



1942.

ANNO SEXTO

GEORGI VI. REGIS.

No. 52.

ANALYSIS.

- 1. Short title.
- 2. Amendment of 4 and 5 Geo. VI. No. 91.
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AN ACT to amend the *Launceston Corporation Act* 1941. [16 November, 1942.]

A.D. 1942 —

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 *Launceston Corporation Act* Short titl. 1942.

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A.D. 1942. **2** The Principal Act is hereby amended—

Amendment
of 4 & 5 Geo.
VI. No. 91.
Section 8.

I. By deleting the words “so long as the same remain the property of the corporation” in paragraph III. of section eight and substituting therefor the words “and occupied or used by the corporation as public recreation grounds or for any public utility”:

Section 175.

II. By inserting at the end of section one hundred and seventy-five thereof the following new subsection (3)—

“(3) No person shall—

I. Do, or in relation to any land of which he is the owner, permit to be done, any act or thing in contravention of any of the provisions: or

II. Fail to comply with any requirements— of Division VI. of this Part.

Penalty: Fifty pounds, and a daily penalty of five pounds.”:

Section 177.

III. As to section one hundred and seventy-seven thereof—

(a) By inserting at the end of subsection (7) (in alignment with the commencement) the words “and the Recorder of Titles or the Registrar of Deeds as the case may be may refuse to accept any plan to which in his opinion the provisions of this section apply unless the same is sealed as aforesaid or unless the council has certified that its approval is not required.”:

(b) By adding after subsection (10) the following new subsection (11)—

“(11) No person shall, without the written consent of the council first obtained, reduce the frontage, depth, or area of any allotment of land within the city.”:

New section
177A.

IV. By inserting after the section last cited the following new section one hundred and seventy-seven A—

Saving of
certain
transactions.

“**177A**—(1) Nothing in the foregoing provisions of this Part shall prevent the sale of any land if the council is satisfied that—

I. Such sale will not so affect any allotment on which an existing or proposed dwelling is placed, or to be placed, that it will not

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comply with the requirements of subsection (1) of section one hundred and seventy-seven: or A.D. 1942.

- II. Subject to the requirements of paragraph I. hereof, the land is to be sold for the purposes of business only and not to be dwelt upon—

or that the allotment was defined and delineated as such on a subdivision plan registered prior to the nineteenth day of February, one thousand nine hundred and forty-one, under the *Real Property Act 1862* or the *Registration of Deeds Act 1935*, and if in any case the written consent of the council is first obtained.

(2) No contract or agreement to sell, let, or otherwise dispose of any land shall be illegal or void by reason only that an application in respect of any proposed subdivision or private street has not received the approval of the council, but every such contract shall be deemed to be subject to such approval being given, if required, by this Part.

(3) No instrument of title, or instrument evidencing or affecting the title, to any land shall be invalid by reason only of non-compliance with any of the foregoing provisions of this Part.”:

- V. By deleting the words “by a municipal inspector” to “the *Public Health Act 1935*” in subsection (3) of section two hundred and fifty-two and substituting therefor the words “by a meat inspector approved by the Director of Public Health”: Section 252.
- VI. As to section three hundred and forty-six by adding at the end thereof the following subsection (7)— Section 346.
 “In all prosecutions for infringement of corporation by-laws the corporation shall not engage counsel unless the defendant is represented by counsel.”:
- VII. By expunging paragraph VII. of subsection (1) of section two hundred and fifty-seven thereof: Section 257.
- VIII. By inserting after subsection (1) of section two hundred and fifty-seven thereof the following new subsection (1A)—
- “(1A) The imposition of fees under subsection (1) hereof shall be subject to the following provisions—
- I. No inspection fees shall be charged in respect of meat brought into the abattoir district:

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Sixth
schedule.

- II. The fees imposed under paragraphs I. and III. thereof shall be based on the actual cost of providing the services in respect of which they are imposed: and
- III. The fees to be imposed in respect of the yarding of animals at the abattoir shall not exceed—
- (a) One shilling for each head of cattle:
 - (b) Sixpence for each calf: or
 - (c) One penny for each sheep.”.