

a hall any liquor while a public dance is being, or is within the next hour about to be, held in that hall, or within one hour after the conclusion of that dance unless he is authorized so to do under this Act.

Penalty: For a first offence, twenty dollars. For a second or subsequent offence: minimum, twenty dollars, maximum, fifty dollars.

“(2) For the purposes of this section, liquor shall be deemed to be in the vicinity of a hall if it is shown that such liquor was in the possession or control of any person attending or proceeding to attend, or who had attended, a public dance therein, or was consumed, or intended for consumption, by any person so attending.

“(3) The provisions of subsection (1) of this section do not—

(a) prevent the use of liquor for the purpose of preparing any prescribed beverage or food containing not more than the prescribed percentage of alcohol, prepared and supplied by or on behalf of the persons controlling any entertainment for refreshment of persons attending it; or

(b) apply to any liquor in—

- (i) licensed premises;
- (ii) the premises of a registered club;
- (iii) a dwelling-house; or
- (iv) a private office.

“(4) In this section—

‘hall’ includes any building in which a dance is held;
‘public dance’ means a dance—

- (a) which is open to the public; or
- (b) to which admission is obtained for money or money’s worth.”.

CROWN LANDS (MISCELLANEOUS PROVISIONS).

No. 69 of 1967.

AN ACT to make provision for certain matters relating to certain crown lands and certain other lands. [20 December 1967.]

BE it enacted by His Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:—

1—(1) This Act may be cited as the *Crown Lands (Miscellaneous Provisions) Act 1967*.

Short title and incorporation.

(2) This Act is incorporated, and shall be read as one, with the *Crown Lands Act 1935* (in this Act referred to as the Principal Act).

Transfer of part of Queen's Domain.

2—(1) The land described in the first schedule reverts to and reverts in Her Majesty freed and discharged from all estates and interests therein subsisting in any person, and on so reverting and revesting that land ceases to form part of the Queen's Domain and the powers, duties, rights, and obligations in relation to that land as part of the Queen's Domain cease accordingly.

(2) Subject to subsection (3) of this section, the Governor may, in the name and on behalf of Her Majesty, convey and alienate any part of the land reverting to, and revesting in, Her Majesty pursuant to subsection (1) of this section to the Trustees of the Tasmanian Botanical Gardens for an estate in fee simple and in respect of any land so conveyed and alienated—

- (a) the land shall, for all purposes, be treated as part of the Botanical Gardens referred to in the *Botanical Gardens Act 1950*; and
- (b) subsection (3) of section five of that Act applies to it as it applies to the land referred to in that subsection.

(3) Where any land is conveyed and alienated under subsection (2) of this section the remainder of the land revesting in Her Majesty pursuant to subsection (1) of this section shall be deemed to be Crown land that, by a proclamation under section seven of the Principal Act, has been excepted from sale and lease and reserved to Her Majesty for public roads and streets.

Sale of reclaimed land to Clarence municipality.

3—(1) When the Crown land described in the second schedule has been reclaimed to the satisfaction of the Surveyor-General, the Commissioner may sell the land to the municipality of Clarence for the sum of five hundred dollars.

(2) The prescribed survey fees and grant fees are required to be paid before land is conveyed and alienated pursuant to a sale under this section.

Revesting of old Hamilton School site.

4 The land described in the third schedule reverts to and reverts in Her Majesty freed and discharged from all estates and interests therein subsisting in any person.

Sale of land to Hobart Marine Board.

5—(1) The Commissioner may sell the land described in the fourth schedule to the Marine Board of Hobart for the sum of fifty-seven thousand dollars.

(2) The prescribed survey fees and grant fees are required to be paid before land is conveyed and alienated pursuant to a sale under this section.

Sale of land to Burnie Marine Board.

6—(1) The Commissioner may sell land described in the fifth schedule to the Marine Board of Burnie for the sum of ten dollars.

(2) The prescribed survey fees and grant fees are required to be paid before land is conveyed and alienated pursuant to a sale under this section, and the Marine Board of Burnie shall defray all costs incurred in connection with the sale, conveyance, and alienation.

7—(1) The Commissioner may sell to *Arthur Edward Bannon*, of Railton in this State (in this section referred to as “the purchaser”), the Crown land described in Part I of the sixth schedule for the sum of ten dollars.

Sale and exchange of lands at Railton State School to *A. E. Bannon*.

(2) On the surrender to Her Majesty, freed from all estates and interests therein subsisting in any person, of the land described in Part II of the sixth schedule, the Governor may, in the name and on behalf of Her Majesty, convey and alienate to the purchaser the land described in Part III of that schedule for an estate in fee simple.

(3) The prescribed survey and grant fees are required to be paid before any land is conveyed and alienated pursuant to this section, and all the costs incurred in connection with the sale or surrender or the conveyance and alienation of that land shall be defrayed by the purchaser.

8—(1) All public rights or passage over the lands described in the seventh schedule are extinguished and those lands revert to and revest in Her Majesty absolutely, freed and discharged from all estates and interests therein subsisting in any person.

Sale of part of highway in parish of Forbes to *J. G. Hope*.

(2) The Commissioner may sell the land referred to in subsection (1) of this section to *John Graeme Hope*, of East Risdon in this State (in this section referred to as “the purchaser”), for the sum of five hundred dollars.

(3) The prescribed grant fee is required to be paid before land is conveyed and alienated pursuant to a sale under this section, and all costs incurred in connection with the sale or conveyance and alienation of that land shall be defrayed by the purchaser.

9—(1) The Commissioner may sell to *Charles Davis Limited* the land described in the eighth schedule for the sum of thirty dollars.

Sale of land at Hobart to *Charles Davis Limited*.

(2) The prescribed survey and grant fees are required to be paid before land is conveyed and alienated pursuant to a sale under this section.

10—(1) On the payment, out of moneys provided by Parliament, to the Lord Mayor, aldermen, and citizens of the city of Hobart (in this section referred to as “the corporation”) of the sum of thirty thousand four hundred dollars the corporation shall surrender to Her Majesty the land described in the ninth schedule.

Surrender of part of *Fitzroy Gardens* by Hobart Corporation.

(2) A surrender may be made of land under this section notwithstanding the provisions of any enactment relating to the land or the conditions on which the land was granted, and such a surrender shall not be treated as a breach or contravention of those conditions.

(3) On the surrender of any land under this section, the land shall be deemed to have ceased to be part of the land described in Part III of the seventh schedule to the *Hobart Corporation Act 1947* and shall be deemed to be Crown land that, by a proclamation under section seven of the Principal Act, has been excepted from sale and lease and reserved to Her Majesty for public roads and streets.

Surrender of part of University lands for road purposes.

11—(1) Notwithstanding anything in any other Act the University of Tasmania may surrender to Her Majesty the lands described in the tenth schedule.

(2) On the surrender of any land under this section the land shall be deemed to have ceased to be part of the land described in Part I of the second schedule to the *Tasmanian University Act 1951*, and shall be deemed to be Crown land that, by a proclamation under section seven of the Principal Act, has been excepted from sale and lease and reserved to Her Majesty for public roads and streets.

Closure of part of Despard Street, Hobart.

12 All public rights of passage over the land described in the eleventh schedule are extinguished.

Transfer of land at Port Huon to Tasmanian Orchardists and Producers Limited.

13—(1) The Commissioner may sell the Crown lands described in Part I of the twelfth schedule to Tasmanian Orchardists and Producers Limited (in this section referred to as "the purchasers") in consideration of—

- (a) the surrender to Her Majesty of the lands described in Part II of that schedule freed and discharged from all estates and interests therein subsisting in any person; and
- (b) the payment of a sum of one hundred dollars.

(2) The prescribed survey and grant fees are required to be paid before land is conveyed and alienated pursuant to a sale under this section, and all costs incurred in connection with the sale or surrender, or the conveyance and alienation, of that land shall be defrayed by the purchaser.

Sale of land at Wynyard to Smith and Lane Holdings Limited.

14—(1) Subject to this section, the Commissioner may sell the Crown land described in the thirteenth schedule to Smith and Lane Holdings Limited for the sum of nine thousand dollars.

(2) No land shall be conveyed or alienated in pursuance of a sale under this section except subject to such conditions and rights as the Surveyor-General is satisfied are necessary

to ensure that the land is not used otherwise than for industrial purposes, and any such conditions or rights are not rendered void or unenforceable by reason of the rule against perpetuities or any other rule of law preventing or restricting the creation of rights or interests to have effect at a future time or the enforcement of those rights or interests.

(3) The prescribed survey fees and grant fees are required to be paid before land is conveyed and alienated pursuant to a sale under this section.

15 The Governor may, in the name and on behalf of Her Majesty, convey and alienate the land described in the fourteenth schedule to the Retarded Children's Welfare Association of Tasmania for an estate in fee simple.

Grant of
land at War-
rane to
Retarded
Children's
Welfare
Association of
Tasmania.

16—(1) Subject to the foregoing provisions of this Act, any land that vests in Her Majesty, or over which any public rights of passage are extinguished, pursuant to any of those provisions shall be deemed to be Crown land within the meaning of the Principal Act.

Supplement-
ary provisions.

(2) Subsection (2) of section seventy of the Principal Act applies to the conveyance and alienation of any land pursuant to any of the foregoing provisions of this Act as it applies to the alienation of land pursuant to that section, but nothing in this subsection shall be construed as affecting the operation of that section in relation to the sale of land pursuant to any of those provisions.

(3) References in any of the schedules to this Act to a survey plan by a number shall be construed as references to the survey plan so numbered filed and registered in the office of the Surveyor-General and Secretary for Lands at Hobart.

THE FIRST SCHEDULE.

(Section 2.)

CITY OF HOBART.

All that area of Crown land containing 1 acre 1 rood 1 3/10 perches as the same is shown on Survey Plan No. 1840.

THE SECOND SCHEDULE.

(Section 3.)

LAND DISTRICT OF MONMOUTH PARISH OF RALPHS BAY.

All that area of Crown land containing 21 acres 18 perches as the same is shown on Survey Plan No. 2269.

THE THIRD SCHEDULE.

(Section 4.)

TOWN OF HAMILTON.

Lot 3, Section J.

1 acre and 10 perches.

Commencing at the south-east angle of Lot 2 1 acre and 14 perches W. Sibley purchased on Hall Street and bounded on the south-east by 1 chain 20 links south-westerly along that street on the south-west by 9 chains 66 links north-westerly along Lot 5 1 acre and 22 perches A. Langdon purchaser and along Lot 4 3 roods 38 perches School Reserve to Franklin Place on the north-west by 1 chain 19 links or thereabouts north-easterly along that place thence on the north-east by 9 chains 90 links south-easterly along Lot 2 aforesaid to the point of commencement as the same is shown on Town Plan H/8 filed and registered in the office of the Surveyor-General and Secretary for Lands at Hobart.

THE FOURTH SCHEDULE.

(Section 5.)

CITY OF HOBART.

All that area of Crown land containing 2 roods 34 perches fronting on Castray Esplanade as the same is shown on Survey Plan No. 2247.

THE FIFTH SCHEDULE.

(Section 6.)

TOWN OF BURNIE.

All that area of Crown land containing 1 1/10 perches as the same is shown on Survey Plan No. 2008.

THE SIXTH SCHEDULE.

(Section 7.)

LAND DISTRICT OF DEVON
PARISH OF DULVERTON.

PART I.

All those areas of Crown land containing 1 3/10 perches and 6 4/10 perches as the same are shown on Survey Plan No. 1200.

PART II.

All that area of land containing 6 2/10 perches as the same is shown on Survey Plan No. 1200.

PART III.

All that area of Crown land containing 7 1/10 perches as the same is shown on Survey Plan No. 1200.

THE SEVENTH SCHEDULE.

(Section 6.)

LAND DISTRICT OF MONMOUTH
PARISH OF FORBES.

All that area of land containing 21 $\frac{3}{10}$ perches as the same is shown on Survey Plan No. 1597.

THE EIGHTH SCHEDULE.

(Section 9.)

CITY OF HOBART.

All that area of Crown land containing $\frac{3}{100}$ perch as the same is shown on Survey Plan No. 2312.

THE NINTH SCHEDULE.

(Section 10.)

CITY OF HOBART.

All that area of land containing 1 acre 3 roods 14 $\frac{3}{10}$ perches as the same is shown on Survey Plan No. 2025.

THE TENTH SCHEDULE.

(Section 11.)

CITY OF HOBART.

All that area of land containing 3 acres 2 roods 15 $\frac{5}{10}$ perches as the same is shown on Survey Plan No. 2037.

THE ELEVENTH SCHEDULE.

(Section 12.)

CITY OF HOBART.

All that area of Crown land containing 4 $\frac{2}{10}$ perches as the same is shown on Survey Plan No. 1860.

THE TWELFTH SCHEDULE.

(Section 13.)

LAND DISTRICT OF KENT
PARISH OF HONEYWOOD.

PART I.

All those areas of Crown land containing respectively 2 roods 15 $\frac{7}{10}$ perches, $\frac{1}{10}$ perch, and $\frac{6}{10}$ perch as the same are shown on Survey Plan No. 1963.

PART II.

All those areas of land containing respectively $\frac{3}{10}$ perch and $\frac{2}{100}$ perch as the same are shown on Survey Plan No. 1963.

THE THIRTEENTH SCHEDULE.

(Section 14.)

TOWN OF WYNYARD.

All that area of Crown land containing 10 acres 3 roods 39 perches as the same is shown on Survey Plan No. 2301.

THE FOURTEENTH SCHEDULE.

(Section 15.)

TOWN OF WARRANE.

All that area of Crown land containing 2 acres 2 roods 32 5/10 perches as the same is shown on Survey Plan No. 2280.

CONSTITUTION (No. 2).

No. 70 of 1967.

AN ACT to amend the *Constitution Act 1934*.

[20 December 1967.]

BE it enacted by His Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:—

1—(1) This Act may be cited as the *Constitution Act (No. 2) 1967*.

(2) The *Constitution Act 1934*, as subsequently amended, is in this Act referred to as the Principal Act.

(3) This Act shall commence on the day after the day fixed for holding the first periodical elections of members of the Council after the passing of this Act.