



ANNO VICESIMO QUINTO

**ELIZABETHAE II REGINAE**

**A.D. 1976**

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**No. 43 of 1976**

An Act to make certain amendments to the Statute law in consequence of a change in the constitution and the name of the Fire and Accident Underwriters' Association of South Australia and to amend the Bush Fires Act, 1960-1972, the Commercial and Private Agents Act, 1972, and the Volunteer Fire Fighters Fund Act, 1949-1975.

*[Assented to 28th October, 1976]*

BE IT ENACTED by the Governor of the State of South Australia, with the advice and consent of the Parliament thereof, as follows:

Short title.

1. This Act may be cited as the "Fire and Accident Underwriters' Association of South Australia (Change of Name) Act, 1976".

Amendments.

2. (1) The Acts specified in the first column of the schedule to this Act are amended in the manner indicated in the second column of that schedule, and any Act as amended thereby and by all prior amendments amending the same may be cited by its new citation as specified in the third column of that schedule.

(2) If any Act amended by this Act or if any such Act, as amended before or after the commencement of this Act, is repealed by or by virtue of some other Act, but the amendment by this Act amending that first mentioned Act and all other references in this Act ancillary thereto and consequential thereon have not been repealed, that amendment and those other references shall be repealed immediately after the repeal of that Act and this Act shall have effect accordingly.

Interpretation of references to Fire and Accident Underwriters' Association of S.A.

3. (1) Where in any Act or document or in any regulation, rule or by-law or in any other instrument, whether that Act was enacted, or that document, regulation, rule, by-law or instrument was made before or after the commencement of this Act, a reference, direct or indirect, is made to the Fire and Accident Underwriters' Association of South Australia, that reference shall, where that reference is not applicable by reason of the fact that that association has ceased to exist, be construed and read as a reference to the Insurance Council of Australia.

(2) The performance of any function or duty, the exercise of any power, the doing or omission of any act or thing before the commencement of this Act by the Insurance Council of Australia, or by the Regional Director for South Australia, or other agent, of the Insurance Council of Australia duly appointed by that council and resident in South Australia, which would have been lawful, valid and effectual for the purposes of any Act or other law if the function, duty, power, act or thing had been performed, exercised, done or omitted, as the case may be, by the Fire and Accident Underwriters' Association of South Australia at a time when that association had been in existence, shall be deemed to be as lawful, valid and effectual to the same extent and in all respects for the purposes of that Act or other law, notwithstanding that it had been so performed, exercised, done or omitted, as the case may be, by the Insurance Council of Australia, the Regional Director or other agent of the Insurance Council of Australia, as the case may be, and not by that association.

THE SCHEDULE  
*Acts Amended*

First Column Act Amended	Second Column How Amended	Third Column New Citation
Bush Fires Act, 1960-1972	<p>Section 14— Strike out "Fire and Accident Underwriters' Association of South Australia" in subsection (3) and insert "Insurance Council of Australia" in lieu thereof.</p> <p>After subsection (4) insert the following subsection:— (5) The appointment of any person as a member by the Minister before the commencement of the Fire and Accident Underwriters' Association of South Australia (Change of Name) Act, 1976, on the nomination of the Insurance Council of Australia is as valid and effectual for the purposes of this Act as if the appointment had been duly made by the Minister under subsection (2) of this section, as if subsection (3) of this section, as amended by that Act, had been in operation when the appointment was made, and as if the term of office of that member commenced on the day on which the appointment purported to take effect.</p> <p>Section 21— Strike out "Fire and Accident Underwriters' Association of South Australia" in subsection (2) and insert "Insurance Council of Australia" in lieu thereof.</p> <p>Strike out "that association" in subsection (2) and insert "the Regional Director for South Australia, or other agent, of the Insurance Council of Australia duly appointed by that Council and resident in South Australia" in lieu thereof.</p> <p>Strike out "the said association" in subsection (3) and insert "that Regional Director or other agent of the Insurance Council of Australia" in lieu thereof.</p>	Bush Fires Act, 1960-1976

THE SCHEDULE—*continued*

First Column Act Amended	Second Column How Amended	Third Column New Citation
Commercial and Private Agents Act, 1972	<p>Section 7—</p> <p>Strike out "Fire and Accident Underwriters Association of South Australia" in paragraph (c) of subsection (2) and insert "Insurance Council of Australia" in lieu thereof.</p> <p>Strike out "Fire and Accident Underwriters Association of South Australia" wherever occurring in subsection (3) and insert "Insurance Council of Australia" in lieu thereof in each case.</p> <p>After subsection (3) insert the following subsection:—</p> <p>(4) The appointment by the Governor before the commencement of the Fire and Accident Underwriters' Association of South Australia (Change of Name) Act, 1976, of any person as a member of the Board on the nomination of the Insurance Council of Australia is valid and effectual for the purposes of this Act as if the appointment had been duly made by the Governor under subsection (2) of this section, as if that subsection, as amended by that Act, had been in operation when the appointment was made, and as if the term of office of that member had commenced on the day on which the appointment purported to take effect.</p>	Commercial and Private Agents Act, 1972-1976
Volunteer Fire Fighters Fund Act, 1949-1975	<p>Section 3—</p> <p>After "Fire and Accident Underwriters' Association of South Australia" in subsection (2) insert "or by the Insurance Council of Australia".</p> <p>After subsection (3) insert the following subsection:—</p> <p>(3a) The trustee appointed by the Governor from the panel nominated by the Fire and Accident Underwriters' Association of South Australia and holding office as such immediately before the commencement of the Fire and Accident Underwriters' Association of South Australia (Change of Name) Act, 1976, shall, subject to this Act, continue to hold office as such on and after the day of commencement of that Act, notwithstanding that that association has ceased to exist.</p>	Volunteer Fire Fighters Fund Act, 1949-1976

In the name and on behalf of Her Majesty, I hereby assent to this Bill.

W. R. CROCKER, Governor's Deputy