

that effect is carried at any meeting of the council specially convened for the purpose of taking the conduct or position of that member or auditor into consideration, the council shall as soon as conveniently may be thereafter call a special general meeting of the members to consider and determine upon the propriety of removing that member or auditor from his office, and he may be removed if that general meeting shall so determine.

## Offences.

50. A member who—

(a) disobeys the ruling of the chairman of a general meeting of the Society; or

(b) is guilty of a breach of these by-laws not especially provided for,

shall pay a fine not exceeding forty shillings to be imposed by the chairman or the council, as the case requires.

## Mitigation of penalties.

51. The council may remit or reduce any fine or penalty imposed under by-law 50.

## PART VIII—MISCELLANEOUS.

## Notice before amendment, &amp;c., of by-laws.

52. Notices of any motion for the repeal or alteration of any by-law or the enactment of any new by-law, whether originating with the council or otherwise, shall be sent to each member at least fifteen days before the day of the meeting.

## THE SCHEDULE.

(By-law 21.)

*Form of proxy.*

I, A.B. of &c., appoint C.D. of &c., to vote and act on my behalf at the meeting of the Law Society of Tasmania to be held on the day of 19 , and every adjournment thereof.

A.B.

## LEGAL ASSISTANCE.

No. 28 of 1962.

AN ACT to make provision with respect to the granting of legal assistance to persons of limited means and matters incidental thereto.

[1 October 1962.]

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 commencement.

1—(1) This Act may be cited as the *Legal Assistance Act 1962*.

(2) This Act shall commence on the same day as the *Law Society Act 1962*.

**2** The *Legal Assistance Act 1954* is repealed.

Repeal.

**3**—(1) In this Act, unless the contrary intention appears—  
 “approved scheme” means a scheme that was approved under section three of the *Legal Assistance Act 1954*;

Interpretation.  
 No. 51 of 1954, s. 2.

“assisted person” means a person who is granted legal assistance under an approved scheme;

“court” includes—

- (a) the Supreme Court;
- (b) a court of requests and a court of general sessions appointed or established under the *Local Courts Act 1896*;
- (c) a warden’s court constituted under the *Mining Act 1929*;
- (d) a court of summary jurisdiction; and
- (e) any other court or tribunal, and any judge, commissioner of courts of requests, police magistrate, justice, coroner, or other person, exercising judicial powers;

“legal practitioner” includes a barrister;

“Society” means the Law Society of Tasmania.

(2) In construing the approved schemes a reference to a former society shall be read as a reference to the Society and each shall continue to apply to the district of the former law society that submitted it.

**4** The Society shall establish committees to administer the approved schemes, and until it has done so, the committees administering them immediately before the commencement of this Act shall be deemed to have been established by the Society for the purpose.

Committees to administer schemes.  
*Cf. ibid.*, s. 3.

**5**—(1) Upon receipt of a certificate signed by an authorized officer stating that a person named in the certificate has been granted legal assistance under an approved scheme, the Attorney-General may, by order in writing, direct that all fees, or any specified fees, payable to the State or to any officer of the State in respect of any act, matter, or transaction arising in the course of, or in respect of any copies of documents supplied by an officer of the State for the purposes of, any legal professional work carried out on behalf of that person under the scheme be remitted.

Remission of fees.  
*Ibid.*, s. 4.

(2) The mere production of an order under this section to any officer of the State who is required or authorized by law to collect fees payable under any law of the State is sufficient authority to that officer to remit the fees to which the order relates.

(3) An order under this section has effect according to its tenor and prevails over any enactment, regulation, rule, by-law, order, or proclamation that is inconsistent therewith.

(4) In this section—

“authorized officer” means any officer or servant of the Society who is authorized by a committee established by the Society to administer an approved scheme to sign certificates under this section; “fees” includes stamp duties.

Powers of courts as to costs.  
*Ibid.*, s. 5.

6—A court may make in favour of an assisted person any such order for costs (except against another assisted person) as that court has power to make in favour of a person who is not an assisted person, notwithstanding that no amount is or will be payable by the assisted person or that the costs so ordered are in excess of the amount that is or will be payable by the assisted person.

Subsidies.  
*Ibid.*, s. 6.

7—(1) The Attorney-General may pay to the committees established by the Society to administer an approved scheme, a subsidy of such amount as he may determine towards defraying the costs of administering the scheme.

(2) All payments made by the Attorney-General under this section shall be made out of moneys to be provided by Parliament for the purpose.

Annual report.  
*Ibid.*, s. 7.

8—(1) The Society shall, not later than the thirtieth day of September in each year, submit to the Attorney-General a report by each committee on the operation of the approved schemes during the year ended on the preceding thirtieth day of June.

(2) A report under this section shall be accompanied by an audited statement of the receipt and expenditure of moneys in relation to the respective schemes during the period to which the report relates.

This Act to prevail over certain enactments, &c.  
*Ibid.*, s. 8.

9 Notwithstanding anything in the *Matrimonial Causes Act* 1860 or in the *Supreme Court Civil Procedure Act* 1932 or in any rules of court made thereunder, the provisions of this Act prevail over the provisions of those Acts and rules in respect of any proceedings that are subject to either of those Acts, and any legal assistance granted to any person shall be granted under the approved scheme for the Division of the State in which he resides and not otherwise.

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## LEGAL PRACTITIONERS.

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No. 29 of 1962.

AN ACT to amend the *Legal Practitioners Act* 1959.  
[1 October 1962.]

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, citation, and commencement.

1—(1) This Act may be cited as the *Legal Practitioners Act* 1962.