

TASMANIA



1942.

ANNO SEXTO

GEORGII VI. REGIS.

No. 69.

ANALYSIS.

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AN ACT to amend the *Launceston Corporation Act 1941*. A.D. 1942.
[16 November, 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 (No. 2) 1942*. Short title.

Launceston Corporation (No. 2).

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

Amendment
of 4 Geo. VI.
No. 91.
Section 38

I. By inserting after the word “agent” in the third line of subsection (1) of section thirty-eight thereof the words “in Launceston.”:

Section 39.

II. By expunging paragraph I. of subsection (2) of section thirty-nine thereof and substituting therefor the following new paragraph I.—

“I. Under the hand of the manager, secretary, or registered agent in Launceston of such body:”:

Section 69.

III. By deleting the numeral “iv.” secondly appearing in section sixty-nine and substituting therefor the numeral “v.”:

Section 115.

IV. By expunging subsections (3) and (4) of section one hundred and fifteen thereof:

New section
115A.

V. By inserting after section one hundred and fifteen thereof the following new section one hundred and fifteen A—

Rates on
property of
the Crown.

“**115A** Except in respect of the supply of water, the prevention of fire, or of cleansing, drainage, or sewerage, or for light or power actually supplied, or for any service actually rendered, the Council shall not levy any rate or charge upon or in respect of any property belonging to and occupied by or on behalf of His Majesty; but where any person (other than an employee in the Railway Branch of the Transport Department, residing on a railway) resides on any land, in the capacity of a tenant at a rental, and not as caretaker only, he shall be liable to pay the like rates as if such land were private property; and such rates may be levied on, and recovered from him, but shall not be a charge on, or recoverable against, such land.”:

Section 153.

VI. As to section one hundred and fifty-three thereof—

(a) By inserting at the commencement of subsection (1) thereof the words “except as provided in subsection (1A) hereof.”: and

(b) By inserting after subsection (1) thereof the following new subsection (1A)—

“(1A) If the Council shall borrow moneys under the authority of this Act for the purpose of buying motor-omnibuses or

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other vehicles or working plant the Council may pay out of the funds of the Corporation such equal annual sums to a sinking fund as shall be sufficient to provide for the repayment of such borrowed moneys within the period of the estimated life of such omnibus vehicle or working plant but such period shall not exceed seven years.”: A.D. 1942.

VII. As to section one hundred and sixty-nine thereof— Section 169.

(a) By deleting from subsection (1) thereof the words “the one-half of” and the words “to be borne by it as aforesaid” and by inserting after the word “construction” in that subsection the words “or any part thereof.”:

(b) By deleting from subsection (2) thereof the words “one-half” and inserting in lieu thereof the words “cost or any part thereof.”:

VIII. By deleting the word “or” and substituting therefor the word “of” in subsection (10) of section one hundred and seventy-seven thereof: Section 177.

IX. By inserting at the end of subsection (2) of section two hundred and two thereof the words “But any such action shall be brought within twelve months of the time when such damage shall have been sustained.”: Section 202.

X. By inserting at the end of section two hundred and twenty-five thereof the words “Provided that any action to recover such compensation shall be brought within twelve months after such entry as aforesaid.”: Section 225.

XI. By inserting after paragraph III. of section two hundred and forty-seven thereof the following new paragraph IV.— Section 247.

“iv. To sell meat at the premises therein named only.”—

and transposing “and” after paragraph II. to follow paragraph III.:

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Section 334.

XII. By deleting the words "or against" in the penultimate line of section three hundred and thirty-four thereof and by inserting after the figure "XI." the words and numerals "Part XII. or Part XVI.":

Section 346.

XIII. By inserting after paragraph III. of subsection (2) of section three hundred and forty-six thereof the following new paragraph IV.—

"IV. Prohibiting, regulating, or controlling excavating operations (other than quarrying or blasting operations) and, without restricting the generality of the foregoing provisions of this paragraph—

- (a) Prohibiting, regulating, or controlling the carrying on of such operations within the distance prescribed in the by-law from any street, road, building, or land:
- (b) Requiring, in the carrying on of such operations, that banks or sides of excavations be sloped down or banked or shored up as prescribed:
- (c) Prescribing work to be carried out during or after such operations to prevent disfigurement of the landscape, danger to persons or animals, or damage to property: or
- (d) Requiring a bond or deposit to secure the proper carrying out of such work.": and

Fourth
schedule.

XIV. As to form XIII. of the fourth schedule thereof by inserting after the words "(unless previously cancelled)" the words "to sell meat at the premises situate at."