

(2) The *Sorell Railway Station Site Vesting Act 1929** is in this Act referred to as the Principal Act.

2 Section two of the Principal Act is amended by omitting subsection (2) and substituting therefor the following subsection:—

Vesting
of land
described
in the
schedule.

“(2) The Warden Councillors and Electors of the Municipality of Sorell may sell the land referred to in subsection (1) of this section and may use the proceeds of such sale for the provision of recreational facilities for the residents of the said municipality.”.

* 20 Geo. V. No. 73.

LANDLORD AND TENANT (TEMPORARY PROVISIONS).

No. 28 of 1948.

AN ACT to make provision for the continuation for a limited period of the operation, in relation to this State, of the provisions of certain Commonwealth Regulations, and for matters incidental thereto.

[23 July, 1948.]

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 *Landlord and Tenant (Temporary Provisions) Act 1948*.

Short title
and com-
mencement.

(2) This Act shall commence on a day to be fixed by proclamation (in this Act referred to as “the commencing day”).

(3) Any day fixed in pursuance of subsection (2) of this section may be a day either before or after the date of the proclamation fixing that day.

Intpre-
tation.

2—(1) In this Act, unless the contrary intention appears, “the Commonwealth Regulations” means the National Security (Landlord and Tenant) Regulations* of the Commonwealth in the form in which those Regulations exist immediately prior to the commencing day, and any reference to the Commonwealth Regulations shall be read as a reference to any part of those Regulations.

(2) For the purposes of this Act, in the Commonwealth Regulations, as in operation by virtue of section three of this Act—

- (a) any reference to the Commonwealth Rent Controller shall be read as a reference to the Rent Controller appointed under section eight of this Act;
- (b) any reference to the Crown Solicitor, the Assistant Crown Solicitor, or Deputy Crown Solicitor shall be read as a reference to the Solicitor-General of this State, and any reference to any other officer shall be read as a reference to the corresponding officer appointed under section nine of this Act;
- (c) any reference to the Minister or the Attorney-General shall be read as a reference to the Attorney-General of this State;
- (d) any reference to a magistrate, or to a stipendiary or special magistrate, shall be read as a reference to a police magistrate;
- (e) any reference to the *Gazette* shall be read as a reference to the Tasmanian Government Gazette; and
- (f) any reference to the Commonwealth shall be read as a reference to this State.

(3) Any reference in this Act to the Commonwealth Regulations, as in operation by virtue of section three of this Act, shall, if any regulations have been made by the Governor under the authority of section eleven of this Act, be read as a reference to the Commonwealth Regulations as amended from time to time by the regulations so made by the Governor.

Operation
of certain
Common-
wealth
Regulations.

3 On and after the commencing day, the Commonwealth Regulations (other than sub-regulation (1) of regulation 11, and sub-regulations (2) and (3) of regulation 62B) in the form in which they existed immediately prior to that day, shall, subject to this Act, be, and be deemed to have been, in operation, as from the respective dates of their commencement as Commonwealth Regulations as if this Act had commenced before any such date and as if they were regulations lawfully made under this Act.

Saving and
transitory
provisions.

4—(1) All determinations of fair rents made under the Commonwealth Regulations by the Commonwealth Rent Controller or by Fair Rents Board, and all orders made by the

* Being regulations having that title as in force under the *Defence (Transitional Provisions) Act 1946-47*, as amended by S.R. 1947 No. 31 and 1948 No. 22 (made under the said Act).

Minister under those Regulations, and all delegations, authorisations, requirements, notices, rules, certificates, summonses, and other instruments which were made, given, or issued under those Regulations, which were in force or subsisting thereunder immediately prior to the commencing day, shall, subject to this Act, be in full force and effect so far as they operate or purport to operate in or in relation to this State or to any premises in this State, but may be revoked or amended under the Commonwealth Regulations, as in operation by virtue of section three of this Act.

(2) All applications to, and other proceedings before, the Commonwealth Rent Controller under the Commonwealth Regulations which were pending at the commencing day, may be continued before, and may be determined by, the Controller appointed under section eight of this Act, and any pending application to the Commonwealth Rent Controller for a determination shall be deemed to be an application to the Controller appointed under the said section for a determination under the provisions of the Commonwealth Regulations, as in operation by virtue of section three of this Act.

5 Any person who contravenes or fails to comply with any provision of the Commonwealth Regulations, as in operation by virtue of section three of this Act, shall be guilty of an offence against this Act. Offences.

Penalty: One hundred pounds or six months' imprisonment, or both.

6 Where a person convicted of an offence against this Act is a body corporate, every person who, at the time of the commission of the offence, was a director or officer of the body corporate shall be deemed to be guilty of the offence, unless he proves that the offence was committed without his knowledge, or that he used all due diligence to prevent the commission of the offence. Offences by corporations.

7—(1) When any person is convicted of an offence against this Act, the court before which he is convicted may, either in addition to or in lieu of any punishment provided for the offence, require him to enter into recognizances, with or without sureties, to comply with the provisions of the Commonwealth Regulations, as in operation by virtue of section three of this Act, in relation to which the offence was committed. Power to order recognizance.

(2) If any person fails to comply with an order of the court requiring him to enter into a recognizance, the court may order him to be imprisoned for any term not exceeding six months.

8—(1) For the purposes of this Act there shall be a Rent Controller who shall be appointed by the Governor. Appointment of Rent Controller.

(2) The Controller shall hold office for such time, on such conditions, and with such remuneration, as the Governor directs.

(3) The Controller shall not, as such, be subject to the provisions of the *Public Service Act 1923*, but if any officer of the Public Service is appointed as the Controller he shall retain all his existing and accruing rights as if his service as Controller were service as an officer of the Public Service.

Appointment
of officers.

9—(1) The Governor may appoint such officers, inspectors, and other employees as he considers necessary for the administration of this Act.

(2) No officer, inspector, or employee appointed under the authority of this section shall be subject to the provisions of the *Public Service Act 1923*.

Expenses of
administration.

10 All expenses incurred in the administration of this Act shall be defrayed out of moneys to be provided by Parliament for the purpose.

Regulations.

11 The Governor may, for the purposes of this Act, make regulations—

- (a) for or in respect of any matters or class of matters dealt with in the Commonwealth Regulations; and
- (b) repealing or amending the Commonwealth Regulations, as in operation by virtue of section three of this Act.

Duration
of Act.

12 This Act shall expire on the thirty-first day of December, 1948.

RAILWAY MANAGEMENT.

No. 29 of 1948.

AN ACT to amend the *Railway Management Act 1935*. [23 July, 1948.]

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 *Railway Management Act 1948*.

(2) The *Railway Management Act 1935**, as subsequently amended, is in this Act referred to as the Principal Act.

* 26 Geo. V. No. 70. For this Act, as amended to 1936, see Reprint of Statutes, Vol. VI., p. 344. Subsequently amended by 2 & 3 Geo. VI. No. 70, 8 & 9 Geo. VI. No. 60, and 10 Geo. VI. No. 12.