

VICTORIA GOVERNMENT
G A Z E T T E

No. S 39 Tuesday 13 October 1987

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SPECIAL

BLF (DE-RECOGNITION) ACT 1985

The Governor in Council makes the following Order:

Dated 13 October 1987

Responsible Minister:

S. M. CRABB

Minister for Labour

GORDON TIPPETT

Acting Clerk of the Executive Council

Pursuant to section 7 of the *BLF (De-Recognition) Act 1985*, section 5 of the *Police Regulation Act 1958* and all other available powers the Governor in Council orders that:

1. Possession, custody and control of the funds and property of BLF is hereby committed to Ian Gordon Sharp (hereinafter called "the Custodian").

2. No person shall pay or dispose of any of the funds or property of BLF or of any interest therein, or create any encumbrance or charge in respect thereof, without the prior written consent of the Custodian. Any such payment disposition encumbrance or charge shall be void, at the option of the Custodian.

3. The Custodian may refuse to give consent referred to in clause 2 hereof if he in his absolute discretion is not satisfied that the payment disposition encumbrance or charge is desirable to be made for the carrying out of the ordinary and proper affairs of BLF and for the benefit of its members.

4. The Custodian may pay or direct any person to pay from the funds or property of BLF such sum as appear to him in his absolute discretion to be desirable to be made for the carrying out of the ordinary and proper affairs of BLF and for the benefit of its members.

5. A person who is in possession of or who has the custody or control of any funds or property of BLF or of any document or title thereto or document relating to the title thereto or of any books of account, records, document or computer records relating thereto or to the acquisition, use, disposition, possession, custody or control thereof:

(a) shall forthwith inform the Custodian thereof;

(b) shall on demand by the Custodian or by a person authorised by him in writing deliver the same up to the Custodian or such authorised person and shall take all such steps as the Custodian or such authorised person may require to put him in possession custody or control thereof;

(c) shall not part with such possession, custody or control save to the Custodian or such authorised person.

6. Where the Custodian or any person authorised by him in writing believes that any person is capable of producing any of the documents of title or of documents evidencing title to any funds or property of BLF, or any books of account, records, documents or computer records or furnishing any information in any way concerning or relating to any funds or property of BLF or to the acquisition, use, disposition, possession, custody, or control thereof the Custodian or any person authorised by the Custodian in writing may require such person to:

(a) provide such information;

(b) produce all such documents of title or documents evidencing titles, books of account, records, computer records or other documents and give them into the custody of the Custodian or of such authorised person;

and any person of whom such requirement is made shall forthwith comply with the same

(c) attend before the Custodian or his delegate and answer (on oath if so required) any question concerning or relating to or connected with the funds or property of BLF.

7. The Custodian shall forthwith take possession custody and control of the funds and property of BLF.

8. For the purpose of performing his functions under this Order the Custodian may:

(a) enter on and take possession custody and control of all premises which are or appear to be in the possession of or occupied by BLF (by itself or any of its officers, servants or agents);

(b) seize and retain all documents, records and property in any such premises which may reasonably be regarded as being or relating to or connected with the funds or property of BLF.

9. Subject to any further Order in Council and so long as this Order or any extension thereof is in force the Custodian shall remain in possession custody and control of the property and funds of BLF for the purposes of carrying out the ordinary and proper affairs of the BLF pursuant to clauses 3 and 4 of this Order.

10. The Chief Commissioner of Police is hereby given the following directions:

(a) Upon the request in writing of the Custodian, the Chief Commissioner shall immediately and from time to time provide and make available such Constables and other officers of Police as are necessary to put the Custodian into possession of the premises identified and described in the writing as premises in the possession or occupation of BLF and also to put the Custodian into possession of the contents of any such premises.

(b) Every such Constable and other officer of Police is by this Order authorised and directed to take such steps as are necessary to put the Custodian into possession of the premises so identified and described in the writing of the Custodian and to deliver to the Custodian the contents thereof and to exclude therefrom any person not authorised by the Custodian to be there.

11. No person shall resist, hinder or obstruct the Custodian or any Constable or other officer of Police performing his functions under this Order.

12. From time to time as he thinks appropriate and at least once every three months, the Custodian shall deliver to the Minister proper accounts of his dealings with the funds and property of BLF and a report stating his activities as Custodian since the date of this Order or of his last report and any recommendation which he thinks fit to make in respect of such matters.

And the Honourable S. M. Crabb Her Majesty's Minister for Labour for the State of Victoria, is responsible for carrying out this Order.

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