

And whereas it is desirable that such doubts should be removed, and that the election of the said *Henry James Hope* as a Member of the said House of Assembly, should be validated:

Be it therefore 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 *Constitution (Disqualification Removal) Act 1948*. Short title.

2 Notwithstanding any law to the contrary, it is hereby declared that *Henry James Hope*, Esquire, was, on the twenty-first day of August, 1948, capable, in all respects, of being elected as a Member of the House of Assembly and that the election of the said *Henry James Hope* as a Member of the said House at the general election of members of the said House held on that day was valid and effectual for all purposes whatsoever. Validation of election of Henry James Hope.

3 The said *Henry James Hope* is hereby indemnified against, and freed and discharged from, all penalties, forfeitures, incapacities, disqualifications, and disabilities, whatsoever which, but for this Act, he would have incurred. Indemnity.

FRUITGROWERS' RELIEF.

No. 76 of 1948.

AN ACT to provide for the granting of assistance to fruitgrowers who have suffered loss by hail occurring during the month of November, 1948.

[15 December, 1948.]

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 *Fruitgrowers' Relief Act 1948*. Short title and commencement.

(2) This Act shall commence on the date on which the *Fruit Board Act 1948* commences.

Interpre-
tation.

2 In this Act, unless the contrary intention appears—

“Board” means the Board of Management of the Agricultural Bank of Tasmania;

“fruitgrower” means any person who is registered as a fruit grower under the *Fruit Board Act 1934** or as a smallfruit grower under the *Stone and Berry Fruits Board Act 1939*†.

Adminis-
tration.

3 Subject to the directions of the Minister, this Act shall be administered by the Board.

Grants to
fruitgrowers.

4—(1) Subject to this Act, the Board may make a grant of money to any fruitgrower who has suffered loss as a result of hail occurring during the month of November, 1948.

(2) No grant shall be made to any fruit grower under this section unless the Board certifies that, having regard to the financial position of the fruit grower, it is reasonable that a grant should be made to him.

Protection
of grants.

5—(1) A grant paid under this Act to any person—

(a) shall not pass to any other person by virtue of any assignment made before payment of the grant;

(b) shall not be subject to any lien, right of set off or appropriation, or charge, which exists or is claimed in respect of any debt incurred before payment of the grant;

(c) shall not be taken or applied, by virtue of any legal process, in or towards satisfaction of any debt incurred before payment of the grant.

(2) In this section, “grant” means the whole or any part of a grant.

Financial
provisions.

6—(1) Every grant under this Act shall be debited to a suspense account kept in the Treasury.

(2) The amount debited to the suspense account under subsection (1) shall be recouped to the Treasurer out of—

(a) any money received by the State from the Commonwealth for the purpose of paying grants under this Act; and

(b) such amounts out of the Consolidated Revenue as the Treasurer may apply for that purpose.

(3) The amounts specified in paragraphs (a) and (b) of subsection (1) shall be credited to the suspense account.

Appropriation.

7 A sum not exceeding one hundred thousand pounds is hereby appropriated from the Consolidated Revenue for the purpose of the payment of any amounts required under paragraph (b) of subsection (2) of section six.

* 25 Geo. V. No. 49. For this Act, as amended to 1936, see Reprint of Statutes, Vol. IV., p. 180. Subsequently amended by 2 Geo. VI. No. 18 and 6 Geo. VI. No. 67.

† 3 & 4 Geo. VI. No. 63, as amended by 6 Geo. VI. No. 39.

8 The Governor may make regulations, not inconsistent Regulations. with this Act, prescribing all matters which are necessary or convenient to be prescribed for carrying out or giving effect to the provisions of this Act, and in particular prescribing the forms of applications and procedure to obtain grants under this Act, and prescribing penalties, not exceeding one hundred pounds, for breaches of any regulation.

BROOKER PENSION.

No. 77 of 1948.

AN ACT to provide for the Payment of a Pension to *Grace Lydia Minie Brooker*, widow of the Honourable *Edward Brooker*, a former Premier of this State. [16 December, 1948.]

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 *Brooker Pension Act* Short titl. 1948.

2—(1) There shall be payable and paid out of the Consolidated Revenue to *Grace Lydia Minie Brooker*, widow of the Honourable *Edward Brooker*, a former Premier of this State, an annual pension of two hundred and eight pounds during widowhood. Annual pension to Grace Lydia Minie Brooker.

(2) Such pension shall be payable monthly as from the first day of July, 1948.

3 The Governor shall issue his warrant to the Treasurer for the payment of the pension payable under this Act, and the same shall thereupon be paid by the Treasurer to the said *Grace Lydia Minie Brooker* or to such other person as she shall, by writing under her hand, appoint to receive the same. Mode of payment.
