



HOBART GAS COMPANY

No. 6 of 1977

ANALYSIS

- | | |
|--|---|
| <ol style="list-style-type: none"> 1. Short title. 2. Interpretation. 3. Authorization of Agreement with Company. 4. Assistance to domestic users of equipment in cases of hardship. | <ol style="list-style-type: none"> 5. Costs to be met from the Consolidated Revenue. 6. Assistance to industrial users of equipment where cost of supply changeover is substantial. |
|--|---|



AN ACT to authorize an agreement with respect to the cessation of the supply of reticulated gas by the Hobart Gas Company and to provide for the alleviation of hardship in consequence of that cessation.

[28 April 1977]

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 *Hobart Gas Company Act 1977*. Short title.

Interpretation.

2 In this Act—

“Agreement ” means the agreement entered into in accordance with this Act;

“ Company ” means the Hobart Gas Company being the company governed by the provisions of the *Hobart Town Gas Company's Act 1854* and the *Hobart Town Gas Company's Act 1857*.

Authorization of Agreement with Company.

3—(1) The execution of an agreement in accordance with, or substantially in accordance with, the form of agreement set out in the Schedule is hereby authorized.

(2) Subject to this Act, the Treasurer may do such things as are necessary to discharge the obligations of the Government of the State under the Agreement and may, on such terms and conditions as he determines, advance to the Company money that he is satisfied will become due to be paid to the Company under the Agreement.

Assistance to domestic users of equipment in cases of hardship.

4 On the application of a person who uses or used reticulated gas for domestic purposes the Treasurer may, if he is satisfied that the conversion or replacement of equipment that is undertaken after 30th April 1977 and is due to the cessation of the supply of reticulated gas by the Company will cause or has caused personal hardship to that person, make him a grant of such an amount of money as the Treasurer considers sufficient to alleviate that hardship.

Costs to be met from the Consolidated Revenue.

5 Such payments as are made to the Company in the course of the carrying out of the Agreement or by way of grants under section 4 shall be made from the Consolidated Revenue which, to the necessary extent, is appropriated accordingly.

Assistance to industrial users of equipment where cost of supply changeover is substantial.

6—(1) Where, after 30th April 1977, a person who uses or used reticulated gas, otherwise than for domestic purposes, converts or replaces equipment because of the cessation of the supply of reticulated gas by the Company and the cost of that conversion or replacement exceeds \$1 000 and is, in the opinion of the Director of Industrial Development, substantial in the circumstances, the *Industrial Development Act 1954* applies in respect of that conversion or replacement in like manner as if it were the establishment of a new industry within the meaning of that Act.

(2) Where a loan is made under this section, any documents being, or by way of, security for the loan shall be exempt from stamp duty and registration fees.

SCHEDULE

(Section 3 (1))

AN AGREEMENT made the _____ day of _____ 1977
BETWEEN THE HONOURABLE WILLIAM ARTHUR NEILSON being and as the
Premier and Treasurer of the State of Tasmania (hereinafter called "the
Minister" which expression shall include his successors in Office) of the
one part and THE HOBART GAS COMPANY a Company incorporated in Tas-
mania and governed by the provisions of the Hobart Town Gas Company's
Acts of 1854 and 1857 and having its registered office at No. 10 Macquarie
Street Hobart in Tasmania (hereinafter called "the Company") of the other
part WHEREAS the Company has determined that it is no longer able to
continue the supply of reticulated gas and that it will cease such supply on
the 30th day of April 1977 AND WHEREAS the Company has now agreed
with the Minister to continue such supply beyond the 30th day of April 1977
upon the receipt of a Government subsidy upon the terms and conditions
hereinafter provided NOW IT IS HEREBY AGREED as follows:—

1.—

- (a) The Government of Tasmania will meet losses sustained by the Company from the 1st day of May 1977 until the 30th day of April 1978 or until the phasing out of reticulated gas whichever is the earlier. In the event of the phasing out of reticulated gas not having been accomplished by the 30th day of April 1978 the subsidising of losses will be extended for such further period as the Minister may determine;
 - (b) The losses referred to above shall be deemed to include any expenditure approved by the Minister incurred in the carrying out (whether before or after the 1st day of May 1977) of any survey that he agrees can reasonably be regarded as part of the phasing out of the supply of reticulated gas by the Company;
2. The losses referred to in Clause 1 are to be construed as operating losses in respect of the reticulated gas operations of the Company (including phasing out operations) but do not include any losses or expenses in relation to the sale of, writing down or depreciation of any property plant or other assets provided also that any profits derived from the other activities of the Company during the period when the Government subsidy is payable will be offset against the losses on reticulated gas operations before calculating the amount to be recouped by the Government;
 3. The company will supply half yearly statements of profit and loss based on historical accounting principles and audited by the Company's auditors to the Minister and upon approval by the Minister of the statements submitted the Government will pay an amount equivalent to the operating loss in respect of reticulated gas operations disclosed therein and calculated in accordance with this agreement;

4. The Company will make every endeavour to avoid increases in operating costs. If the Company incurs any item of expenditure after the 30th day of April 1977 including payments for Long Service Leave and Recreation Leave which would have been incurred prior to that date if the Company had ceased operations on the 30th day of April 1977 then that expenditure will not be considered to be part of the Company's losses in respect of reticulated gas operations for the purposes of calculating the subsidy payable by the Government;
5. The company will not incur further capital expenditure in excess of \$10,000 in any one year during the period of subsidy without the consent of the Minister;
6. The Company will carry out the withdrawal of town gas and the closure of relevant plant as expeditiously as possible consistent with an orderly change-over to other forms of energy by existing domestic and commercial users;
7. The basis on which the Company charges existing domestic and commercial users for the conversion of appliances and facilities to the use of L.P. gas will be subject to the approval of the Minister;
8. The Company will supply the Minister with such information as he may reasonably request in relation to the closure operation and in regard to the accounts of the Company during the period of subsidisation of losses;
9. The Company, during the period of subsidisation of losses will not vary its present charges for the supply of gas and will not engage additional staff without the prior approval of the Minister.

As WITNESS the hands of the parties the day and year first above written.

SIGNED by THE HONOURABLE WILLIAM
ARTHUR NEILSON in the presence
of:—

EXECUTED by THE HOBART GAS COMPANY
by being SIGNED SEALED and DELIVERED
by each of its Directors in the presence
of:—

APPLE AND PEAR MARKETING ACT 1977

ANALYSIS

PART I—PRELIMINARY

1. Short title.
2. Interpretation.

PART II—THE TASMANIAN APPLE AND PEAR MARKETING AUTHORITY

Division I—Establishment and proceedings of the Tasmanian Apple and Pear Marketing Authority

3. Establishment of the Tasmanian Apple and Pear Marketing Authority.
4. Term of office and removal of members of the Authority.
5. Deputies of members.
6. Proceedings of the Authority.
7. Appointment of secretary and officers.

Division II—Functions and powers of the Authority

8. Principal functions and powers of the Authority.
9. General powers as to fruit.
10. Performance of functions by agents on behalf of the Authority.

Division III—Vesting of fruit in the Authority: Rights of payment

11. Vesting of fruit in the Authority.
12. Person having right to payment under encumbrance required to give notice.

13. Payment for fruit vested in the Authority.

Division IV—Financial provisions relating to marketing fruit in the United Kingdom

14. Interpretation.
15. Advances by the Treasurer.
16. Power of Authority to borrow by way of overdraft: Guarantees by Treasurer.
17. Guarantees by the Authority.
18. Repayment of accommodation advances.

Division V—General provisions relating to the Authority

19. Keeping and audit of accounts.
20. Reports of activities and accounts to be made to Minister and tabled by him.

Division VI—Dissolution of the Authority

21. Dissolution of the Authority.

PART III—MISCELLANEOUS

22. Indemnity.
23. Vesting of fruit accepted for shipment before the commencement of this Act.
24. Regulations.

