

NURSES' REGISTRATION.

No. 3 of 1958.

AN ACT to amend the *Nurses' Registration Act 1952.* [26 June 1958.]

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 *Nurses' Registration Act 1958.* Short title and citation.

(2) The *Nurses' Registration Act 1952*, as subsequently amended, is in this Act referred to as the Principal Act.

2 Section eleven of the Principal Act is amended—

- (a) by omitting from sub-paragraph (i) of paragraph (a) of subsection (1) the word “four” and substituting therefor the word “three”, and by omitting from that sub-paragraph the word “three” and substituting therefor the word “two”, and by omitting from that sub-paragraph the words “and eight months”; and
- (b) by inserting in sub-paragraph (iii) of that paragraph, after the word “hospital”, the words “or psychiatric hospital”.
- Qualifications for registration.

INFLAMMABLE LIQUIDS.

No. 4 of 1958.

AN ACT to amend the *Inflammable Liquids Act 1929.* [26 June 1958.]

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 *Inflammable Liquids Act 1958.* Short title, citation, and commencement.

(2) The *Inflammable Liquids Act 1929*, as subsequently amended, is in this Act referred to as the Principal Act.

(3) This Act shall commence on a date to be fixed by proclamation.

Interpreta-
tion.

2 Section three of the Principal Act is amended —

(a) by omitting from subsection (1) the definition of “Inflammable liquid” and substituting therefor the following definition:—

“ ‘Inflammable liquid’ means any liquid (not being a liquid ordinarily intended for human consumption) which is combustible or the vapour of which is combustible;”

(b) by inserting in the definition of “Inspector” in that subsection, after the figures “1916”, the words “, and any person having the powers of an inspector under that Act”;

(c) by inserting in that subsection, after the definition of “Inspector”, the following definitions:—

“ ‘Manufacture’, used in relation to a liquid or commodity, includes the carrying out on any premises of any process with a view to the production on those premises, by that process or by that process in conjunction with other processes, of the liquid or commodity, and, without prejudice to the generality of the foregoing provisions of this definition, includes the production of the liquid or commodity by any process of separation, distillation, refining, remaking, or reconditioning, and the breaking up or sorting out of the commodity:

“ ‘Marine authority’ means a marine board or harbour trust exercising jurisdiction under the *Marine Act 1921*;”

(d) by omitting from that subsection the definitions of “Mineral oil” and “Mineral spirit”; and

(e) by omitting subsection (2).

3 After section three of the Principal Act the following section is inserted:—

“3A This Act binds the Crown.”

Crown bound
by Act.

Power to
Governor to
extend appli-
cation of Act.

4 Section four of the Principal Act is amended by omitting from subsection (1) the words “any liquid to be an inflammable liquid, or”, the words “liquid or”, and the words “, as the case may be”.

5 After section four of the Principal Act the following section is inserted:—

“4A—(1) No person shall manufacture any inflammable liquid or dangerous commodity otherwise than as prescribed by or under this Act.

Manufacture of inflammable liquids and dangerous commodities.

(2) Nothing in this section prohibits the carrying out at any university, college, school, or other educational institution, or at any prescribed institution, of any process or experiment in connection with any research undertaken, or any education, instruction, or training given, at that university, college, school, or institution.”

6 Section five of the Principal Act is amended—

(a) by omitting subsection (2);

(b) by omitting sub-paragraph (a) of paragraph I of subsection (4) and substituting therefor the following sub-paragraph:—

Prohibition of keeping inflammable liquids and dangerous commodities otherwise than under this Act.

“(a) On any premises for any purpose which may be prescribed as a purpose for which that inflammable liquid may be kept, so long as the amount of inflammable liquid, or of inflammable liquid of a prescribed class, kept on the premises for any purpose, does not exceed any maximum amount which may be prescribed in relation to the keeping of inflammable liquid for that purpose:”;

(c) by omitting sub-paragraph (d) of that paragraph and substituting therefor the following sub-paragraph:—

“(d) Otherwise than for the purposes of sale, at any premises, not within a city or a town or a prescribed area, in respect of which the Chief Inspector has given permission in writing for the keeping of inflammable liquid without licence under this Act: or”;

(d) by omitting sub-paragraph (e) of that paragraph;

(e) by omitting sub-paragraph (b) of paragraph II of subsection (4);

(f) by omitting sub-paragraph (b) of paragraph III of that subsection; and

(g) by omitting subsection (5).

7 Section six of the Principal Act is amended—

(a) by omitting from subsection (1) the words “, or may register,”;

(b) by inserting in that subsection, after the words “for the”, the words “manufacture or”;

Licensing of premises for manufacture or keeping of inflammable liquids and dangerous commodities.

(c) by inserting after that subsection the following subsection:—

“(1A) A licence granted under this section may specify the inflammable liquids or dangerous commodities which may be manufactured or kept on the premises, and the maximum quantity of any inflammable liquid or dangerous commodity which may be so kept.”;

(d) by omitting from subsection (2) the word “registration” (first occurring) and substituting therefor the words “a licence under this section”;

(e) by omitting from that subsection the words “for the class of premises or inflammable liquid or dangerous commodity in respect of which registration is desired” and substituting therefor the words “with respect to that application”;

(f) by omitting subsection (3) and substituting therefor the following subsection:—

“(3) A licence under this section in the prescribed form, while in force, entitles the holder thereof, according to the tenor of the licence and subject to this Act, to manufacture on the premises specified in the licence any inflammable liquid or dangerous commodity so specified or to keep on those premises any such inflammable liquid or dangerous commodity in any quantity not exceeding the quantity so specified.”;

(g) by inserting in subsection (4), after the word “licence” (first occurring), the words “and upon payment of the prescribed fee”;

(h) by inserting at the end of that subsection the words “or may transfer the licence”.

Cancellation
of licence,
§c.

8 Section eight of the Principal Act is amended—

(a) by omitting from subsection (1) the words “licence or certificate of registration under this Act” and substituting therefor the words “document of authority”;

(b) by omitting from that subsection the words “licence or certificate” (second occurring) and substituting therefor the word “document”;

(c) by omitting from subsection (2) the words “licence or certificate” and substituting therefor the word “document”;

(d) by adding at the end of the section the following subsection:—

“(3) In this section ‘document of authority’ means any licence under this Act or any written permission granted under this Act.”.

9 Section ten of the Principal Act is repealed.

Determination of flash point.

10 Section twelve of the Principal Act is amended—

Inspection and inspectors.

- (a) by omitting from paragraph I of subsection (1) the words “where he believes inflammable liquid or a dangerous commodity is kept” and substituting therefor the words “, or any vehicle, ship, or boat, for the purpose of ascertaining whether the provisions of this Act are being complied with”; and
- (b) by adding at the end thereof the following subsection:—

“(4) In such cases and for such purposes as may be prescribed, a prescribed officer of a marine authority may exercise the powers conferred on an inspector by this section, and subsections (2) and (3) of this section have effect accordingly in relation to such a prescribed officer as they have effect in relation to an inspector.”.

11 Section thirteen of the Principal Act is amended—

Offences.

- (a) by inserting after paragraph I of subsection (1) the following paragraph:—
- “IA Manufactures any inflammable liquid or dangerous commodity:”;
- (b) by inserting in paragraph II of that subsection after the word “commodity” the words “in a vehicle”;
- (c) by omitting from paragraph III of that subsection the words “ship, or boat,” (first occurring);
- (d) by omitting from that paragraph the words “, vehicle, ship, or boat” (second occurring) and substituting therefor the words “or vehicle”;
- (e) by omitting paragraph IV of subsection (1);
- (f) by inserting in paragraph VI of that subsection, after the word “inspector”, the words “or a prescribed officer of a marine authority”;
- (g) by inserting in paragraph VII of that subsection, after the word “inspector”, the words “or a prescribed officer of a marine authority”;
- (h) by inserting after that subsection the following subsection:—

“(1A) Any person who—

- I Being the owner or master of a ship or boat, causes or permits any inflammable liquid or dangerous commodity to be loaded into or upon, or unloaded from, or conveyed or kept on, that ship or boat in contravention of this Act: or

II Fails to observe any precaution he is required by this Act to observe for the prevention of fire or explosion arising from the loading into or upon, the unloading from, or the conveyance or keeping in or on any ship or boat, of any inflammable liquid or dangerous commodity,
shall be guilty of an offence.

Penalty: Five hundred pounds.”;

- (i) by omitting from subsection (2) the words “certificate of registration” and substituting therefor the words “any other document”; and
- (j) by adding at the end of the section the following subsection:—

“(4) Upon the conviction of a person for an offence under this Act, the court, in addition to any penalty it may impose, may order the defendant to pay such sum as the court may determine—

I In reimbursement of any costs or expenses incurred in the exercise of the powers conferred by paragraph IV of subsection (1) of section twelve in relation to the subject matter of the offence: and

II In compensation for any damage to any wharf within the jurisdiction of a marine authority, or to any work or thing the property of the authority, resulting from the commission of the offence.”.

Evidence.

12 Section fifteen of the Principal Act is amended by omitting from paragraph II of subsection (1) the words “or certificate of registration”.

13 After section fifteen of the Principal Act the following section is inserted:—

Proceedings
by marine
authorities.

“15A—(1) In such cases as may be prescribed, a marine authority may take proceedings in respect of any offence alleged to have been committed under this Act.

(2) Notwithstanding anything in section one hundred and thirty-two of the *Justices Procedure Act 1919*, any penalty imposed in any proceedings taken by a marine authority under this section shall be paid to that authority, and any such penalty and any other sum paid to or recovered by a marine authority under this Act shall be deemed to form part of the revenue of the authority.”.

14 Section sixteen of the Principal Act is amended—

Regulations.

- (a) by omitting from paragraph I of subsection (1) the words "registration of premises," and the words "registration or";
- (b) by inserting in that paragraph, after the word "the" (third occurring), the words "alteration or";
- (c) by omitting paragraph II of that subsection and substituting therefor the following paragraphs:—

" II The fees to be paid in respect of applications for licences to manufacture, and licences to keep, inflammable liquid or dangerous commodities, and for alterations to, or transfers of, such licences, with power to discriminate in respect of the nature of the inflammable liquid or dangerous commodity manufactured or kept, or to be manufactured or kept, under such a licence, and in respect of the quantity of the inflammable liquid or dangerous commodity kept or to be kept under such a licence or the number of containers or storing places used or to be used thereunder :

" IIA The fees to be paid in respect of any approval, permission, certificate, inspection, or test required or authorized under this Act:":

- (d) by inserting in paragraph III of that subsection, after the word "the" (third occurring), the word "manufacture,";
- (e) by omitting from paragraph V of that subsection the words "for the several classes of stores or containers respectively, according to class or capacity for" and substituting therefor the words "in the construction or erection of any building, structure, or container used or to be used for the manufacture,";
- (f) by omitting from that paragraph the word "stores" (second occurring) and substituting therefor the words "buildings, structures,";
- (g) by adding at the end of that paragraph the words "or structures";
- (h) by omitting the word "and" at the end of paragraph VII of that subsection and adding after that paragraph the following paragraph:—

" VIIA The places at which, and the conditions under which, any inflammable liquid or dangerous commodity may be imported into the State: and "; and

(j) by omitting subsection (2) and substituting therefor the following subsection:—

“(2) Any such regulations may—

- I Make different provision with respect to different inflammable liquids or dangerous commodities or with respect to different classes of inflammable liquids or dangerous commodities and prescribe the method by which it is to be ascertained into which of any such classes any inflammable liquid or dangerous commodity falls:
- II Confer powers and rights, and may impose duties and obligations, on a marine authority or a prescribed officer thereof: and
- III Impose penalties not exceeding fifty pounds, either generally or in particular cases, for the breach of any such regulations.”.

Consequential amendment.

15 The schedule to the Principal Act is repealed.

TUBERCULOSIS.

No. 5 of 1958.

AN ACT to amend the *Tuberculosis Act 1949*.
[26 June 1958.]

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:—

Short title and citation.

1—(1) This Act may be cited as the *Tuberculosis Act 1958*.

(2) The *Tuberculosis Act 1949*, as subsequently amended, is in this Act referred to as the Principal Act.