

IN WITNESS whereof the parties hereto have duly executed these presents the day and year first hereinbefore written.

SCHEDULE

ALL THAT area of land situate at Grassy King Island delineated by red lines on Plan No. \_\_\_\_\_ in the office of the Surveyor-General and Secretary for Lands at Hobart in Tasmania.

SIGNED SEALED and DELIVERED by THE HONOURABLE WALTER ANGUS BETHUNE in the presence of:—

THE COMMON SEAL of the MARINE BOARD OF KING ISLAND was hereunto affixed in the presence of:—

SIGNED by THE HONOURABLE WALTER ANGUS BETHUNE in the presence of:— K.J. Binns	} W.A. Bethune	
THE COMMON SEAL of KING ISLAND SCHEELITE LTD. was hereunto affixed by authority of the Director in the presence of:— B.C.M. Bigelow A/Secretary	} John S. Proud Director	L.S.
	} R.E. White Director	
THE COMMON SEAL of the MARINE BOARD OF KING ISLAND was hereunto affixed in the presence of:— H.M. George Secretary	} T.S.B. Bayes Warden	L.S.
	} A.V. Knight Warden	
THE COMMON SEAL of PEKO-WALLSEND LIMITED was hereunto affixed by authority of the Directors in the presence of:— J.M. Ireland, Secretary	} John S. Proud Director	L.S.
	} R.E. White Director	

**PUBLIC BODIES ASSISTANCE.**

**No. 22 of 1971.**

AN ACT to make provision for the giving of financial assistance to municipalities and certain other public bodies providing, extending, or altering facilities for the carrying on of activities of value to the community, to amend the *Local Government Act 1962*, and to restrict the further operation of the *Elderly Citizens' Clubs and Youth Centres Act 1966*. [29 April 1971.]

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 *Public Bodies Assistance Act* Short title. 1971.

Inter-  
pretation.

**2**—(1) In this Act, unless the contrary intention appears—

“community project” has the meaning assigned to that expression by subsection (1) of section three;

“debt charges”, when used in relation to any moneys borrowed, means the sums payable by way of interest on, or the repayment of, those moneys;

“Minister for Health” means the Minister of the Crown having for the time being the administration of the *Public Health Act 1962*;

“public body” means a body corporate approved by the Minister for Health for the purposes of this Act being either—

(a) an incorporated association within the meaning of the *Associations Incorporation Act 1964*;  
or

(b) any other body that is not carried on for the purpose of trading or securing pecuniary profit for its members.

(2) For the purposes of this Act the capital cost of a community project shall be taken to be such sum as the Treasurer considers necessary to cover the cost of carrying out that project assuming—

(a) in a case where land or buildings are required to be provided for the purpose of carrying out the project, being land or buildings that are, or are to be, vested for a freehold estate in the municipality or public body by whom the project is to be carried out, that it will be necessary to purchase that estate at its current market value; and

(b) in any case, that any works required for the carrying out of the project are carried out at the current market values or rates applicable thereto.

Loans by the  
Treasurer  
for community  
projects.

**3**—(1) In accordance with this Act loans may be made by the Treasurer for the purpose of meeting the capital expenditure incurred in providing, extending, or altering facilities for the carrying on of activities of value to the community, in this Act referred to as community projects.

(2) No loan shall be made under this Act in respect of the carrying out of a community project unless the Minister for Health is satisfied, after such consultation as he considers necessary with organizations or other bodies interested in the activities to which the project relates, that the project is of such a kind as to warrant financial assistance being given under this Act towards its carrying out.

(3) No loan shall be made under this Act in respect of the carrying out of a community project unless the Minister for Health is satisfied that the facilities to which the project relates are not intended for the exclusive use, or substantially the exclusive use, of a club or other organization the main or sole purpose of which is the carrying on of a sport or game.

(4) Loans under this Act in respect of capital expenditure incurred in the carrying out of a community project may be made to—

- (a) a municipality; or
- (b) the public body by which the project is to be carried out.

(5) Where a loan is made to a municipality in respect of a community project that municipality may itself carry out the project or lend the whole or any part of the money so lent to some public body for the purpose of enabling it to meet the capital expenditure incurred in the carrying out of the project by that body.

(6) A loan made by the Treasurer under this section in respect of a community project shall not exceed two-thirds of the capital cost of the project.

**4—**(1) A loan shall not be made under this Act by a lending authority to a public body in respect of a community project unless that authority is satisfied that that body has raised at least one-third of the capital cost of the project. Prerequisites to making of loans.

(2) Where the lending authority is satisfied that the actual cost of the carrying out of a community project by a public body will be less than the capital cost thereof by reason of—

- (a) the freehold estate in the land on which the project is to be carried out being already vested in that body or the terms on which it became so vested; or
- (b) any goods or materials being already available to that body for the purposes of the carrying out of the project or the terms on which any goods or materials, or labour or other services, will be made so available,

the lending authority, if it considers it proper in the circumstances so to do, may, for the purposes of this section, treat, as an amount raised by the public body, the whole or a part of the amount by which that actual cost is, for the reasons referred to in this section, less than the capital cost of the project.

(3) Except in so far as the Treasurer may, in any particular case, approve, any money raised by a public body by way of loan shall be disregarded for the purposes of subsection (1) of this section.

(4) In this section “lending authority” means, when used in relation to a loan made by the Treasurer, the Treasurer, and, when used in relation to a loan made by a municipality, that municipality.

**5—**(1) Subject to this Act, a loan made by the Treasurer thereunder shall be made on such terms and conditions as the Treasurer determines. Terms and conditions of loans.

(2) A loan made by the Treasurer under this Act to a municipality or public body shall be made at such rate of interest as, in the opinion of the Treasurer, is not less than that which a municipality would have to pay for a similar loan made by private persons.

(3) Sections twenty to twenty-four (inclusive) of the *State Loans to Local Bodies Act 1929* apply to moneys payable by a municipality by way of repayment of, or otherwise in respect of, loans made to it under this Act as they apply to moneys payable under that Act.

(4) A loan made by a municipality under this Act to a public body shall be made on such terms and conditions as the municipality, with the approval of the Treasurer, determines.

(5) Except where the Treasurer otherwise determines, a loan made under this section to a public body shall be made on such security as the Treasurer approves.

Contributions by Treasurer to debt charges payable by municipalities or public bodies.

**6**—(1) Subject to this section where—

(a) money is lent to a municipality under this Act in respect of a community project to be carried out by that municipality itself; or

(b) money is lent under this Act to a public body, the Treasurer may pay to that municipality or public body such sums of money as he thinks fit for the purpose of assisting it to pay any debt charges payable by it in respect of the money so lent.

(2) The payments under this section to a municipality or public body in respect of any financial year in respect of the money borrowed under this Act for the carrying out of a community project shall not exceed—

(a) the actual amount of the debt charges payable in respect of that money in respect of that financial year; or

(b) one-third of the debt charges that, in the opinion of the Treasurer, would have been payable in respect of that year in respect of a sum borrowed by the municipality or public body to meet the whole capital cost of the project,

whichever is the less.

Expenses of Act.

**7**—(1) Loans made by the Treasurer under this Act shall be made out of the Loan Fund in accordance with an Act appropriating that Fund for the purpose.

(2) Subject to this section any payments made by the Treasurer under this Act shall be made out of moneys provided by Parliament for the purpose.

Consequential amendment of *Local Government Act 1962*.

**8** Section six hundred and eighty-five A of the *Local Government Act 1962* is amended by inserting in subsection (1) thereof, after the numerals “1966”, the words “or to public bodies within the meaning of the *Public Bodies Assistance Act 1971*”.

Restriction of operation of *Elderly Citizens' Clubs and Youth Centres Act 1966*.

**9** The *Elderly Citizens' Clubs and Youth Centres Act 1966* is amended—

(a) by inserting in paragraph (d) of subsection (1) of section three, after the word “*Gazette*”, the words “before the commencement of the *Public Bodies Assistance Act 1971*”;

(b) by inserting in section five, after subsection (1) thereof, the following subsection:—

“(1A) No application shall be made under this section after the commencement of the *Public Bodies Assistance Act 1971*.”; and

(c) by omitting from subsection (1) of section seven the words “borrowed by the organization from any other person” and substituting therefor the words “in respect of any money borrowed by the organization before the commencement of the *Public Bodies Assistance Act 1971* from any other person”.

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## DEFACEMENT OF PROPERTY.

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### No. 23 of 1971.

AN ACT to amend the *Defacement of Property Act 1898*. [29 April 1971.]

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 *Defacement of Property Act 1971*. Short title, citation, and commencement.

(2) The *Defacement of Property Act 1898*, as subsequently amended, is in this Act referred to as the Principal Act.

(3) This Act commences on the commencement of the *National Parks and Wildlife Act 1970*.