

**2** Section thirty-one of the Principal Act is amended by adding at the end thereof the following subsection:— Compensation.

“(3) In the case of land on which a person entitled to compensation under this Act resides, regard shall be had to any hardship of that person that may arise because his residence has been taken and he cannot establish himself in a suitable residence solely by reason of his age, infirmity, or want of means, and additional compensation may be awarded for such hardship.”

**3** Section thirty-two of the Principal Act is amended by adding at the end of subsection (2) the words “or to any particular need the Crown may have of the land or to any special value of which the land may be to it”. Value of land.

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## PUBLIC AUTHORITIES' LAND ACQUISITION.

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No. 15 of 1967.

### AN ACT to amend the *Public Authorities' Land Acquisition Act 1949.* [17 July 1967.]

**B**E 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 *Public Authorities' Land Acquisition Act 1967.* Short title and citation.

(2) The *Public Authorities' Land Acquisition Act 1949*, as subsequently amended, is in this Act referred to as the Principal Act.

Vesting of land taken by compulsory process.

**2** Section thirteen of the Principal Act is amended by omitting from subsection (6) thereof the words “: Provided that nothing in this subsection” and substituting therefor the words “(7) Nothing in subsection (6)”.

Amendment of or release from notice of acquisition.

**3** Section fifteen of the Principal Act is amended by omitting the proviso to subsection (2) and substituting for that proviso the following subsection:—

“(2A) The corporation has no right under subsection (2) to convey back or release any estate or interest for which it has paid compensation.”.

Basis of compensation.

**4** Section nineteen of the Principal Act is amended—

(a) by omitting from subsection (2) thereof the words “: Provided that” and substituting therefor the word “, but”;

(b) by inserting, after that subsection, the following subsection:—

“(2A) Regard shall not be had to any particular need that the corporation may have of the land or to any special value of which the land may be to it.”; and

(c) by adding at the end of that section the following subsection:—

“(5) In the case of land on which a person entitled to compensation under this Act resides, regard shall be had to any hardship of that person that may arise because his residence has been taken and he cannot establish himself in a suitable residence solely by reason of his age, infirmity, or want of means, and additional compensation may be awarded for that hardship.”.

Interest on compensation.

**5** Section thirty of the Principal Act is amended—

(a) by omitting from subsection (1) thereof the word “Compensation” (at the beginning) and substituting therefor the words “Subject to subsection (1A), compensation”;

(b) by omitting from that subsection the words “: Provided that, where” and substituting therefor the words “(1A) Where”;

(c) by omitting from subsection (2) thereof the words “: Provided that” and substituting therefor the words “, subject to the following provisions:”.

Moneys amounting to \$2000 payable to parties under disability to be paid into court.

**6** Section thirty-one of the Principal Act is amended by omitting the words “two thousand dollars” and substituting therefor the words “five thousand dollars”.

- 7** Section thirty-four of the Principal Act is amended—
- (a) by omitting from subsection (1) the words “two hundred dollars” and substituting therefor the words “five hundred dollars”; and
- (b) by omitting from that subsection the words “two thousand dollars” and substituting therefor the words “five thousand dollars”.
- 8** Section thirty-five of the Principal Act is amended—
- (a) by omitting the words “two hundred dollars” and substituting therefor the words “five hundred dollars”; and
- (b) by omitting from paragraph (b) thereof the word “lunacy” and substituting therefor the words “mental disorder”.
- 9** Section thirty-six of the Principal Act is amended by omitting from subsection (1) the words “: Provided that” and substituting therefor the word “, but”.
- 10** Section fifty-four of the Principal Act is amended—
- (a) by omitting from subsection (1) the passage beginning with the words “: Provided that” and ending with the words “(b) if” and substituting therefor the following words:—
- “(1A) If—
- (a) the estate or interest is not disputed by the corporation, within three months after service upon it of notice of claim in respect of the estate or interest; or
- (b)”; and
- (b) by omitting the second proviso to that subsection and substituting therefor the following subsection:—
- “(1B) If within the relevant time the corporation is unable so to acquire, the estate or interest of the other person shall prevail over that of the council, but not so that any unregistered estate or interest will prevail over any registered estate or interest over which it would not otherwise prevail.”.
- 11**—(1) Except as otherwise provided in the schedule, the Principal Act is amended by omitting the words “the council” (wherever occurring) and substituting therefor, in each case, the words “the corporation”, and by omitting the words “the council’s” (wherever occurring) and substituting therefor, in each case, the words “the corporation’s”.

Sums from \$200 to \$2000 to be paid into court.

Payment of sums not exceeding \$200.

Costs in cases where money paid into court.

Interests overlooked to be purchased or taken.

Formal amendments of the Principal Act.

(2) The sections of, and forms in the schedule to, the Principal Act that are specified in the first column of the schedule to this Act are amended as respectively specified in the second column of that schedule.

## THE SCHEDULE.

(Section 11.)

### FORMAL AMENDMENTS OF THE PRINCIPAL ACT.

#### PART I.

FIRST COLUMN. Section amended.	SECOND COLUMN. How amended.
3	By omitting the definition of "clerk" and substituting therefor the following definition:— " 'clerk' means town clerk or council clerk, as the case requires, and includes the secretary or similar officer of a public or local authority that is not a municipality;".
12	(a) By omitting from subsection (1) the words "at a meeting held"; (b) By omitting from subsection (4) the words "to the council".
17	By omitting from subsection (5) the words "to the council".
45	By omitting from paragraph (b) of subsection (1) the word "that" and substituting therefor the word "than".
58	By omitting from subsection (4) the words "to the council".
62	By omitting from subsection (3) the words "to the council".

#### PART II.

FIRST COLUMN. Form amended.	SECOND COLUMN. How amended.
Form I	By omitting the word "council" (twice occurring) and substituting therefor, in each case, the words "the corporation", using italics in the second case.
Form II	By omitting the word "council" and substituting therefor the words "the corporation".
Form III	By omitting the word "council" and substituting therefor the words "the corporation".
Form IV	(a) By omitting the words "name of council" (twice occurring) and substituting therefor, in each case, the words "name of the corporation". (b) By omitting the word "council" (twice thereafter occurring) and substituting therefor in each case, the words "name of the corporation".
Form V	By omitting the word " <i>council</i> " and substituting therefor the words " <i>the corporation</i> ".
Form VI	By omitting the word "council" and substituting therefor the words "the corporation".
Form VII	By omitting the word "council" and substituting therefor the words "the corporation".