

Deed of Acknowledgement and Release

Details

Parties	State, Gunns, FT	
State	Name	The Crown in Right of Tasmania (“State”)
	Address	The Treasury Building, 21 Murray Street, Hobart in Tasmania
	Telephone	(03) 6233 3100
	Fax	(03) 6223 2755
	Attention	Secretary, Department of Treausry and Finance
Gunns	Name	Gunns Limited (“Gunns”)
	ABN	29 009 478 148
	Address	58 Cimitiere Street, Launceston in Tasmania
	Telephone	(03) 6335 5201
	Fax	(03) 6234 7909
	Attention	Managing Director
FT	Name	Forestry Tasmania (“FT”)
	ABN	91 628 769 359
	Address	79 Melville Street, Hobart in Tasmania
	Telephone	(03) 6233 8180
	Fax	(03) 6233 8156
	Attention	Managing Director

Recitals A Each of the parties to this deed are parties to the Pulp Mill Agreement.

 B The parties wish to terminate the Pulp Mill Agreement and release each other from all obligations and liabilities under the Pulp Mill Agreement, on the terms of this Deed.

Date of Deed See Signing page

Deed of Acknowledgement and Release

General terms

1 Definitions

In this Deed:

“Pulp Mill Agreement” means the agreement dated 11 January 2008 between the State, Gunns and FT, a copy of which is attached as an annexure to this deed.

2 Interpretation

In this Deed:

- (a) the singular includes the plural and conversely;
- (b) headings are for convenience, and have no effect; and
- (c) a term of inclusion must not be interpreted to be a term of limitation.

3 Acknowledgement and Release

In consideration of each party giving its consent to the termination of the Pulp Mill Agreement, it is agreed that:

- (a) the State, Gunns and FT acknowledge and agree that the Pulp Mill Agreement is terminated; and
- (b) the State, Gunns and FT release each other from all obligations and liabilities arising under or in relation to the Pulp Mill Agreement, whether arising before, on, or after, the date of this Deed.

4 Confidentiality

- (a) Despite any confidentiality or intellectual property right subsisting in this Deed or a schedule, appendix, annexure or attachment to it, either party may publish all or any part of it without reference to the other.
- (b) Nothing in this clause derogates from a party’s obligations under the *Personal Information Protection Act 2004* (Tas) or the *Privacy Act 1988* (Cwlth).

5 Governing law and jurisdiction

5.1 Law of Tasmania

This Deed is governed by the law of Tasmania, and the parties submit to the jurisdiction of the Courts of Tasmania.

5.2 Proceedings

Any proceedings issued under or about this Deed, must be instituted either:

- (a) in a Tasmanian court; or
- (b) in the Federal Court, from the Tasmanian Registry of that court.

6 Counterparts

- (a) This Deed may be executed in any number of counterparts.
- (b) All counterparts will be taken to constitute one agreement.
- (c) The parties agree that if necessary, they may exchange faxed copies of counterparts, and those faxed copies will be taken to constitute one agreement. The parties must exchange executed originals as soon as possible afterwards.

Executed as a Deed.

Signing page

Dated:

27 March 2009

**Signed for The Crown in Right of
Tasmania by Michael Anthony
Aird** being and as the Treasurer for
the State of Tasmania in the
presence of:)
)
)
)
)

[Hon Michael Aird]

[Anton Voss]

.....

.....
Signature of witness

.....
Name of witness (block letters)

.....
Address of witness

.....
Occupation

**The Common Seal of Gunns
Limited** (ACN 009 478 148) fixed in
the presence of:)
)
)
[Wayne Chapman]

[John E Gay]

.....
Director/Secretary

.....
Director

.....
Name of Director/Secretary

.....
Name of Director

**The Common Seal of Forestry
Tasmania** fixed in the presence of:)
)

[Robert L Gordon]

.....
Managing Director

Annexure

Pulp Mill Agreement



Deed of Acknowledgement and Release

Dated 27 March

2009

The Crown in Right of Tasmania (“State”)

and

Gunns Limited (“Gunns”)

and

Forestry Tasmania (“FT”)

The Crown Solicitor of Tasmania

GPO Box 825

Hobart 7001

Phone: (03) 6233 3409

Fax: (03) 6233 2874

Email: crown.solicitor@justice.tas.gov.au

Deed of Acknowledgement and Release

Contents

1	Definitions	3
2	Interpretation	3
3	Acknowledgement and Release	3
4	Confidentiality	3
5	Governing law and jurisdiction	4
5.1	Law of Tasmania	4
5.2	Proceedings	4
6	Counterparts	4
	Annexure	6