

THE THIRTEENTH SCHEDULE.

(Section 15.)

TOWN OF LEITH.

SECTION DD, 0A. 0R. 21P.

Commencing at the south-west angle of Lot 4 Section DD purchased by W. Jones on Lukin-street and bounded on the north by 264 feet easterly along that land on the north-east by 10 feet 0½ inch south-easterly along the Esplanade on the River Forth on the south-east and south-west by 267 feet 10½ inches south-westerly and north-westerly in three bearings along the Esplanade aforesaid to Lukin-street aforesaid and thence on the west by 18 feet northerly along that street to the point of commencement as the same is shown on survey diagram Volume 217 Folio 27 filed and registered in the office of the Surveyor-General and Secretary for Lands at Hobart.

THE FOURTEENTH SCHEDULE.

(Section 16.)

TOWN OF WYNYARD.

SECTION L, 0A. 0R 21 7/10P.

Commencing at the north-east angle of 3a. 3r. 4p. purchased by W. Breaon on the Esplanade on the River Inglis and bounded on the south-east by 271 feet south-westerly along that land on the north-west by 250 feet 2 inches north-easterly along the Esplanade aforesaid and thence on the north-east by 50 feet 2 inches south-easterly again along that Esplanade to the point of commencement as the same is shown on survey diagram Volume 217 Folio 35 filed and registered in the office of the Surveyor-General and Secretary for Lands at Hobart.

FRIENDLY SOCIETIES.

No. 80 of 1952.

AN ACT to amend the *Friendly Societies Act 1888*
and to repeal the *Friendly Societies Act 1938*.

[12 December, 1952.]

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 *Friendly Societies Act 1952*.

(2) The *Friendly Societies Act 1888*, as subsequently amended, is in this Act referred to as the Principal Act.

(3) Sections three and four of this Act shall be deemed to have commenced on the fifteenth day of September, 1952, and the remaining sections of this Act shall commence on the day on which the Governor gives his assent to this Act.

2 Section four of the Principal Act is amended by inserting therein, before the definition of "Amendment of rule", the following definition:—

Interpretation.

" 'Actuary' means—

- I. A person who is a Fellow of the Institute of Actuaries (London) or the Institute of Actuaries (Edinburgh): or
- II. A person who is the holder of such degree, certificate, or diploma, awarded by such institution or body, as may be prescribed, or possesses such other qualifications as may be prescribed."

3 Section five of the Principal Act is amended—

(a) by inserting after paragraph VI. the following paragraph:—

Objects for which societies may be registered.

"VII. For providing hospital benefits or medical benefits, or both, to members, their husbands, wives, children, and kindred, in accordance with any law of the Commonwealth relating to the provision of hospital benefits or medical benefits, or both, to members of societies or organizations approved or registered under that law,"; and

(b) by omitting the proviso thereto.

4 After section five A of the Principal Act the following sections are inserted:—

"5B—(1) A registered society or branch may, subject to the rules of the society or branch, become registered or approved as an organization under any law of the Commonwealth relating to the provision of hospital benefits or medical benefits, or both, and may take such other measures as are necessary to enable the society or branch to be authorized to act under that law.

Power of registered society to participate in Commonwealth hospital and medical benefit schemes.

(2) A registered society or branch may, subject to the rules of the society or branch, out of the appropriate fund or funds of the society or branch, make any payment for the purpose of securing to the members, their husbands, wives, children, and kindred, any of the benefits to which they may be entitled under any law of the Commonwealth mentioned in subsection (1) of this section.

(3) A registered society or branch may receive from the Commonwealth any amount that, under any law of the Commonwealth mentioned in subsection (1) of this section, is payable to the society or branch in repayment (whether in whole or in part) of any payments made by the society or branch as provided by subsection (2) of this section, and any amount so received shall be paid by the society or branch into the fund or funds from which those payments are made by the society or branch.

Power of registered society to admit members with limited rights.

“5C—(1) A registered society or branch may, subject to the rules of the society or branch, admit persons to membership of the society or branch on condition that the persons so admitted shall have the right to contribute only to some particular fund or funds of the society or branch.

(2) Notwithstanding anything in the rules of a society or branch, a person who is admitted to membership on a condition such as is referred to in subsection (1) of this section shall have the same rights as other members of the society or branch to vote at meetings of the society or branch on any question relating to the fund or funds to which the person so admitted to membership contributes.”.

5 Section six of the Principal Act is repealed and the following section is substituted therefor:—

Friendly societies to be registered.

“6—(1) A society or branch (whether formed before or after the commencement of this Act) that—

I. Is formed for the purpose of providing, by voluntary subscriptions of the members thereof, with or without the aid of donations, for any of the objects mentioned in section five: and

II. Consists of not less than ten members,

shall, unless exempted from the operation of this section by the Minister on the recommendation of the Statistician, be registered under this Act within three months after the date on which it begins to carry on the business, or perform the functions, for which it is formed, or within three months after the commencement of this section, whichever is the earlier.

(2) If a society or branch to which this section applies is not registered within the time prescribed in subsection (1) of this section, the trustees, and the chairman, treasurer, or secretary, and each member of the committee of management, of the society or branch shall be severally liable to a penalty of twenty-five pounds.”.

Functions of Statistician.

6 Section nine of the Principal Act is amended—

(a) by omitting the proviso to paragraph III.; and

(b) by adding at the end thereof the following subsections—

“ (2) The Statistician may—

- I. On giving not less than seven days' notice to a society or branch, require the production to him of any books, papers, records, vouchers, or other documents relating to the conduct of the business of the society or branch, and may examine on oath any officer, member, agent, or servant of the society or branch in relation to the conduct of the business of the society or branch, and may administer an oath accordingly:
- II. At any time inspect, and make copies of, or take extracts from, any books, papers, records, vouchers, and other documents relating to the conduct of the society or branch: and
- III. Require the manager or officer in charge of a bank or branch of a bank carrying on business in this State in or by which any moneys or securities of a society or branch are deposited, invested, or held to furnish him with a written statement specifying the amount of the moneys or the amount or value of the securities so deposited, invested, or held, and containing such other particulars, if any, as the Statistician may think necessary or desirable.

(3) Any person who—

- I. Fails or refuses to produce any book, paper, record, voucher, or other document, or to furnish to the Statistician any statement or information, when required so to do by the Statistician pursuant to subsection (2) of this section, or who knowingly furnishes to the Statistician any statement or information that is false or misleading in any material particular: or

II. Refuses to answer any question when required so to do by the Statistician pursuant to that subsection,

shall be guilty of an offence against this Act.”.

Registry of societies.

7 Section eleven of the Principal Act is amended—

- (a) by omitting from paragraph II. the word “two” and substituting therefor the word “three”;
- (b) by omitting from paragraph III. the word “two” and substituting therefor the word “three”;
- and
- (c) by omitting from paragraph VII. the words “some actuary or other person approved by the Governor” and substituting therefor the words “an actuary”.

Rules.

8 Section thirteen of the Principal Act is amended—

- (a) by omitting from paragraph III. the word “two” (twice occurring) and substituting therefor, in each case, the word “three”, and by inserting in that paragraph, before the words “hereby required”, the words “, subject to paragraph IIIA. of this section,”;
- (b) by inserting after paragraph III. the following paragraph:—

“ IIIA. The Attorney-General or the Solicitor-General, as the case may be, shall not give the certificate referred to in paragraph III. of this section in respect of any amendment of a rule that relates to the contributions to be paid by members or the benefits to be provided in respect thereof, or that might, in any way, affect the sufficiency of the contributions to provide those benefits, unless an actuary has certified that—

- (a) The contributions, as amended, are sufficient to provide the benefits: or
- (b) The amendment will improve, or will not in any way prejudice, the financial position of the society or branch:”;
- (c) by omitting from paragraph VI. the words “one shilling” and substituting therefor the words “three shillings and sixpence”; and

(d) by adding at the end thereof the following paragraph:—

“VII. On the registration of the rules of a society or the registration of an amendment of those rules, the Registrar shall forward to the Statistician one of the copies of the rules or, as the case may be, of the amendment of the rules, as certified by the Attorney-General or the Solicitor-General.”.

9 Section fourteen of the Principal Act is amended—

Duties and obligations of societies.

(a) by omitting from sub-paragraph (e) of paragraph I. the words “a valuer” and substituting therefor the words “an actuary”, and by omitting from that sub-paragraph the words “such valuer” and substituting therefor the words “the actuary”, and by omitting from that sub-paragraph the words “some actuary or other person approved by the Governor” and substituting therefor the words “an actuary”;

(b) by inserting in paragraph III., after the word “shall” (first occurring), the words “, except as provided by paragraph IIIA. of this subsection,”;

(c) by inserting after paragraph III. the following paragraph:—

“IIIA. Notwithstanding anything in paragraph III. of this subsection, if a valuation of the assets and liabilities of a society or branch that is made by an actuary discloses a surplus of assets over liabilities in respect of any fund or benefit, the Statistician may, with the approval of the actuary, authorize the society or branch to apply the whole or any part of that surplus in such manner as the society or branch may think fit for the purposes of the same or some other fund or benefit, and the society or branch may thereupon, subject to the rules of the society or branch, apply that surplus accordingly.”; and

(d) by adding at the end thereof the following subsections:—

“ (2) Where it appears to the Statistician, from a report made by an actuary, that the assets of a society or branch are insufficient to meet the liabilities of the society or branch, the Statistician shall, by notice in writing delivered

or forwarded by post to the secretary or the chairman of the committee of management of the society or branch, notify the secretary or chairman accordingly.

(3) A notice under subsection (2) of this section shall specify—

- I. The apparent cause, and the nature and extent, of the insufficiency: and
- II. The nature and extent of the changes in the contributions or benefits, or both, and the nature of the changes, if any, in the manner of conducting the business of the the society or branch, that, in the opinion of the Statistician, are necessary in order to enable the society or branch to discharge its liabilities.

(4) It shall be the duty of a society or branch to which a notice under subsection (2) of this section relates, within six months after the date of the notice or such further time, if any, as the Statistician may allow in that behalf, to do or cause to be done, to the satisfaction of the Statistician, all such acts and things as may be necessary to ensure compliance with the requirements of the notice, in default whereof the Statistician shall cause to be published, on at least two occasions, in a daily newspaper published or circulating in the district in which the society or branch carries on business or has its principal office, a notice specifying—

- I. The name of the society or branch: and
- II. The nature and extent of the insufficiency in the assets of the society or branch, and containing such comments as the Statistician may think desirable.

(5) Any expenses that are incurred by the Statistician in connection with the publication of a notice under subsection (4) of this section shall be paid to the Statistician, on demand, by the society or branch, or in default of payment may be recovered by the Statistician from the society or branch by action in any court of competent jurisdiction.”.

11—(1) Sections twenty-four and twenty-five of the Principal Act are repealed. Repeal.

(2) The *Friendly Societies Act 1938* is repealed.

COAL MINING INDUSTRY (GOVERNMENT ASSISTANCE.)

No. 81 of 1952.

AN ACT to empower the Governor to guarantee the repayment of moneys borrowed by the owners of coal mines in certain cases, and to make certain payments to the owners of coal mines and other persons.

[12 December, 1952.]

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 *Coal Mining Industry* Short title.
(*Government Assistance*) Act 1952.

2 In this Act, unless the contrary intention appears— Interpreta-
tion.

“coal mine” means a mine that is worked for the production of coal;

“owner” means a person who is the immediate proprietor, lessee, licensee, or occupier of a coal mine, but does not include a person who merely receives a royalty, rent, tribute, or fine from a coal mine, or who is merely the proprietor of a mine subject to a lease, grant, or licence for the working thereof.

3—(1) Subject to this section, for the purpose of assisting in the maintenance of production from, and employment in, coal mines in this State, the Governor may, on the application of the owner of a coal mine— Government
assistance to
owners of coal
mines.

(a) guarantee the repayment of moneys borrowed, or proposed to be borrowed, by the owner;