

## LOCAL GOVERNMENT.

### No. 70 of 1950.

AN ACT to make Provision for the Conduct of Municipal Elections consequential on the *Land Valuation Act 1950*; and to amend Sections Sixty-seven, Seventy-five and Seventy-seven of the *Local Government Act 1906*; and to amend the *Annual Values Assessment Act 1911*. [7 December, 1950.]

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 *Local Government Act 1950*. Short title  
and citation.

(2) The *Local Government Act 1906*\*, as subsequently amended, is in this Act referred to as the Principal Act.

**2** Section five of the Principal Act is amended by omitting the definition of "Elector" and substituting therefor the following definition:— Interpre-  
tation.

“ ‘Elector’ means an elector qualified to vote at elections for councillors under this Act: ”.

**3** After section forty-four of the Principal Act the following sections are inserted in Part V.:— New sections  
44A to 44C.

“44A.—(1) Every person who is a natural-born or naturalised subject of His Majesty and who is of the age of twenty-one years or upwards shall be qualified to vote at all elections of councillors— Qualifications  
of an elector.

I. In the case of a municipality in which Part VII. of the *Land Valuation Act 1950*† is not in operation, if his name appears on the assessment roll as the owner or occupier of any property within that municipality: or

II. In the case of a municipality in which that Part is in operation—

(a) If his name appears on the valuation roll of the council as the owner of any lands within that municipality: or

\* 6 Edw. VII. No. 31. For this Act, as amended to 1936, see Reprint of Statutes, Vol. V., p. 15. Further amended by 2 Geo. VI. Nos. 8 and 33, 4 Geo. VI. No. 46, 5 Geo. VI. Nos. 20 and 42, 6 Geo. VI. Nos. 26 and 62, 7 & 8 Geo. VI. No. 88, 8 Geo. VI. No. 17, 9 Geo. VI. No. 12, 11 Geo. VI. Nos. 5 and 61, and No. 22 of 1949.

† No. 5 of 1950.

(b) If his name appears on the record of occupiers, kept by the clerk in accordance with the provisions of section forty-four B, as the occupier of any lands within that municipality.

(2) Every corporation, the name of which appears on the assessment roll referred to in paragraph I. or on the valuation roll or record of occupiers referred to in paragraph II. of subsection (1) of this section, shall be an elector for the purposes of this Part.

Record of occupiers.

“44B.—(1) In every municipality in which Part VII. of the *Land Valuation Act 1950\** is in operation the clerk shall prepare a record of the occupiers of all lands shown on the valuation roll of the council who are not the owners thereof.

(2) Any record of occupiers may be kept by entry on the valuation roll of the council or in such other form as the clerk may determine.

Assessed annual value to be apportioned.

“44C.—(1) Where any lands are occupied, but not owned, in portions by more persons than one, the clerk may, for the purpose of setting down the annual value of each portion in the record of occupiers, apportion the assessed annual value shown on the valuation roll between each of the portions in such manner as he shall think fit.

(2) The clerk shall give to each of the occupiers of those lands notice in writing of the apportionment made under subsection (1) of this section.

(3) Any occupier, who is dissatisfied with any apportionment made under this section, may, within fourteen days after the giving of the notice referred to in subsection (2) of this section, post or lodge with the clerk an objection in writing against the apportionment.

(4) Where any objection has been received by the clerk pursuant to subsection (3) of this section the clerk shall, for the purpose of determining the assessed annual value of each of the portions of those lands, apply to the Chief Valuer to make a separate valuation of each of those portions, and the Chief Valuer shall forthwith make that valuation.

(5) For the purpose of this section the expression ‘Chief Valuer’ means the Chief Valuer appointed under the provisions of the *Land Valuation Act 1950\**.”

Scale of voting.

**4** Section forty-five of the Principal Act is amended by inserting after the word “roll” the words “or the record of occupiers, as the case may be,”.

New sections 46A and 46B. 8 Geo. VI. No. 14, s. 2. Notice of change of ownership or occupancy of property. 2 Geo. V. No. 61, s. 48B.

**5** After section forty-six of the Principal Act the following sections are inserted:—

“46A.—(1) Every owner shall give to the council notice in writing of any change in the occupancy of his property or of any sale thereof, and shall specify in the notice the name and address of the new tenant and the amount of

the rent payable by the new tenant or, in the case of a sale, the name and address of the purchaser, and the amount of the purchase money, and shall, whenever the amount of the rent payable in respect of the property is increased, give to the council notice in writing thereof.

Penalty: Five pounds.

(2) Every notice under this section shall be lodged with the council within fourteen days after the change in the occupancy of the property occurs, or after the execution of the conveyance or transfer of the property, or after the date upon which the increase in the amount of the rent payable in respect of the property takes effect, as the case may be.

"46B. The owner of any property or his agent, or the occupier of any property shall, on being requested so to do by the clerk or by any other officer authorised by the council in that behalf, furnish to the clerk or officer such information as the clerk or officer may require with respect to the correct full name and address of the owner or occupier of the person or of the person receiving or authorised to receive the rents of the property, and the amount of the rent, if any, payable, in respect of the property.

Owners, &c.,  
to give  
information  
regarding  
their pro-  
perties.  
*Ibid.*, s. 48C.

Penalty: Five pounds."

**6** Section forty-seven of the Principal Act is amended by inserting in subsection (2) after the words "assessment roll" the words "or the record of occupiers, as the case may be,".

Voters' roll.

**7** Section sixty-seven of the Principal Act is amended in subsection (3) by omitting the word "seventeenth" and substituting therefor the word "eighteenth" and by omitting the word "fourteenth" and substituting therefor the word "fifteenth".

Notice of  
election  
nominations  
and consent  
of candidates.

**8** Section seventy-five of the Principal Act is amended by omitting the words "not being a polling-place in a mining centre".

Time for  
taking poll.

**9** Section seventy-seven of the Principal Act is amended by omitting paragraph I. and substituting therefor the following paragraphs:—

Mode of  
polling at  
elections.

"I. Each person claiming to be an elector shall enter unattended the room in which the ballot box is kept and shall tell the presiding officer his full name and anything else asked by him and necessary to identify the name on the roll under which a vote is claimed.

Elector to  
identify  
himself.

IA. The presiding officer may, and at the request of any scrutineer shall, require any person claiming to be an elector to make in his presence the declaration set forth in form VI. in the second schedule and if the person claiming to be an elector makes default in this he shall not be entitled to any vote at the election."

Elector  
liable to make  
declaration.

Second  
schedule

**10** Form VI. in the second schedule to the Principal Act is omitted and the following form substituted therefor:—

“ Form VI.  
(Section 77 IA.)

Municipality of  
*or*  
Ward of the Municipality of

ELECTOR'S DECLARATION.

I, *A.B.*, do hereby solemnly declare as follows:—

1. That I am the person named in the voters' roll.
2. That I am over twenty-one years of age.
3. That I am not an alien.
4. That I have not already voted at this election.
5. That rates for which I alone am liable have been paid to the 30th day of June last.

Dated this                      day of                      , 19                      .

Witness

*A.B.*”.

Amendment  
of Annual  
Values  
Assessment  
Act 1911.

**11** After section forty-eight C of the *Annual Values Assessment Act 1911*\* the following section is inserted:—

“ 48D. The provisions of section forty-eight B and section forty-eight C shall apply only to the cities of Hobart and Launceston.

\* 2 Geo. V. No. 61. For this Act, as amended to 1936, see Reprint of Statutes, Vol. I., p. 187. Subsequently amended by 4 Geo. VI. No. 14 and 8 Geo. VI. No. 14.

## NATIONAL PARK AND FLORENTINE VALLEY.

No. 71 of 1950.

AN ACT to alter the Boundaries of Mt. Field National Park for the Purpose of increasing a Concession granted by the *Florentine Valley Paper Industry Act 1935*, to validate the Reservation of that Park, to amend that Act for other purposes and to provide for Matters consequential thereto.

[14 December, 1950.]

PREAMBLE.

WHEREAS an agreement has been made between the Government of Tasmania and the Promoter defined in the *Florentine Valley Paper Industry Act 1935*\* for confirming to the Promoter rights over certain timber in the Florentine Valley and for the surrender by the Promoter of certain rights over lands elsewhere:

AND WHEREAS doubts have arisen as to the validity of the reservation of the Mount Field National Park by reason of the uncertainty of the boundaries thereof:

\* 26 Geo. V. No. 27, amended by 1 Geo. VI. No. 79, 2 & 3 Geo. VI. No. 73, and 9 Geo. VI. No. 17.