

9 After section forty-three of the Principal Act the following section is inserted in Part IV:—

Drivers of, and passengers on, motor cycles to wear protective helmets.
Cf. No. 6325 (Vic.), s. 31 (1) (j).

“43A—(1) On and after the appointed day, a motor cycle shall not be driven on a public street unless the driver of the motor cycle, and, where any other person is riding or being carried on the pillion seat thereof, that person, are each wearing securely on the head a protective helmet of a type approved by the Commissioner of Police.

“(2) If in respect of the driving of a motor cycle on a public street there is any contravention of or failure to comply with the provisions of subsection (1) of this section, the driver of the motor cycle is guilty of an offence against this section.

Penalty: Fifty dollars.

“(3) In this section—

‘appointed day’ means such day as is declared by the Minister, by order, to be the appointed day for the purposes of this section;

‘pillion seat’ means a seat designed to carry a passenger on a motor cycle, being a seat attached to the motor cycle behind the driver’s seat.”.

Transitory provisions.

10—(1) Notwithstanding the amendments of the Principal Act that are effected by this Act, proceedings shall not be taken against a person in respect of a contravention of, or failure to comply with, any of the provisions of section forty-one B of the Principal Act if the contravention or failure occurs before the appointed day.

(2) In this section, “appointed day” means such day as is declared by the Minister, by order, to be the appointed day for the purposes of this section.

Expiry of section eight.

11 Section eight of this Act shall expire on the thirty-first day of December 1968.

HOUSING AGREEMENT.

No. 27 of 1966.

AN ACT to authorize the execution by the State of an agreement between the Commonwealth and the States in relation to housing, to make provision for matters incidental thereto, and to amend the *Homes Act 1935*.

[23 September 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—(1) This Act may be cited as the *Housing Agreement Act 1966*. Short title and citation.

(2) The *Housing Agreement Act 1956*, as subsequently amended, is in this Act referred to as the Principal Act.

2 In this Act—

“Board” means the Board of Management of the Agricultural Bank of Tasmania;
 “Director” means the Director of Housing.

Interpretation.

3 The execution, by or on behalf of the State, of an agreement between the Commonwealth and the States or any of them substantially in accordance with the form contained in the schedule is authorized. Execution of agreement authorized.

4—(1) Subject to subsection (2) of this section, the Treasurer may borrow from the Commonwealth, for the purposes of this Act and of the agreement executed in pursuance of this Act, such sums of money (not exceeding, in the aggregate, the sum of forty-five million dollars) as may be necessary for the purpose of carrying out the agreement on the part of the State and as may be made available to the State by the Commonwealth in accordance with the agreement. Power of the Treasurer in relation to carrying out the agreement.

(2) Of the sums borrowed by the Treasurer under the authority of subsection (1) of this section, the aggregate of the sums so borrowed and used for the purposes of the erection of dwellings by the State shall not, together with any sums borrowed by the Treasurer on behalf of the Director under the authority of section seven of the *Homes Act 1935*, exceed the aggregate sum authorized to be borrowed by the Treasurer on behalf of the Director under that section.

(3) Any moneys that are borrowed by the Treasurer under the authority of this section and are used for the purposes of the erection of dwellings by the State shall be deemed to be moneys that are borrowed on behalf of the Director under the authority of section seven of the *Homes Act 1935*, and shall be applied accordingly.

(4) The Treasurer may, for the purposes of this Act and of the agreement executed in pursuance of this Act—

- (a) cause such accounts to be opened and kept in the books of the Treasury as he may think necessary, and cause to be made, in the books and accounts of the Treasury, such entries and adjustments as he may think necessary; and
- (b) give such directions to the Board and the Director, and do all such other acts and things, as he may think necessary to ensure that the provisions of the agreement executed in pursuance of this Act in relation to the provision and repayment of moneys made available to the State under the agreement are complied with on the part of the State.

Powers of the Board and the Director in relation to carrying out the agreement.

5 Subject to the provisions of the *State Advances Act 1935* and the *Homes Act 1935* and to any directions that may lawfully be given by the Minister, the Board and the Director respectively may do all such acts and things as may be required or necessary for carrying out and giving effect, on the part of the State, to the agreement executed in pursuance of this Act, other than acts and things that, by virtue of this Act or of the agreement referred to in the *Housing Agreement Act 1956* or of the agreement referred to in the *Housing Agreement Act 1961*, are required to be done by the Treasurer.

Consequential and formal amendments of the *Homes Act 1935*.

6—(1) Section three of the *Homes Act 1935* is amended by inserting in the definition of “eligible person” in subsection (1) thereof, after the word “Director”, the words “or the Board”.

(2) Section seven of the *Homes Act 1935* is amended by omitting from subsection (1) thereof the words “seventy-eight million dollars”, “sixty-two million dollars”, and “sixteen million dollars” and substituting therefor respectively the words “one hundred and eighteen million dollars”, “ninety-two million dollars”, and “twenty-six million dollars”.

(3) Section twelve A of the *Homes Act 1935* is amended by omitting from subsection (1) thereof the word “it” and substituting therefor the word “him”.

(4) Section nineteen of the *Homes Act 1935* is amended by omitting from paragraph (g) of subsection (1) thereof the word “Board” and substituting therefor the words “appropriate authority”, and by omitting from that paragraph the word “fourteen” and substituting therefor the word “thirty”.

(5) Section twenty-six of the *Homes Act 1935* is amended by adding at the end of subsection (2) thereof the words “, or of the agreement executed in pursuance of the *Housing Agreement Act 1966*.”.

THE SCHEDULE.

(Section 3.)

AN AGREEMENT made the _____ day of _____ One thousand nine hundred and sixty-_____ between the COMMONWEALTH OF AUSTRALIA (in this agreement called "the Commonwealth") of the one part, THE STATE OF NEW SOUTH WALES of the second part, THE STATE OF VICTORIA of the third part, THE STATE OF QUEENSLAND of the fourth part, THE STATE OF SOUTH AUSTRALIA of the fifth part, THE STATE OF WESTERN AUSTRALIA of the sixth part and THE STATE OF TASMANIA of the seventh part and intended to be supplemental to the agreement referred to in this agreement as the 1956-1961 Agreement.

WHEREAS—

- (a) by an agreement (in this agreement called "the 1956 Agreement") dated the thirteenth day of February, 1957, between the Commonwealth and the States of New South Wales, Victoria, Queensland, South Australia, Western Australia and Tasmania and authorized or approved by the Parliaments of the Commonwealth and of the States, provision was made for the grant by the Commonwealth of financial assistance to the States for housing upon the terms and conditions set out in that agreement;
- (b) by an agreement (in this agreement called "the 1961 Agreement") dated the fourth day of October, 1961, and supplemental to the 1956 Agreement, the 1956 Agreement was amended and provision was made for the grant by the Commonwealth to the States of further financial assistance for housing upon the terms and conditions of the 1956 Agreement as so amended;
- (c) the Commonwealth has proposed to the States that the 1956 agreement as so amended (in this agreement called "the 1956-1961 Agreement") be further amended and that the Commonwealth will grant further financial assistance to the States upon the terms and conditions set out in the 1956-1961 Agreement as so amended; and
- (d) the Parliament of the Commonwealth has authorized the execution by or on behalf of the Commonwealth of this agreement:

NOW IT IS HEREBY AGREED as follows:—

1.—(1.) This agreement shall come into force in respect of the Commonwealth and a State upon its execution by or on behalf of the Commonwealth and— Operation of agreement.

- (a) if the execution by or on behalf of the State is authorized by the Parliament of the State—its execution by or on behalf of the State; or
- (b) if it is executed by or on behalf of the State without the authority of the Parliament of the State—its approval by the Parliament of the State.

(2.) Notwithstanding that all of the States of New South Wales, Victoria, Queensland, South Australia, Western Australia and Tasmania are named as parties to this agreement, this agreement shall operate as an agreement between the Commonwealth and a State or the States in respect of which it has come into force as fully and effectually as if that State or those States were the only State or States named as parties to the agreement.

(3.) Where in the 1956-1961 Agreement the word "State" or the expression "the States" means a State or the States in respect of which that agreement is in force, that word and that expression shall,

for the purposes of the operation of the 1956-1961 Agreement as amended by this agreement, mean respectively a State or the States in respect of which this agreement has come into force.

Interpre-
tation.

2. Sub-clause (1.) of clause 3 of the 1956-1961 Agreement is amended as follows:—

(a) by omitting from paragraph (i) of the definition of “member of the Forces” the word “or” (last occurring); and

(b) by inserting immediately after paragraph (i) of that definition the following paragraph:—

“(ia) is a member of the Forces for the purposes of the *Repatriation (Special Overseas Services) Act 1962-1965*, as amended from time to time; or”.

Advances
to States.

3. Clause 5 of the 1956-1961 Agreement is amended by inserting in sub-clause (1.), immediately after the word “respectively” that was inserted by the 1961 agreement, the words and figures—

“and during the financial years commencing on the first day of July in the years 1966, 1967, 1968, 1969 and 1970, respectively.”.

Allocation of
advances.

4. Clause 6 of the 1956-1961 Agreement is amended by adding at the end thereof the following sub-clause:—

“(5.) During each of the financial years commencing on the first day of July in the years 1966, 1967, 1968, 1969 and 1970, respectively, each State shall allocate for the provision of finance for home builders not less than thirty per centum of the total advances made to the State under clause 5 of this agreement in that financial year.”.

Funds for
Service
Dwellings.

5. Clause 7 of the 1956-1961 Agreement as set out in sub-clause (3.) of clause 2 of the 1961 Agreement shall, in respect of the financial years commencing on the first day of July in the years 1966, 1967, 1968, 1969 and 1970, be substituted for and shall apply in lieu of clause 7 of the 1956 Agreement.

Interest.

6. Clause 9 of the 1956-1961 Agreement is amended by inserting in sub-clause (3A.), immediately after the word “respectively”, the words and figures—

“and during the financial years commencing on the first day of July in the years 1966, 1967, 1968, 1969 and 1970, respectively.”.

Erection of
dwellings.

7. Clause 11 of the 1956-1961 Agreement is amended by omitting therefrom sub-clause (2.).

Dwellings
for serving
members of
the Forces.

8. Clause 13 of the 1956-1961 Agreement is amended by omitting sub-clause (2.) and inserting in its place the following sub-clause:—

“(2.) Dwellings that are to be erected by the State pursuant to this clause and are commenced after the thirtieth day of June, 1966, may, at the request of the Minister and with the concurrence of the appropriate Minister of the State, be of a size and standard that accord with, but do not exceed, the scales and standards for the time being set out in the Services’ Scales and Standards of Accommodation for the time being issued under the authority of the Department of Defence of the Commonwealth.”.

Home
Builders’
Account.

9. Clause 16 of the 1956-1961 Agreement is amended as follows:—

(a) by omitting from sub-clause (3.) the words “the next succeeding sub-clause” and inserting in their place the words “the succeeding provisions of this clause”;

(b) by inserting after sub-clause (3.) the following sub-clause:—

“(3AA.) Portion of the moneys available in the Home Builders’ Account may, if the Minister at the request of the appropriate Minister of the State so

approves, be allocated by the State for loans to a Government lending institution of the State approved by the Minister, for the provision by the institution of finance to home builders in rural areas of the State and the State may use that portion for the provision of finance for home builders in those areas by loans to the approved institution subject to and in accordance with such terms and conditions as are from time to time agreed between the Minister and the appropriate Minister of the State.”;

- (c) by inserting in sub-clause (3A.) immediately after the word “allocation” (first occurring) the words “other than an allocation to which sub-clause (3AA.) applies”;
- (d) by omitting from sub-clause (3B) the words “under the last preceding sub-clause”, and inserting in their place the words “for the purposes of either of the last two preceding sub-clauses”;
- (e) by omitting from paragraph (c) of sub-clause (3B.) the word “and” (second occurring); and
- (f) by inserting in sub-clause (3B.) immediately after paragraph (c) the following paragraph:—

“(ca) the needs of home builders in rural areas of the State in which there are no building societies operating and in which it would be difficult to form a building society and administer it efficiently; and”.

10. Where, before this agreement has come into force in respect of a State, the Commonwealth has, in pursuance of section 5 of the *Housing Agreement Act 1966*, made an advance to the State, the advance shall be deemed to have been made under the 1956-1961 Agreement as amended by this agreement and the 1956-1961 Agreement as so amended shall apply, and shall be deemed at all times to have applied, to and with respect to the advance.

Advances made before coming into force of Agreement.

11. The 1956-1961 Agreement as amended by this agreement shall be known as “the 1956-1966 Housing Agreement”.

Reference to amended Agreement.

IN WITNESS WHEREOF, &c.

COMPANIES.

No. 28 of 1966.

AN ACT to amend the *Companies Act 1962*.

[19 October 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—(1) This Act may be cited as the *Companies Act 1966*.

(2) The *Companies Act 1962*, as subsequently amended, is in this Act referred to as the Principal Act.

(3) Paragraph (b) of section six, and sections seventeen, eighteen, thirty-four, thirty-five, forty-four, forty-six, and forty-seven, of this Act shall be deemed to have commenced on the date of the commencement of the Principal Act.

Short title, citation, and commencement.