

TASMANIA.



1942.

ANNO SEXTO

GEORGII VI. REGIS.

No. 62.

ANALYSIS.

1. Short title.
2. Amendment of 6 Edw. VII. No. 31.
Section 173.
Section 205B.
3. Amendment of 5 Geo. VI. No. 20, s. 2.

AN ACT to amend the *Local Government Act* A.D.
1942
1906. [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 *Local Government Act* Short title.
(No. 2) 1942.

6d.]

Local Government (No. 2).

A.D. 1942.

Amendment
of 6 Edw.
VII. No. 31.

Section 173.

2 The Principal Act is hereby amended—

- I. By deleting the words “but where” to “such land” inserted at the end of subsection (1) of section one hundred and seventy-three thereof by the *Local Government Act 1940* and by the *Local Government Act 1941* and substituting therefor the words—

“but where any person (not being an employee in the Railway Branch of the Transport Department residing on a railway, or an employee of the Hydro-Electric Department located at any town, township, or camp, remote from the council's headquarters, the residents in which comprise, wholly or principally, the employees of that Department) occupies any property belonging to or used by His Majesty 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”—(in alignment with the commencement of the section):

Section 205B.

- II. By inserting after subsection (5) of section two hundred and five B thereof the following new subsection (6)—

“(6) The following provisions shall apply in respect of the levying of tolls in respect of timber under section two hundred and five and this section—

- I. Any council may prescribe a toll, charge, or payment in respect of timber carried only within its own municipality; and unless and until a toll, charge, or payment is prescribed in accordance with the provisions of subsection (2) hereof the same shall apply to all timber carried within such municipality although the same is carried also from or to any place beyond such municipality:

- II. The council of every municipality from, through, or into which timber is carried so as to pass through any part of more municipalities than one shall, before prescribing any toll, charge, or payment in respect of such timber, request the councils of all adjoining municipalities from, through, or into which timber is carried to enter into an agreement for the purposes of this section and to state

Local Government (No. 2).

what in its opinion should be the amount of the toll, charge, or payment to be levied as provided by subsection (2) hereof: A.D. 1942.

- III. Within one month after the receipt by it of any such request every council shall reply thereto stating its views thereon; and if such council does not desire to impose any such toll, charge, or payment it shall so inform the council from which the request was received:
- IV. A council which has intimated as aforesaid that it does not desire to impose any such toll, charge, or payment shall cease to be a council concerned within the meaning of this section; and shall be debarred from collecting or participating in any toll, charge, or payment in respect of timber carried from or to any other municipality:
- V. In default of agreement between the councils' concerned within six weeks after a council has made the request prescribed by paragraph II. hereof any council concerned may refer the matter to the Minister who shall as soon as is practicable determine the amount of the toll, charge, or payment to be imposed; and the council by which the same is to be imposed, collected, and distributed:
- VI. The council designated by the Minister shall thereupon impose such toll, charge, or payment; and the same shall be collected and the proceeds thereof paid in accordance with this section to the several councils concerned, as the Minister may direct, or, failing any such direction, by the council imposing the same:
- VII. Any agreement or determination may be terminated or varied by the mutual consent of the councils concerned or by direction of the Minister if such councils fail to agree; and any council not previously concerned may join in any new or altered agreement which may be made."

3 The *Local Government Act* 1941 is hereby amended by expunging paragraph III. of section two thereof.

Amendment
of 5 Geo. VI.
No. 20, s. 2.

