and the state of the affairs of the Institute;
- (c) whether, in the Auditor-General's opinion, the receipt, expenditure and investment of money, and the acquisition and disposal of assets, by the Institute during the period to which the statements relate have been in accordance with the repealed Act; and
- (d) as to such other matters arising out of the statements as the Auditor-General considers should be reported to the Minister.

Reports and financial statements to be laid before Parliament

10. The Minister shall cause copies of the report and financial statements referred to in section 8, together with a copy of the report of the Auditor-General referred to in section 9, to be laid before each House of the Parliament within 15 sitting days of that House after receipt by the Minister of the report of the Auditor-General.

Appropriation

11. Where, by an Act, money has been appropriated before the commencing day for expenditure by the Institute under the repealed Act in the year ending 30 June 1987, so much of that money as has not been expended before the commencing day is appropriated for expenditure in that year by the Department responsible for matters arising under this Act—

- (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 6;
- (c) in the discharge of costs, expenses and other obligations incurred in the performance by the Department of functions that could have been performed by the Institute if the repealed Act had not been repealed; and
- (d) in the payment of expenses associated with termination payments for persons who held offices or positions under, or who were employed under, the repealed Act.

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*[Minister's second reading speech made in—
House of Representatives on 19 August 1986
Senate on 14 October 1986]*