

TASMANIA.



1941.

ANNO QUINTO

GEORGII VI. REGIS.

No. 42.

ANALYSIS.

- 1. Short title.
- 2. Repeal.
- 3. Amendment of 6 Edw. VII. No. 31.
 - New section 50A.
 - Section 159.
 - Section 162.
 - Section 205.
 - Section 211.
- 4. Provision for poll in certain cases.



AN ACT to amend the *Local Government Act* 1906. A.D. 1941.
[13 November, 1941.]

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 *Local Government Act* (No. Short title. 2) 1941.

2 The enactments enumerated in the schedule are hereby Repeal. repealed to the extent therein specified.

6d.]

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A.D. 1941. **3** The Principal Act is hereby amended—

Amendment
of 6 Edw.
VII. No. 31.
New section
50A.

I. By inserting after section fifty thereof the following new section fifty A—

“**50A**—(1) Where the owner of any property appearing on the assessment roll is absent from the State, any person who holds a registered power of attorney authorising him to manage and control such property may exercise, subject to this Act, the owner’s right of voting in respect of such property.

“(2) The holder of such power of attorney shall produce the same or an office copy thereof to the council clerk not less than three, and not more than thirty, days before the closing of the voters’ roll for the election at which the vote is to be exercised; and shall lodge with the clerk a written declaration that such power is still in force and that, so far as the declarant is aware, the owner of such property will be absent from the State when the election takes place.

“(3) Any person exercising a vote on behalf of an absent owner under this section may exercise any vote to which he may be entitled by virtue of any other qualification.

“(4) The council clerk, upon production of such power of attorney or office copy, and upon receipt of such declaration as aforesaid, shall enter the name of the holder of such power on the voters’ roll against the entry of the property to which such power of attorney relates, and thereupon the vote in respect of such property shall be exercisable at the election for which such roll is prepared by such holder only.”:

Section 159.

II. By inserting at the end of subsection (3) of section one hundred and fifty-nine thereof (in alignment with the commencement) the words “but a water rate may be so levied as to provide for a minimum annual payment in respect of every property in respect of which it is payable.”:

Section 162.

III. By inserting after the word “at” in the second line of subsection (1) of section one hundred and sixty-two thereof the words “or before”:

Section 205.

IV. By expunging subclause (ii.) of subdivision (a) of paragraph XIII. of division (10) of section two hundred and five thereof and substituting therefor the following new subclause (ii.)—

“(ii.) In the case of any toll, charge, or payment calculated at a rate not exceeding sixpence per cord in respect of pulp-wood

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intended to be made into paper pulp or two shillings and sixpence for every one thousand superficial feet in respect of any other timber carted or carried by or on behalf of the same person within a prescribed period—”:

- V. By inserting at the end of section two hundred and eleven the words “and any such rate may be so levied as to provide for a minimum annual payment in respect of every property in respect of which it is payable whether such rate is levied by the council under this Act or under a special Act constituting the water district.”.

Section 21L

4—(1) On the first Saturday in the month of March, one thousand nine hundred and forty-two, the Commissions now controlling the Municipalities of Glenorchy and Scottsdale respectively shall take a poll of electors to determine whether such municipalities respectively shall be governed by council or commission.

Provision for poll in certain cases.

(2) For the purposes of this section, it shall not be necessary for any petition to be presented to either of such Commissions, but in all other respects such polls shall be taken in accordance with the provisions of section thirteen of the Principal Act.

SCHEDULE.

Regnal Year and Number.	Title of Act.	Extent of Repeal.
6 Edw. VII. No. 31	The <i>Local Government Act</i> 1906	Part XVII. Sections 244 to 249
4 Geo. VI No. 46	The <i>Local Government Act</i> 1940	Paragraph xxxii. of section 3.
4 & 5 Geo. VI. No. 85	The <i>Local Government Act</i> 1941	The whole Act
5 Geo. VI. No. 20	The <i>Local Government Act</i> 1941	Paragraph iv. of section 2. Paragraph i. of section 4.

