

TASMANIA.



1936.

ANNO PRIMO

EDWARDI VIII. REGIS.

No. 29.

ANALYSIS.

1. Short title.
2. Amendment of 1 Edw. VIII. No. 4.
First schedule.
Second schedule
3. Repeal of 1 Edw. VIII. No. 2, 1 Edw. VIII. No. 26,
and 1 Edw. VIII. No. 13.
4. Incorporation of amendments in schedule.

AN ACT to amend the *Proclamations Confirmation Act 1936.* [1 December, 1936.]

A.D.
1936.

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:—

I This Act may be cited as the *Proclamations Confirmation Act (No. 2) 1936.* Short title.

Proclamations Confirmation (No. 2).

A.D. 1936.

Amendment
of 1 Edw.
VIII. No. 4.
First
schedule.

2 The Principal Act is hereby amended as from the commencement thereof—

I. As to the first schedule thereto—

- (a) By substituting “28” for “2” in the first item (wrongly cited as 44 Vict. No. 2); “Bellevue” for “Belvue” (opposite 1 Geo. V. No. 61); and “accounts” for “account” (opposite 19 Geo. V. No. 27):
- (b) By expunging the item commencing “20 Geo. V. No. 11”: and
- (c) By inserting therein in proper chronological sequence the repeals set forth in Part I. of the schedule hereunder:

II. As to the second schedule thereto—

- (a) By substituting “indictment” for “mentioned” in the amendment of section 6 of 53 Vict. No. 28: and
- (b) By inserting “(and transposing to second schedule)” after “VIII.” in the amendment of schedules to 6 Edw. VII. No. 31:
- (c) By deleting “Section 228 of 11 Geo. V. No. 66” in the amendment of the second schedule to 26 Geo. V. No. 99:
- (d) By inserting “in line 3 of” (after “in” in the amendment of the second schedule to 26 Geo. V. No. 99 relating to 45 Vict. No. 16):
- (e) By substituting “(in line 6)” for “(secondly occurring)” (in the amendment of that schedule relating to 59 Vict. No. 23):
- (f) By inserting “and mining operations” after “term” (after “term” in the amendment of that schedule relating to 19 Geo. V. No. 52): and
- (g) By inserting therein in proper chronological sequence the several amendments set forth in Part II. of the schedule hereunder.

Second
schedule.

Proclamations Confirmation (No. 2).

3—(1) The *Jury Act* 1936, the *State Advances Act* 1936 and the *Hospitals Act* 1936 are hereby repealed. A.D. 1936.

(2) Such repeals shall take effect on the date of the gazettal of a proclamation made under the provisions of section eight of the *Statute Law Revision Act* 1934 inserting in the :—

Repeal of
1 Edw. VIII.
No. 2, 1 Edw.
VIII. No.
26, and 1
Edw. VIII.
No. 13.

- I. *Jury Act* 1899 the provisions of new section forty-eight as enacted by :
- II. *Hospitals Act* 1936 the amendments effected by :
and
- III. *State Advances Act* 1935 the amendments effected by—

the Acts hereby repealed respectively with such adjustments and additions and consequential amendments, if any, as may be found necessary.

(3) Upon the publication of such proclamation as aforesaid, section forty-eight of the *Jury Act* 1899, as originally enacted, shall be deemed to have been repealed by the *Statute Law Revision Act* 1935 as from the tenth day of August, one thousand nine hundred and thirty-five.

4 The provisions of section two of the Principal Act shall apply to the several proclamations which are consolidated and embodied in the schedule as if the same had been recited in the preamble to the Principal Act.

Incorporation
of amendments
in schedule.

Proclamations Confirmation (No. 2).

A.D. 1936.

THE SCHEDULE.

PART I.

Regnal Year and Number.	Title of Act.	Extent of Repeal.
44 Vict. No. 32	<i>The Public Works Construction Act 1880</i>	Sections 1, 2, 3, 6, and 12 to 15
20 Geo. V. No. 83	<i>The Hydro-Electric Commission Act 1929</i>	Section 7
25 Geo. V. No. 49	<i>The Fruit Board Act 1934</i>	Section 27
6 Ed. VII. No. 31 ...	<i>The Local Government Act, 1906</i>	Section 186

PART II.

Part or Section Amended.	How Amended—
	By expunging or by deleting the words (as the case may be)—
	2 Wm. IV. No. 1— <i>The Supreme Court Act 1831</i> :
Section 5	“such” (in line 2)
	34 Vict. No. 17— <i>The Civil Process Act 1870</i> :
Section 5	“some” to “newspapers” and substituting “a newspaper”
Section 7	“for every” to “offends”;
	“Her” and substituting “His”
Section 9	“or fees” (secondly occurring)
	34 Vict. No. 33— <i>The Debtors Act 1870</i> :
Title	“for the punishment” to “debtors”
Part II.	“Punishment” to “debtors” and substituting “Fraud” (in heading)
	44 Vict. No. 32— <i>The Public Works Construction Act 1880</i> :
Title	“certain”
Section 4 (now 1)	“4” and substituting “1”;
	“the several” to “schedule” and substituting “any public work which the Minister is authorised by law to construct or execute”;
	“ <i>Clauses Act</i> ” (twice occurring) and substituting “ <i>Resumption Act 1910</i> ”; and
	“and for” to “undertakings”

Proclamations Confirmation (No. 2).

Part or Section Amended.	How Amended—	A.D. 1936.
	By expunging or by deleting the words (as the case may be)—	
	44 Vict. No. 32— <i>The Public Works Construction Act 1880—contd.</i>	
Section 5 (now 2)	<p>“ 5 ” and substituting “ 2 ”;</p> <p>“ for the time being ”;</p> <p>“ Her ” to “ successors ” and substituting “ His Majesty ”</p>	
Section 7 (now 3)	<p>“ 7 ” and substituting “ 3 (1) ”;</p> <p>“ and if ” to “ person ” and substituting “ (2) No person shall, ” and substituting the future tense of verbs governed thereby;</p> <p>“ every ” to “ a ”; and</p> <p>“ not exceeding ”</p>	
Section 8 (now 4)	<p>“ 8 ” and substituting “ 4 ”;</p> <p>“ also ”</p>	
Section 10 (now 6)	<p>“ 10 ” and substituting “ 6 ”;</p> <p>“ of the said ”</p>	
Section 11 (now 7)	<p>“ 11 ” and substituting “ 7 ”;</p> <p>“ by arbitration ”;</p> <p>“ <i>Clauses Act</i> ” and substituting “ <i>Resumption Act 1910</i> ”; and inserting—</p> <p>“ (1) ” (at commencement) and</p> <p>“ (2) Before commencing the powers conferred by sections five and six in respect of fenced land the Minister shall cause to be erected such gates, if any, as may be necessary and sufficient to prevent any stock straying from, or upon, such land ”</p> <p>(at the end thereof) and renumbering sections 9 and 16 as 5 and 8 respectively</p>	
	By inserting—	
	45 Vict. No. 17— <i>The Rivers Pollution Act 1881</i> :	
Title	“ the obstruction and ” (before “ pollution ”)	
Sections 3, 4, 5, and 6	<p>“ To cause any obstruction therein or ” (after “ person ” in line 4); and “ or any tree, branch or debris ” (after “ cinders ” in line 6) of section 3; and</p> <p>“ Penalty: Fifty pounds ” (in a new line following “ offence against this Act ” in sections 3, 4, and 5 respectively; and at the end of section 6.</p>	

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A.D. 1936.

Part or Section Amended.	How Amended—
	And by inserting—
	45 Vict. No. 17— <i>The Rivers Pollution Act 1881—contd.</i>
Section 8	“(1)” (at beginning) and “(3)” (before “Any person making”)
Section 11	“(1)” (at beginning) and “(2)” (before “such certificate”)
	And by deleting—
Section 8	“Previous to” and substituting “(2) Before”; “Moreover” and substituting “(4)”; and “or persons” (twice occurring)
Section 12	“or persons”
	By expunging or by deleting the words (as the case may be)—
	47 Vict. No. 19— <i>The Conveyancing and Law of Property Act 1884:</i>
Section 49	“to” (in line 10)
	By inserting—
	50 Vict. No. 36— <i>The Supreme Court Act 1887:</i>
Section 2	“(1)” (at commencement) and “(2)” (before “In case”)
	And by deleting—
	52 Vict. No. 37— <i>The Debtors Act 1888:</i>
Section 3	“the third section” and substituting “section three”
	55 Vict. No. 25— <i>The Crown Remedies Act 1891:</i>
Section 4	“Recognisances” and substituting “recognisance”; “Her” and substituting “His”
Section 19	“Her” and substituting “His”
Wherever occurring	“Lady the Queen” and substituting “Lord the King”
	60 Vict. No. 48— <i>The Local Courts Act 1896:</i>
Section 1	“1897” and substituting “one thousand eight hundred and ninety-seven”
Section 7	“shall include” and substituting “includes”
Section 11	“under this Act”

Proclamations Confirmation (No. 2).

Part or Section Amended.	How Amended—	A.D. 1936.
	And by deleting—	
60 Vict. No. 48— <i>The Local Courts Act, 1896—contd.</i>		
Section 27	“by such” to “entries” and substituting “in any such entry”	
Section 32 (3)	“under this Act by” and substituting “before”	
Sections 33 and 94	“Colony” and substituting “State”	
Section 51	“their or his” and substituting “its”	
Section 59	“forfeit and pay” and substituting “be liable to”	
Section 74	“rule” and substituting “rules”; “thereof” (thrice occurring after “Commissioner”)	
Section 81	“cause or”	
Section 84 (A)	“forfeit and pay” and substituting “be liable to”; “of any such fine” and substituting “thereof”	
Section 85	“the judge of”	
Section 91	“or he”	
Section 97	“time or” (twice occurring)	
Section 102	“share or”	
Section 106	“five” and substituting “seven”	
Section 107	“five clear days from” and substituting “seven days after”; “five” and substituting “seven” (before “days”); and “or” to “taken”	
Section 117	“held” to “Act”	
Section 120	“in courts” to “Act”	
Section 129	“court fee” and substituting “duty”	
Section 132	“under this Act”	
Section 133	“said” (in last line)	
Section 134	“fourth schedule” and substituting “third and fourth schedules”	
Section 143	“any such” and substituting “a”; “the Treasury” to “part of”	
Section 145	“held” to “Act”	

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A.D. 1936.

Part or Section Amended.	How Amended—
	And by deleting— 60 Vict. No. 48— <i>The Local Courts Act 1896—contd.</i>
Third schedule	“judge” and substituting “Commissioner”; “in its common law jurisdiction”; and substituting words for symbols and figures representing sums of money (wherever occurring, except in the tabulated scales)
	By expunging or by deleting the words (as the case may be)—
Fifth schedule, Rule 23	“suit” and substituting “action”
Rule 25	“summons or”
Rule 29	“Her” and substituting “His”
Rule 35	“or persons”
Rule 58	“person or”; “party or”
Rule 59	“or persons have” and substituting “has”;
	“plaintiffs” and substituting “plaintiff”;
	“or names”; “or persons”;
	“person or”
Rule 60	“or names”; “or persons”; and “or plaintiffs” (wherever occurring respectively);
	“or them”; “or their”
Rule 61	“or persons have” and substituting “has”;
	“or defendants”; “or persons”; “person or” (twice occurring); “a defendant or”
Rule 62	“name or”; “defendant or”; “person or”; “name or”; “defendant or”
Sixth schedule, Form 1	“Local Courts Act Jurisdiction” (in heading)
Forms 12 and 13	“scale” to “schedule” and substituting “prescribed scale”
Form 14	“him” and substituting “the bailiff”
Wherever occurring	“of the Peace” (after “General Sessions”);
	“or at the request of the [said]” (in forms of warrant) and the word following that phrase

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Part or Section Amended.	How Amended—
And inserting—	
60 Vict. No. 48— <i>The Local Courts Act, 1896—contd.</i>	
Section 2	“(1)” (at commencement) and “(2)” (before “If”)
Section 109	“Satisfaction” (after “full”)
Fourth schedule	“costs of obtaining Evidence by Commission” (as the heading thereto)
Fifth schedule, Rule 22	“Statute” (before “8 & 9”)
Rule 105	“of the” (before “assets” in line 4)
And substituting—	
Sixth schedule	“Commissioner” for “Judge” and “the Commissioner” for “a judge” (wherever occurring); and
	“seven” for “five” in notice at foot of warrants

By expunging or by deleting the words (as the case may be)—

5 Edw. VII. No. 31—*The Local Government Act 1906:*

Section 172) “1882” and substituting “1881”

1 Geo. V. No. 20—*The Evidence Act 1910:*

Part II.	“Boards” to “Commission” (in heading to Division II.) and substituting “Royal Commissions and Boards of Inquiry”
Section 62 (3)	“by such” to “Act” (in II.) and substituting “as aforesaid”
Section 147	“in” to “Evidence)” and substituting “‘In the matter of the <i>Evidence Act 1910, Part VII.</i> ’”

By inserting—

1 Geo. V. No. 57—*The Factories Act 1910:*

Section 64	“(1)” (at commencement); and
	“(2) The regulations may require the provision in any factory or class of factories of the prescribed first-aid equipment and the attendance of persons qualified to apply the same, and may discriminate according to the size, conditions, and situation of particular factories or classes of factories and the nature of the work carried on therein” (at end)

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A.D. 1936.

Part or Section Amended.	How Amended—
	By expunging or by deleting the words (as the case may be)—
<p>2 Geo. V. No. 14—<i>The Printers and Newspapers Act 1911:</i></p> <p>Section 6</p>	<p>“if any” to “offers so” and substituting “(1) No person shall sell or offer for sale, or deliver, or offer”</p> <p>And inserting—</p> <p>“(1)” (at commencement);</p> <p>“Penalty: Twenty pounds” (after “printed” in line (5)); and</p> <p>“(2)” before “any” (in that line);</p> <p>and transposing subsection (2) so formed to follow after “pounds” (hereby inserted); and deleting “that such” to “Act” and substituting “to be dealt with according to law”</p>
	By inserting—
	4 Geo. V. No. 38— <i>The Coroners Act 1913:</i>
<p>New section 43A</p>	<p>“43A. Where the coroner is empowered to direct a post-mortem examination to be made, and in the opinion of the coroner an external examination of the body is sufficient, he may direct accordingly, and the medical practitioner shall be entitled to be paid for an examination so directed one-half the fee payable as provided by section forty-three, together with the prescribed travelling expenses, if any.”</p>
	8 Geo. V. No. 29— <i>The Deposit of Publications Act 1917:</i>
<p>Section 3</p>	<p>“first” (before “published”) and “(within the meaning of the <i>Copyright Act 1912</i> of the Commonwealth)” (after “published”) in line 1</p>
	By expunging or by deleting the words (as the case may be)—
	9 Geo. V. No. 70— <i>The Hospitals Act 1918:</i>
<p>Third schedule</p>	<p>“in a summary way” (in paragraph (2) of Rule 23); and</p> <p>“some” to “district” (in paragraph (3) of Rule 24) and substituting “a newspaper”</p>
	10 Geo. V. No. 55— <i>The Justices Procedure Act 1919:</i>
<p>Section 6</p>	<p>“a day” to “proclamation” and substituting “the first day of May one thousand nine hundred and twenty”</p>

Proclamations Confirmation (No. 2).

Part or Section Amended.	How Amended—	A.D. 1936.
By expunging or by deleting the words (as the case may be)—		
10 Geo. V. No. 55— <i>The Justices Procedure Act 1919—contd.</i>		
Section 7	"When" to "other" (in last two lines)	
Section 91A	"for every" to "pay" and substituting "be liable to"	
Part II.	"Summonses" and substituting "process" (in heading to section 10)	
Parts IV. and V.	"Depositions" and substituting "Documents" (in headings to sections 94 and 111)	
Section 120	"directed" and substituting "direct" (at end)	
Section 132	"the Treasury" to "part of" (twice occurring)	
And inserting—		
Section 127	"and" (before "no such") (in line 4)	
Section 133	"or" (after paragraph IV.)	
Section 153	"Section" (after "or" in penultimate line)	
11 Geo. V. No. 60— <i>The Forestry Act 1920:</i>		
Section 53 (2)	"on" (in line 4)	
By inserting—		
12 Geo. V. No. 44— <i>The Indeterminate Sentences Act 1921:</i>		
Section 6	"or under the provisions of section sixty-one of that Act" (after "1935" in paragraph I. of subsection (1))	
By deleting—		
11 Geo. V. No. 48— <i>The Judges Salaries Act 1920:</i>		
Title	"of Tasmania"	
By expunging or by deleting the words (as the case may be)—		
14 Geo. V. No. 69— <i>The Criminal Code Act 1924:</i>		
First schedule, Section 345 (3)	"Session" and substituting "Sessions"	
Section 393	"last-mentioned Act" and substituting " <i>Indeterminate Sentences Act 1921</i> "	
Section 415	"he" and substituting "the appellant" (in (4))	

Proclamations Confirmation (No. 2).

A.D. 1936.

Part or Section Amended.	How Amended—
	By expunging or by deleting the words (as the case may be)—
14 Geo. V. No. 69— <i>The Criminal Code Act 1924—contd.</i>	
Second schedule	The items commencing “8 Wm. IV. No. 6”; “23 Vict. No. 7”; “47 Vict. No. 18”; “53 Vict. No. 18”; “3 Edw. VII. No. 37”; “1 Geo. V. No. 69”; “9 Geo. V. No. 15”—respectively
Wherever occurring	“sterling” used in relation to a sum of money And inserting—
Section 375	“Section” (after “or” in line 2)
	By expunging or by deleting the words (as the case may be)—
16 Geo. V. No. 38— <i>The Traffic</i>	
Section 62	“Authorised”; “an insurance company” and substituting “any person”; and adding (at end of section): “‘Passenger’ means a person who for hire or reward is being, or is about to be, carried in the motor-vehicle in relation to which the term is used; or who, having been so carried, is leaving such vehicle: ‘The insured’ means the holder of an insurance policy prescribed by this Act”
Section 63	“or” to “thereunder”; and inserting (after “person” in line 2) “after the thirty-first day of January, one thousand nine hundred and thirty-seven” and (at the end of (2)) “and any such person is in this Part called an ‘agent’”
Section 64	Subsection (2) and substituting— “(2) Such policy of insurance shall not be required to provide for— 1. The payment by the insurer of any sum exceeding— (a) Two thousand pounds in respect of any claim in respect of any one person; (b) Twenty thousand pounds in respect of all claims arising out of the same accident in respect of more persons than one— inclusive in each case of all costs in relation to such claims respectively:

Proclamations Confirmation (No. 2).

Part or Section Amended.	How Amended--	A.D. 1936.
	By expunging or by deleting the words (as the case may be)—	
	16 Geo. V. No. 38— <i>The Traffic Act 1925—contd.</i>	
Section 64— <i>contd.</i>	<p data-bbox="365 438 886 508">II. Any liability in respect of the death of, or bodily injury to, a person who at the time of the accident was—</p> <p data-bbox="448 512 886 602">(a) In the employment of the insured, if the accident arose out of, and in the course of, such employment;</p> <p data-bbox="448 602 886 671">(b) Living with the insured or with his agent, as a member of his family respectively; or</p> <p data-bbox="448 671 886 821">(c) Entering, getting onto, alighting from, or being carried in the vehicle in respect of which the policy is issued, unless such vehicle was licensed to carry passengers and such person was a passenger:</p> <p data-bbox="365 827 695 851">III. Any contractual liability:</p> <p data-bbox="365 857 886 947">IV. Any liability in respect of bodily injury not resulting in death, except in respect of the claim of the person suffering such injury: or</p> <p data-bbox="365 953 886 999">v. Any liability except as provided by this or some other Act or by the Common Law.</p> <p data-bbox="351 1005 886 1074">(3) Where a judgment for damages is obtained against the insured, and such damages are awarded in respect of—</p> <p data-bbox="374 1080 886 1149">I. The death of, or bodily injury to, any person caused by or arising out of an accident: and</p> <p data-bbox="374 1155 724 1180">II. Any other loss or damage—</p> <p data-bbox="351 1185 886 1296">the court, in order to determine the liability of the insurer, shall as part of its judgment direct what proportion of such damages, and also what proportion of any costs awarded, shall be in respect of such death or bodily injury ”</p> <p data-bbox="305 1309 886 1446">“ a person ” (in the first line of ‘ (3) ’ as printed) and substituting “ an insurer ”; and renumbering that and the succeeding subsection as (4) and (5) respectively; and inserting (after “ of ” in the last line of (1)) “ the death of or bodily injury to any person caused by or arising from ”</p>	
Section 67	“ to this Act ” to “ offence ”	
Section 68 (4)	“ settle ” and substituting “ pay ”	
Section 69 (3)	“ The owner ” to “ concerned ” and substituting “ Except with the written consent of the insurer, no person who is the owner, or the agent of the owner, shall— ”	
	“ he ” (in line 7) and substituting “ such owner ”	

Proclamations Confirmation (No. 2).

A.D. 1936.

Part or Section Amended.	How Amended—
	By expunging or by deleting the words (as the case may be)—
16 Geo. V. No. 38— <i>The Traffic Act 1925—contd.</i>	
Section 72	“unduly” (in (2)) and inserting “while so insured” (at the end of (1)) and “or such person” (after “owner” in the last line of (3))
Section 74	“the last preceding” and inserting “(2) hereof” (after ‘subsection’ in (3)); “and the Governor” to “vacant” (in (4)); “any” and substituting “the” (in (6)); and “made” to “Act”
Section 75	“the last preceding” (twice occurring) and inserting “seventy-four” (after “section” in (1)) and “(1) hereof” (after “subsection” in (2)); “not more than” (in (2))
Section 76	“Upon” to “Part”; “other” and substituting “greater”; “so” and substituting “which is”
Wherever occurring	“authorised” (before “insurer”) and “maximum” (before “rates”)
	And by inserting—
Section 77 (1)	“(d) Providing that this Part shall not apply to motor-vehicles owned and operated by prescribed persons or bodies” (after division (c) of paragraph II.), and renumbering (d) to (g) (as printed) as (e) to (h)

By inserting—

9 Geo. V. No. 70—*The Hospitals Act 1918*;

Section 18	“and section twenty-seven” (after “twenty” and within the brackets in line 7)
Section 27	The following new subsection (2):— “(2) Where by any enactment it is provided that any public hospitals district shall be under the management and control of a board constituted as therein provided, the following provisions, unless it is otherwise expressly provided, shall apply in respect of that district on and after the date upon which such enactment takes effect:— 1. The provisions of subsection (1) hereof shall apply to the board then in office in like manner and with the like effect and consequences in all respects as they apply to, and in the case of, the bodies mentioned in that subsection, and the board constituted under the amending enactment shall thereupon become the board for the district:

Proclamations Confirmation (No. 2)

Part or Section Amended.	How Amended	A.D. 1936.
And inserting—		
9 Geo. V. No. 70— <i>The Hospitals Act, 1918—contd.</i>	<p>II. The provisions of section twenty-eight shall have effect in relation to all property to which that section is applicable as if such board were a board first constituted under this Act:</p> <p>III. Where by the operation of any such enactment the number of members constituting any board is reduced, a quorum of such board shall be constituted by a majority of the members thereof, and the provisions of Rule 3 in the third schedule shall not apply to such board:</p> <p>IV. Such board shall be deemed to be the same corporate body as the board in place of which it is substituted, and the continuity of such corporate body shall not be impaired by the change effected in its constitution:</p> <p>V. Where by any such enactment it is provided that a specified member of the board shall be chairman thereof, the provisions of section twenty-six, so far as they relate to the biennial election of a chairman or the filling of a casual vacancy in that office, shall not apply to such board: and</p> <p>VI. Where any member of such board holds office by virtue of being the holder of some other office, the provisions of section eighteen shall not apply to such member."</p>	
20 Geo. V. No. 83— <i>The Hydro-Electric Commission Act 1929:</i>		
Section 39 (1)	"the" (before "credit")	
Section 40 (1)	"the" (before "Depreciation")	
Section 64 (5)	"of" (in substitution for "for" in line 4) and "for" (in substitution for "of" last occurring in line 6)	
Section 78 (3)	"and" (after "Act")	
By expunging or by deleting the words (as the case may be)—		
22 Geo. V. No. 23— <i>The Deceased Persons' Estates Duties Act 1931:</i>		
Section 5 (2)	"an" (in paragraph VIII.)	
23 Geo. V. No. 22— <i>The Education Act 1932:</i>		
Second schedule	<p>"they think" and substituting "it thinks" (in rule 1);</p> <p>"their" and substituting "its" (in rule 2);</p>	

Proclamations Confirmation (No. 2).

A.D. 1936.

Part or Section Amended.	How Amended—
	By expunging or by deleting the words (as the case may be)—
23 Geo. V. No. 22— <i>The Education Act 1932—contd.</i>	
Second schedule— <i>contd.</i>	“they” and substituting “it” and “their” and substituting “its” (in rule 3); “meetings” and substituting “meeting” and “from time to time” (in rule 6); and inserting at the end of Section 15 (in alignment with the beginning of the section): “and the proceedings of the board shall be in accordance with the rules contained in the second schedule”
	By inserting—
23 Geo. V. No. 54— <i>The Stock Act 1932:</i>	
Section 7	The following new subsections (3) and (4)— “ (3) The regulations may require, in respect of any specified disease, a certificate that the animal has been subjected to such recognised tests for such disease as may be prescribed. “ (4) It shall be unlawful to land any animal in this State unless the conditions, if any, prescribed in relation thereto have been observed.”
	And deleting—
Section 51	“on any State Highway” (in (4)) and substituting “in any public place”; and adding (at the end of that subsection) “unless he satisfies the court that the presence of such animal therein was not due to the negligence or default of himself, his servant, or agent”
Section 53	“offered for sale” (in paragraph III.) and inserting “or in any place where sheep are being, or about to be, offered for sale” (at end of III.)
	By expunging or by deleting the words (as the case may be)—
23 Geo. V. No. 58— <i>The Supreme Court Civil Procedure Act 1932:</i>	
Second schedule, Part II., Rule 2	“said Acts are” and substituting “Act is”
Part VI., Rule 158	“or charges” (in line 3); “or are”; and “(as” to “be)”
Rule 159	“or charges”; “of charges”
Rule 160	“or charges”; “or are”; “or charges” and inserting “the” (before “application”)
Rule 162	“the Appendix” and substituting “Appendix U”
Rules 166, 169, and 170	“of the State” (wherever occurring)

Proclamations Confirmation (No. 2).

Part or Section Amended.	How Amended—	A.D. 1936.
	By inserting—	
	25 Geo. V. No. 43— <i>The Criminal Code Act 1934</i> :	
Section 3	<p>The following new paragraph XXII.—</p> <p>“XXII. By inserting after Appendix E the form in Schedule (4) to 37 Vict. No. 6 as Appendix F, but substituting therein the name and title of His present Majesty for the present heading, and deleting the words and brackets: “and its dependencies”; “[or at” to “held at]”; “[or” to “at]”; and “(or Deputy Clerk)” (after paragraph XXXI.), and renumbering former paragraph XXII. as XXIII.</p>	
	By expunging or by deleting the words (as the case may be)—	
	25 Geo. V. No. 51— <i>The Local Courts Act 1934</i> :	
First schedule	“inclusive” (twice occurring)	
	By inserting—	
	25 Geo. V. No. 66— <i>The Justices Procedure Act 1934</i> :	
Second schedule	“Third Schedule” (in first column) and “words two shillings and sixpence” (inserted by 11 Geo. V. No. 65) and substituting ‘figures 2 6’ (in the outer column); and transposing the words ‘But’ to ‘in’ to the next line” (in second column after the amendment of Section 164)	
	By expunging or by deleting the words (as the case may be)—	
	25 Geo. V. No. 78— <i>The Statute Law Revision Act 1934</i> :	
Section 5 (3)	“section” and substituting “sections” (in paragraph x.) and inserting “and one hundred and thirty-two” (after “fifty-eight”)	
Section 8.	<p>And inserting the following new subsection (8) (at end):—</p> <p>“(8) Where during the year one thousand nine hundred and thirty-six both Houses have agreed to any Bill, the provisions of which either House has directed shall be included in the Reprint of Statutes, such provisions may be enacted by proclamation in the manner provided by this section, with all such adjustments, additions, and consequential amendments as may be found necessary for giving full effect to the same, whether or not such Bill has been formally passed, and it shall not be necessary for such Bill to be presented for assent on behalf of His Majesty.”</p>	

Proclamations Confirmation (No. 2).

A.D. 1936.

Part or Section Amended.	How Amended—
	By expunging or by deleting the words (as the case may be)—
	26 Geo. V. No. 31— <i>The Gaming Act 1935</i> :
Section 7	“fair, bazaar or similar”; “seven” and substituting “three.”
	26 Geo. V. No. 35— <i>The Crown Lands Act 1935</i> :
Section 76	Subsection (1); “(2)”; “such” and inserting (after “land”) “held by him under contract”;
Section 25	and inserting (at the end of Section 25) “and no application to purchase Crown land shall be received unless the applicant certifies in his application that he is over the age of eighteen years”
	26 Geo. V. No. 38— <i>The Administration and Probate Act 1935</i> :
Section 44 (7)	“on the statutory trusts” and inserting those words after “first” (in paragraph I.) and after “hereof” (in paragraph II.) respectively; and inserting “last” (before “provision” in last line)
	26 Geo. V. No. 41— <i>The State Advances Act 1935</i> :
Section 22	“shall” and substituting “may” (in line 6) By inserting—
Section 33	“and any such advance under paragraph i. hereof may be made in kind” (at the end of subsection (1)) and (after subsection (10))— “(11) For the purposes of this section the Board may purchase any of the things enumerated in paragraph i. of subsection (1) hereof, and may arrange for the agistment and care of any stock and the storage of any goods so purchased until the same are disposed of for such purposes; and where anything so purchased is, in the opinion of the Board, no longer required for the purposes of this section the Board may sell the same by public auction.”
	26 Geo. V. No. 44— <i>The Police Offences Act 1935</i> :
Section 13	“offensive” (after “riotous” in line 2) By expunging or by deleting the words (as the case may be)—
	26 Geo. V. No. 75— <i>The George Town Municipality Administration Act 1935</i> :
Section 4	“thirty-seven” and substituting “forty”

Proclamations Confirmation (No. 2).

Part or Section Amended.	How Amended—	A.D. 1936.
	By expunging or deleting the words (as the case may be)—	
	26 Geo. V. No. 76— <i>The North-Western Co-operative Freezing and Canning Company's Loan Act 1935:</i>	
Section 5	<p>“ Subsection ” and substituting “ section ” (in (1));</p> <p>Subsection (2) and substituting—</p> <p>“(2) At the ordinary general meeting of the company to be held in the year one thousand nine hundred and thirty-six such two of the elected directors as, in default of agreement, shall be determined by lot shall retire from office; and thereafter at the ordinary general meeting in each subsequent year the two elected directors who have been longest in office shall retire.</p> <p>“(3) In the event of a casual vacancy the directors may appoint a director to fill the same for the unexpired period of the term for which the vacating member was elected, and for the purposes of subsection (2) hereof the person so appointed shall be deemed to have held office for the whole of that term.”</p> <p>(as from the commencement of the Act amended)</p>	
	By inserting—	
	26 Geo. V. No. 82— <i>The Roads and Jetties Act 1935:</i>	
Section 40	<p>“(1)” (at commencement) and—</p> <p>“(2) Before first entering on any land for the purposes of this section the road authority shall give to the owner and occupier thereof fourteen days' notice of its intention so to do; and such notice shall set forth such particulars, if any, as may be prescribed.</p> <p>“(3) The road authority shall pay to the owner and occupier of such land compensation for any damage sustained by such owner and occupier respectively by reason of the exercise by the road authority of the powers conferred by this section, and in default of agreement such compensation shall be determined in the manner prescribed by section thirty-five.</p> <p>“(4) The road authority at all times shall maintain and keep in repair any drain or water-course constructed under this section.</p> <p>“(5) The regulations may prescribe the procedure to be followed and the conditions, if any, to be observed for the purposes of this section.”</p> <p>(at end)</p>	
Section 55	<p>“(1)” (at commencement) and—</p> <p>“(2) In addition to any other matters to be prescribed, any such regulations may prescribe the persons by whom, and the manner in which, any jetties not vested in any local body or authority shall be maintained, regulated, and controlled”</p> <p>(at end)</p>	

Proclamations Confirmation (No. 2).

A.D. 1936.

Part or Section Amended.	How Amended—
	By expunging or by deleting the words (as the case may be)—
<p data-bbox="266 395 882 423">26 Geo. V. No. 94—<i>The Statutes Reprint Act 1935</i>:</p> <p data-bbox="147 433 255 461">Preamble</p> <p data-bbox="147 484 318 512">New section 4</p>	<p data-bbox="406 433 1001 484">“empowered and” (in penultimate line); and inserting (after section 3)—</p> <p data-bbox="456 489 1001 577">“4—(1) All courts and persons acting judicially shall take judicial notice of the reprint so far as the same sets forth the text of the Acts therein reprinted.</p> <p data-bbox="456 583 1001 756">“(2) In the application of section six of the <i>Acts Interpretation Act 1931</i> to the reprint all descriptive headings (not being cross-headings reproduced from the original text) printed at the beginning of sections, or parts of sections, shall be deemed to be marginal notes; and all annotations appended to any section or part of any Act shall be deemed to be footnotes.</p> <p data-bbox="456 761 1001 849">“(3) No annotation or explanatory matter preceding or following any Act in the reprint shall be deemed to be part of such Act or be judicially noticed.”</p>
<p data-bbox="387 874 555 902">By inserting—</p> <p data-bbox="277 911 874 939">26 Geo. V. No. 96—<i>The Infants' Welfare Act 1935</i>:</p> <p data-bbox="147 943 264 971">Section 37</p>	<p data-bbox="406 943 1001 994">“or any person of good repute” (after “relative” in line 3)</p>
<p data-bbox="180 1024 975 1052">26 Geo. V. No. 97—<i>The Conveyancing and Law of Property Act 1935</i>:</p> <p data-bbox="147 1061 325 1089">Section 3, xxii.</p>	<p data-bbox="406 1061 936 1089">“(secondly occurring)” (after “case” in (b))</p>
<p data-bbox="232 1121 916 1149">26 Geo. V. No. 99—<i>The Statute Law Revision Act 1935</i>:</p> <p data-bbox="147 1159 288 1187">Section 2, v.</p> <p data-bbox="147 1534 325 1562">Second schedule</p>	<p data-bbox="406 1164 1001 1215">“or” (after “Part” in the first line of paragraph I. of new subsection (6) thereby inserted);</p> <p data-bbox="406 1221 1001 1337">“or where the context requires such words to limit an express authority thereby given to impose such penalty” (after “penalty,” and within the brackets, in line 7 of paragraph III. of the said subsection (6));</p> <p data-bbox="406 1343 1001 1465">“or where the disjunctive ‘or’ follows one or more paragraphs, divisions, or subdivisions, and the conjunctive ‘and’ follows another of the same series” (after ‘may be’ at the end of paragraph IV. of the said subsection); and</p> <p data-bbox="406 1470 1001 1521">“except in prescribed forms” (at the end of division (b) of paragraph XII. of that subsection)</p> <p data-bbox="406 1527 1001 1605">“that” (after “always,” and within the inverted commas, in the amendment of section 4 of 49 Vict. No. 34)</p> <p data-bbox="406 1611 1001 1682">“(secondly occurring)” (after “Commissioner” in line 11 of the amendment of section 3 of 1 Geo. V. No. 29)</p>

Proclamations Confirmation (No. 2).

Part or Section Amended.	How Amended—	A.D. 1936.
	By expunging or by deleting the words (as the case may be)—	
26 Geo. V. No. 99— <i>The Statute Law Revision Act, 1935—contd.</i>		
Section 2, vi.	“verbal” (in line 3 of new section 8 thereby inserted)	
Section 5	“in the first line” and substituting “secondly occurring” (in the amendment of Section 89 in paragraph II.)	
Section 5 (3)	“excepting” and substituting “except”; “section” and substituting “sections,” and inserting “and one hundred and thirty-two” (after “fifty-eight”)	
First schedule	The item commencing “25 Geo. V. No. 67)”	
Second schedule	“2” and substituting “(2)” (in the amendment of section 3 of 3 Vict. No. 4); “of Public Health” (at the end of the amendments of 1 Geo. V. No. 22) and inserting (at the end of the amendment of section 4 thereof) “and substituting therefor (in its alphabetical order) ‘“Director” means the Director of Public Health’” “(1) and” (in the amendment of section 27 of 9 Geo. V. No. 70)	

