

PORT HUON WHARF.

11 GEO. VI. No. 72.

AN ACT to vest the Control and Management of the Wharf at Shipwright's Point, Port Huon, known as the Port Huon Wharf, in the Marine Board of Hobart, and to make provision for the reconstruction and extension thereof, and for the granting of rebates on wharfage rates in respect of the shipment of fruit from that wharf, and for purposes connected therewith. [5 December, 1947.]

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:—

Short title and incorporation.

1—(1) This Act may be cited as the *Port Huon Wharf Act* 1947.

(2) This Act shall be incorporated with the *Marine Act* 1921*, in this Act referred to as the Principal Act.

Interpretation.

2 In this Act, unless the contrary intention appears—

“Board” means the Marine Board of Hobart;

“fruit” means apples and pears;

“the wharf” means the wharf at Shipwright's Point, Port Huon, commonly known as the Port Huon Wharf.

Vesting of control, &c., of wharf in Board.

3 The control and management of the wharf shall, as on and from the first day of January, 1948, be vested in the Board.

Power to borrow.

4—(1) The Board may borrow, in accordance with the provisions of Part IX. of the Principal Act, such sums of money as the Governor may approve, for the purpose of meeting the cost of reconstructing and extending the wharf.

(2) The power conferred on the Board by this section may be exercised by the issue of debentures in the manner provided by paragraph III. of section eighty-four of the Principal Act, notwithstanding that the interest for any year on any sum so borrowed exceeds one-third of the ordinary nett revenue of the Board, calculated as provided by that paragraph.

* 12 Geo. V. No. 60. For this Act, as amended to 1936, see Reprint of Statutes, Vol. VI., p. 553. Subsequently amended by 5 Geo. VI. No. 52, 7 Geo. VI. No. 69, 8 & 9 Geo. VI. No. 34, 9 Geo. VI. No. 5, and 10 Geo. VI. No. 24.

5 The Director of Public Works may, if requested so to do by the Board, carry out for and on behalf of the Board any works connected with the reconstruction and extension of the wharf.

Works may be carried out by Director of Public Works.

6 All revenue received by the Board in connection with the wharf shall be placed to the credit of a separate account to be kept by the Board, and all working expenses, interest, depreciation, maintenance, and other charges in connection with the wharf shall be debited to that account.

Revenue and expenditure in connection with wharf to be separately recorded.

7—(1) If the Treasurer is of opinion that the wharfage rate fixed by the Board in respect of the shipment of fruit from the wharf is excessive, having regard to the working expenses and other charges referred to in section six and any other revenue received or likely to be received by the Board in connection with the wharf, he may refer to the Auditor-General, for investigation and report the question of the amount of the wharfage rate which should be fixed in order to enable the Board to meet such expenses and other charges.

Power to refer to Auditor-General question of wharfage rate.

(2) The Auditor-General, upon any such reference by the Treasurer, shall make an investigation into the question and shall report to the Treasurer and the Board thereon.

(3) The Auditor-General shall, in his report under this section, certify what is a reasonable wharfage rate in respect of the shipment of fruit from the wharf, having regard to the matters specified in subsection (1).

8—(1) If in the opinion of the Treasurer the wharfage rate fixed by the Board in respect of the shipment of fruit from the wharf is greater than the rate which it would be reasonable for exporters of fruit to pay, having regard to the financial position of the fruit industry in this State, he may direct the Board, by notice in writing, to make such rebates from the wharfage rate so fixed as may be specified in the notice.

Board to grant rebates.

(2) The Board shall comply with any direction of the Treasurer under this section.

9—(1) If at the end of any period of three financial years (the first such period ending on the thirtieth day of June, 1950) the account kept by the Board in accordance with section six shows a debit balance in respect of any such period, the Treasurer shall pay to the Board out of the Consolidated Revenue (without any further authority than this section) the amount of so much of such debit balance as is directly attributable to the rebates made by the Board in pursuance of section eight.

Losses on operation of wharf in certain circumstances to be paid to Board.

(2) If the account kept by the Board in accordance with section six shows a credit balance in respect of any such period of three financial years, the amount of such credit balance shall be carried forward to the succeeding period of three financial years.

(3) The amount to be paid to the Board by the Treasurer under subsection (1) shall not exceed the difference between the amount collected by the Board during such period of three financial years by way of wharfage rates on the shipment of fruit during that period and the amount which would have been collected during that period if the Board had charged in full—

(a) the wharfage rate fixed by it under the Principal Act; or

(b) the wharfage rate certified by the Auditor-General under subsection (3) of section seven,

whichever is the lesser amount.

HOBART MARINE BOARD LOAN.

11 GEO. VI. No. 73.

AN ACT to authorise the Marine Board of Hobart to borrow a sum of money not exceeding £1,500,000 for the purpose of meeting the cost of construction of certain works in connection with the Port of Hobart and for purposes connected therewith, and to authorise the Governor to guarantee the payment of interest on any moneys so borrowed and for matters incidental thereto.

[5 December, 1947.]

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:—

Short title
and
incorporation.

1—(1) This Act may be cited as the *Hobart Marine Board Loan Act 1947*.

(2) This Act shall be incorporated with the *Marine Act 1921*, in this Act referred to as the Principal Act.

Interpretation.

2 In this Act, the expression “the Board” means the Marine Board of Hobart.

Power to
borrow
£1,500,000
or certain
works.

3—(1) The Board may borrow, in accordance with the provisions of paragraph III. of section eighty-four of the Principal Act, any sum or sums of money, not exceeding in the aggregate the sum of £1,500,000, upon such terms and conditions as shall be approved by the Governor.