

- (b) declare that the reference made by this Act shall continue without limitation of time, in which case the reference shall not terminate unless and until this Act is repealed.

Interpre-
tation of
section two.

3—(1) In section two, “trade” includes the supply of services.

(2) Without limiting the generality of section two, that section is intended to be so construed that the legislative power of the Parliament of the Commonwealth resulting from the reference made by that section includes the power to enact provisions having the operation, in respect of matters that are within the legislative power of the Parliament of the State, that the *Trade Practices Act* 1965-1966 of the Commonwealth would have if the operation of that Act were not restricted by reason of the limits of the legislative powers of the Parliament of the Commonwealth.

ELDERLY CITIZENS' CLUBS AND YOUTH CENTRES.

No. 63 of 1966.

AN ACT to make provision with respect to the granting of financial assistance to certain organizations concerned with the welfare of elderly citizens or young persons and for matters connected therewith, and to amend the *Local Government Act* 1962. [22 December 1966.]

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:—

Short title.

1 This Act may be cited as the *Elderly Citizens' Clubs and Youth Centres Act* 1966.

2 In this Act, unless the contrary intention appears—Interpre-
tation.

“approved building” means a building or proposed building approved under section four;

Cf. No. 81
of 1964
(C'th), s. 2.
No. 36 of
1964 (W.A.),
s. 3.

“elderly citizens' club” means an institution that is carried on with the object or for the purpose of providing recreational, social, or cultural facilities for elderly persons;

“capital cost”, used in relation to an approved building, includes such sum as the Treasurer determines to be reasonably necessary to cover the cost of the purchase of the land on which the building is erected or to be erected, or, as the case may be, of the extension or alteration of, or of any additions to, the building;

“eligible organization” means an organization that is eligible, by virtue of section three, for assistance under this Act;

“Minister for Health” means the Minister of the Crown having for the time being the administration of the *Public Health Act* 1962;

“organization” includes a club, society, association, or other like body;

“young person” means a person who is of or over the age of ten years and under the age of twenty-five years;

“youth centre” means an institution that is carried on with the object or for the purpose of promoting—

(a) the social, intellectual, moral, or physical training or recreation of young persons; or

(b) the training of young persons in self government, good citizenship, or the intelligent use of leisure.

3—(1) Subject to this Act, an organization is eligible for assistance under this Act if—Eligible
organiza-
tions.

(a) it is engaged in carrying on and maintaining an elderly citizens' club or a youth centre;

C'th, s. 5.

(b) that club or centre is carried on otherwise than for the purposes of gain or reward for the individual members of the organization;

(c) the organization is incorporated by any Act or is an incorporated association within the meaning of the *Associations Incorporation Act* 1964;

(d) the organization's rules have been submitted to, and approved by, the Minister for Health and a notification of the Minister's approval of those rules has been published in the *Gazette*;

(e) the activities of the organization are carried on, or proposed to be carried on, in an approved building; and

- (f) the facilities provided or proposed to be provided in that building are approved by the Minister for Health.

(2) An organization is not eligible for assistance under this Act unless—

- (a) in the case of an organization by which an elderly citizens' club is carried on, the club is open to all elderly persons who reside within the municipality in which the building used for the purposes of the club is situated; or
- (b) in the case of an organization by which a youth centre is carried on, the body known as the National Fitness Council of Tasmania has recommended to the Minister for Health that assistance under this Act be granted to the organization.

Approval of
buildings.
C'th, s. 6.

4—(1) Where the Minister for Health is satisfied that a building erected or proposed to be erected, or purchased or proposed to be purchased, by an organization is intended to be used permanently for the purposes of an elderly citizens' club or youth centre, he may, in his discretion, by notice published in the *Gazette*, declare that building or proposed building to be an approved building for the purposes of this Act.

(2) A building or proposed building shall not be approved under this section unless all plans and specifications relating to the erection of the building or to any addition to, extension of, or alteration of, the building have been submitted to, and approved by, the Minister for Health.

Loans to
municipalities.

Cf. No. 84 of
1959 (Tas.),
ss. 3, 4, 5.

5—(1) For the purpose of assisting in the purchase, erection, extension, or alteration of, or in the making of additions to, an approved building for use for the purposes of an elderly citizens' club or a youth centre, the corporation of the municipality within the district of which the building is situated or proposed to be situated may borrow money under this section, and may apply to the Treasurer in such form as he may approve for a loan under this section.

(2) Upon receipt of an application under this section, the Treasurer may, subject to this Act, lend to the corporation by which the application is made such sum of money as the Treasurer thinks fit.

(3) A loan under this section—

- (a) shall be made by the Treasurer out of the Loan Fund in accordance with an Act appropriating that Fund for the purposes of the loan;
- (b) shall be made on such terms and conditions as the Treasurer may approve and as are specified in a notification sent by the Treasurer to the corporation;

- (c) shall be made at such rate of interest as, in the opinion of the Treasurer, is not less than the rate which the corporation would pay for a similar loan from private persons; and
- (d) shall be an amount not exceeding—
 - (i) in the case of a loan in respect of a building or proposed building for use for the purposes of an elderly citizens' club, three-quarters of the capital cost of the building or proposed building; or
 - (ii) in the case of a loan in respect of a building or proposed building for use for the purposes of a youth centre, two-thirds of the capital cost of the building or proposed building.

(4) The provisions of—

- (a) sections seven to ten;
- (b) sections twelve and thirteen;
- (c) sections eighteen to twenty-four; and
- (d) sections twenty-six and twenty-seven,

of the *State Loans to Local Bodies Act* 1929 apply to and in relation to a loan under this section as if the notification referred to in paragraph (b) of subsection (3) of this section were an Act authorizing the loan for the purposes of paragraph (a) of subsection (2) of section twelve of that Act.

6—(1) A corporation to which any money is lent pursuant to section five may—

- (a) itself expend that money in or towards the purchase, erection, extension, or alteration of, or in the making of additions to, the approved building in relation to which the money is lent; or
- (b) lend the whole or any part of that money to an eligible organization with which the corporation has entered into an agreement providing for the purchase, erection, extension, or alteration of, or the making of additions to, the approved building by the organization, upon such terms and conditions as to the term of the loan, the repayment thereof, the method of repayment, and other matters as the corporation may, with the approval of the Treasurer, determine and as may be specified in the agreement.

Application
of moneys
borrowed by
municipalities for
the purposes
of this Act.
Tas., s. 6.

(2) A corporation to which any money is lent pursuant to section five shall not lend any part of that money to an eligible organization unless that organization has itself raised (otherwise than by way of a loan) an amount not less than—

- (a) in the case of an organization by which an elderly citizens' club is carried on or proposed to be carried on, one-quarter of the capital cost of the building or proposed building to be used for the purposes of the club; or

- (b) in the case of an organization by which a youth centre is carried on or proposed to be carried on, one-third of the capital cost of the building or proposed building to be used for the purposes of the centre.

Contributions by Treasurer towards debt charges payable by eligible organizations.

7—(1) Subject to this section, the Treasurer may, in any financial year, pay to an eligible organization out of moneys provided by Parliament for the purpose such sums of money as he thinks fit for the purpose of assisting the organization to pay any debt charges payable by it during that financial year in respect of any money lent to the organization by a corporation pursuant to section six or borrowed by the organization from any other person.

(2) Subject to this section, a sum that is paid to an eligible organization by the Treasurer in pursuance of this section in any financial year shall be calculated as if the debt charges in respect of which it is paid were the debt charges payable in that year in respect of a loan of a sum of money equal to the capital cost of the approved building in which the activities of the organization are carried on.

(3) The Treasurer shall not, in pursuance of this section, pay to an eligible organization in any one financial year any sum of money exceeding—

- (a) one-half of the total amount of the debt charges in respect of which the payment is made, in the case of an organization by which an elderly citizens' club is carried on; or
- (b) one-third of the total amount of the debt charges in respect of which the payment is made, in the case of an organization by which a youth centre is carried on.

(4) The Treasurer shall not, in pursuance of this section, pay a sum of money to an eligible organization unless that organization has itself raised (otherwise than by way of a loan) an amount not less than—

- (a) in the case of an organization by which an elderly citizens' club is carried on, one-quarter of the capital cost of the building used for the purposes of the club; or
- (b) in the case of an organization by which a youth centre is carried on, one-third of the capital cost of the building used for the purposes of the centre.

(5) The Treasurer shall not, in pursuance of this section, pay to an eligible organization in any financial year any sum of money exceeding the actual amount of the debt charges payable by the organization in that financial year.

(6) In this section, "debt charges" means any sums of money payable by an organization by way of interest on, and the repayment of, moneys borrowed by it.

8 Section six hundred and eighty-five A of the *Local Government Act 1962* is amended by inserting in subsection (1) thereof, after the numerals "1959", the words "or to eligible organizations within the meaning of the *Elderly Citizens' Clubs and Youth Centres Act 1966*".

Consequential amendment of the *Local Government Act 1962*.

KING ISLAND COMMUNITY HOTEL.

No. 64 of 1966.

AN ACT to facilitate the establishment on King Island of a community hotel and to make provision for matters connected therewith.

[22 December 1966.]

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 This Act may be cited as the *King Island Community Hotel Act 1966*. Short title.

- 2** In this Act, unless the contrary intention appears— Interpretation.
- “authorized association” means an association incorporated under the *Associations Incorporation Act 1964* that has been declared, under section six, to be an authorized association;
 - “corporation” means the Warden, Councillors, and Electors of the Municipality of King Island;
 - “hotel land” means any land belonging to the corporation that has been acquired or appropriated for the purposes of the hotel undertaking and has not subsequently been appropriated for any other purpose;