

(2) The payment of any such penalty shall not bar or affect the right of the Council to bring any action, or take any proceedings, against such person, which the Council might, apart from this Act, bring or take against that person.

30—(1) In any proceedings for the recovery of penalties under this Act, or under any by-laws made thereunder, the complaint, where not to be required to be made on oath, may be laid and made in the name of the Council, and in any case may be laid and made by the Council Clerk or some officer of the Council appointed generally or in respect of any special proceeding, or by any police officer. Complaints:
How made.

(2) The Council Clerk or other officer shall be reimbursed out of the sewerage account any damages, costs, charges, or expenses to which he is put or with which he is chargeable by any reason of any thing contained in this section.

GOVERNMENT PRINTING OFFICE.

No. 14 of 1949.

AN ACT to enable the Government Printing Office
to be conducted as a Business Undertaking.

[12 April, 1949.]

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 *Government Printing Office Act* 1949. Short title.

2 The purpose of this Act is to enable the printing office and associated business conducted by the Government Printing Department to be carried on and accounted for as a business undertaking under the name of "the Government Printing Office". Purpose
of Act.

Government Printer a corporation sole.

3 The Government Printer shall be a corporation sole by the name of "the Tasmanian Government Printer" and shall have perpetual succession and a seal of office, and may in his corporate name and capacity give, grant, and take real and personal property and contract and sue and be sued.

Powers and duties of the Government Printer.

4—(1) The Government Printer shall, on behalf of His Majesty and with the staff appointed to his department under the *Public Service Act 1923**, carry on in accordance with this Act—

- (a) the printing office now manned by that department; and
- (b) in conjunction therewith the business of a printer, publisher, bookseller, bookbinder, and stationer.

(2) This whole undertaking shall be called the Government Printing Office.

(3) For the purposes of this Act the Government Printer shall be deemed capable in his corporate capacity of contracting with the Crown and with other servants of the Crown acting on behalf of the Crown.

(4) The Government Printer shall undertake printing, publishing, bookselling, and bookbinding only—

- (a) for the Crown; and
- (b) only in the manner and to the extent used before the commencement of this Act, for public authorities, bodies and associations, and local authorities.

Property of the Government Printer.

5—(1) There shall vest in the Government Printer in his corporate capacity all plant, machinery, and stock in trade in the charge of the Government Printing Department on the thirtieth day of June, 1948.

(2) All contracts of the Crown in respect of the Government Printing Department existing on the first day of July, 1948, those with the staff of that Department excepted, shall vest in the Government Printer in his corporate capacity, as well their burden as their benefit.

Office buildings.

6—(1) For the purposes of the Government Printing Office the Government Printer may occupy and use such lands of the Crown as are allocated therefor in the same manner as heretofore, and shall be deemed tenant at will thereof in his corporate capacity yielding therefor such rent at such times as the Treasurer may determine.

(2) Notwithstanding subsection (1) hereof or any other Act the Governor may demise to the Government Printer in his corporate capacity any land lawful to be used generally for the purposes of government at such a rent and for such a term as the Governor thinks fit.

* 13 Geo. V. No. 25. For this Act, as amended to 1947, see annual volume for 1948, Appendix C.

7—(1) The Government Printer and the staff of the Government Printing Office shall remain subject to the *Public Service Act 1923**.

(2) Their salaries shall be payable on behalf of the Crown by the Government Printer in his corporate capacity.

8—(1) The Government Printer shall cause to be opened with the Commonwealth Bank of Australia, at Hobart, in the name of the Tasmanian Government Printer, such accounts as may be necessary, and all moneys received on account of the Government Printing Office shall be deposited therein, and all expenditure of, or in connection with, the Government Printing Office, shall be drawn from such accounts. Bank account. 2 & 3 Geo. VI. No. 70, s. 18.

(2) No money shall be drawn from any such account as aforesaid except by cheque signed by the Government Printer or an officer to be appointed by the Government Printer and counter-signed by the officer appointed for that purpose by the Government Printer.

9 The revenue of the Tasmanian Government Printer shall consist of all receipts from the business carried on by him in the Government Printing Office, including work done for other Departments of Government. Revenue.

10 Except where otherwise expressly provided the revenues of the Tasmanian Government Printer in any financial year shall be applied in defraying— Expenditure. Ibid., s. 19 (4).

- (a) the working expenses of the Government Printing Office and any expenditure in the execution and performance of the powers and duties of the Government Printer which are properly chargeable to revenue account;
- (b) depreciation; and
- (c) interest charges—

respectively, in the order above set forth.

11—(1) The Government Printer shall make due provision for depreciation and obsolescence of the plant and machinery of the Government Printing Office and of any other asset thereof of a wasting nature, and shall place such provision to the credit of a separate account. Depreciation. Ibid., s. 26.

(2) The balance of all moneys so provided by the Government Printer after payment thereof of all amounts required for the replacement or renewal of any plant, machinery, or other asset of a wasting nature in the financial year in which the same were so set aside, shall be paid by the Government Printer to the State Sinking Fund Commissioners.

12—(1) The State Sinking Fund Commissioners shall credit all moneys received by them under section eleven and under subsection (2) of this section to an account to be called the Government Printing Office Depreciation Fund Account (in this section called "the account"). Depreciation fund. Cf. ibid., s. 26.

* 13 Geo. V. No. 25. For this Act, as amended to 1947, see annual volume for 1948, Appendix C.

(2) The Treasurer shall pay to the State Sinking Fund Commissioners the amount standing, at the commencement of this Act, in the books of the Treasury to the credit of the Government Printing Department Depreciation Fund, together with accrued interest, if any.

(3) The State Sinking Fund Commissioners shall pay to the Treasurer out of moneys in the account at the commencement of each financial year such sums as will reimburse the Treasurer the amount of sinking fund contributions payable by him to the National Debt Commission in respect of all loan moneys borrowed and applied for capital expenditure of the Government Printing Office.

(4) The State Sinking Fund Commissioners shall pay to the Government Printer out of moneys in the account such sums as he may require for the replacement or renewal of any plant, machinery, or other asset of a wasting nature.

(5) All moneys received by the State Sinking Fund Commissioners into the account shall be invested by them, and the income from such investment shall be credited to the account.

(6) For the purposes of providing any sum required under subsections (3) and (4) the State Sinking Fund Commissioners may sell and dispose of any securities in their hands in respect of moneys in the account.

Capital
indebtedness.
Ibid., s. 22.

13—(1) There shall be debited to the Tasmanian Government Printer in the Treasury books on the first day of July, one thousand nine hundred and forty-eight, a sum equal to the capital indebtedness of the Government Printing Department as appearing in the accounts of that Department for the financial year ending on the thirtieth day of June, one thousand nine hundred and forty-eight, which sum is in this Act called the "principal loan".

Working
capital.

14—(1) Subject to the provisions of this Act the Government Printer may requisition the Treasurer for any sums, not exceeding twenty thousand pounds at any one time, required by him as working capital for the Government Printing Office.

(2) The Treasurer may pay any such sum to the Government Printer forthwith, and may borrow moneys for this purpose.

(3) The Government Printer may repay to the Treasurer any amount not at the time so required by him.

(4) The Government Printer shall pay interest on the amount of working capital for the time being held by him, at the times and at the rate provided in respect of principal and additional loans.

Treasury
advances.
Ibid., s. 23.

15—(1) Subject to the provisions of this Act the Government Printer may requisition the Treasurer for any moneys required by him for capital expenditure in connection with the Government Printing Office which shall have been voted

by Parliament for that purpose and the Treasurer may pay the same to the Government Printer forthwith, all of which payments are in this Act called "additional loans".

(2) The amount of all charges and expenses incurred by the Treasurer in borrowing and raising any sum of money voted by Parliament for the Government Printing Office, shall as at the date when such amount shall have been ascertained be deemed to constitute a payment by the Treasurer to the Government Printer under this section, and to form part of the money voted by Parliament for the purpose aforesaid.

16—(1) The Government Printer shall pay to the Treasurer, on account of the Consolidated Revenue, quarterly on the last days of September, December, March, and June, respectively, in each financial year, interest in respect of the principal and additional loans or so much thereof as shall remain owing to the State, subject to the provisions and at the rate hereinafter provided.

Government
Printer to
pay interest
on loans.
Ibid., s. 24.

(2) Such interest as aforesaid shall be paid—

- (a) In respect to the principal loan, from the first day of July, one thousand nine hundred and forty-eight; and
- (b) In respect of the additional loans, from the respective dates of the payments by the Treasurer to the Government Printer of the moneys comprising such additional loans.

(3) The interest to be paid by the Government Printer on each such quarterly day as aforesaid on any moneys comprising or forming part of any of the said loans shall be at the State rate as defined by section twenty-four of the *Hydro-Electric Commission Act 1944**.

17 The Government Printer shall cause true accounts to be kept and such accounts shall include—

- (a) a trading account;
- (b) a profit and loss account;
- (c) a profit and loss appropriation account; and
- (d) an account of assets and liabilities of the Tasmanian Government Printer.

Accounts to
be kept by
Government
Printer.
Ibid., s. 27.

18—(1) By the fifteenth day of August next after in every financial year, the Government Printer shall cause to be prepared—

- (a) a trading account;
- (b) a profit and loss account for the immediately preceding financial year;
- (c) a profit and loss appropriation account; and

Annual
accounts.
Ibid., s. 28.

* 8 & 9 Geo. VI. No. 22, as amended by 8 & 9 Geo. VI. No. 61, 10 Geo. VI. Nos. 2 and 33, 11 & 12 Geo. VI. No. 32, and No. 9 of 1948.

- (d) a balance-sheet, containing particulars of all the assets and liabilities of the Government Printer as at the end of the immediately preceding financial year.

(2) The Government Printer shall supply to the Treasurer, as and when required by him, such information as the Treasurer may require, in respect of the expenditure of the revenues of the Tasmanian Government Printer.

Provision
for profit
and loss.
Ibid., s. 29.

19—(1) Whenever, in any financial year, the profit and loss account, in respect of the immediately preceding financial year shows—

- (a) a credit balance, the amount of that credit balance shall be paid by the Government Printer into the Consolidated Revenue.
- (b) a debit balance, the Treasurer shall pay to the Government Printer out of the Consolidated Revenue, without any other authority than this section, the amount of that debit balance.

(2) Where any payment is to be made to, or by, the Government Printer in any financial year under the foregoing provisions of this section, the same shall be made within one month after the Auditor-General shall have certified to the correctness of the profit and loss account in respect of the immediately preceding financial year.

Accounts to
be submitted
to Minister
and to be
laid before
Parliament:
Powers of
Auditor-
General.

20—(1) The accounts hereinbefore referred to shall be submitted to the Auditor-General not later than the sixteenth day of August in each year for audit by him, and, when so audited, shall forthwith be forwarded by the Government Printer to the Minister together with the Auditor-General's certificate as to the correctness thereof and the annual report required by section twenty-one.

(2) The said balance-sheet and accounts and annual report shall be laid before each House of Parliament within the first ten sitting days of such House after the receipt thereof by the Minister.

(3) The Auditor-General shall have in respect of the accounts of the Government Printer all the powers conferred upon him by the *Audit Act 1918** in relation to the audit of public accounts.

Annual
report.
Ibid., s. 40.

21 The Government Printer shall furnish to the Minister annually with the accounts mentioned in section twenty a report of the operations, business, and affairs of the Government Printing Office in respect of the immediately preceding financial year.

Regulations.

22—(1) The Governor may make regulations for the purposes of this Act.

* 9 Geo. V. No. 3. For this Act, as amended to 1936, see R print of Statutes, Vol. I., p. 237. Subsequently amended by 1 Geo. VI. No. 63, 3 Geo. VI. No. 34, and 11 Geo. VI. No. 70.

(2) Nothing in this section shall take away from the Governor or from any officer in the service of the Crown any right at common law or under the *Public Service Act* 1923* or the *Audit Act* 1918† to control or direct the Government Printer and the other servants of the Crown employed in or in connection with the Government Printing Office.

23 This Act shall be deemed to have come into force on the first day of July, 1948, and all contracts and payments duly made in respect of the Government Printing Office on and since that day shall be deemed to have been duly made in accordance with this Act. Commencement of Act.

* 13 Geo. V. No. 25. For this Act, as amended to 1947, see annual volume for 1948, Appendix C.

† 9 Geo. V. No. 3. For this Act, as amended to 1936, see Reprint of Statutes, Vol. I., p. 237. Subsequently amended by 1 Geo. VI. No. 63, 3 Geo. VI. No. 34, and 11 Geo. VI. No. 70.

NATIONAL THEATRE AND FINE ARTS SOCIETY.

No. 15 of 1949.

AN ACT to provide for the Encouragement of the
Fine Arts, the Establishment of a National Theatre,
and the Preservation of the Theatre Royal.

[12 April, 1949.]

WHEREAS the State should assist the use and enjoyment of the fine arts by the people of Tasmania: PREAMBLE.

And whereas the building known as the Theatre Royal in the City of Hobart (in this Act called "the Theatre") should be preserved as a place of historic interest:

And whereas the persons named in the first schedule have associated themselves with others to foster the fine arts, particularly by the establishment of a national theatre and arts centre in the City of Hobart, and have called themselves the National Theatre and Fine Arts Society of Tasmania (in this Act called "the Society"):

And whereas it is expedient that the Theatre, being at present for sale, should be purchased and used by the Society for the purpose of a National Theatre and Arts Centre:

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 *National Theatre and Fine Arts Society Act* 1949. Short title.