

Expenses of
administration.

“ 129E. All expenses incurred by the board in the administration of the provisions of this Division shall be defrayed out of moneys to be provided by Parliament for that purpose.

Qualification
of council
clerks.

Ibid., s. 162.

“ 129F.—(1) After the commencement of this section, no person shall, except as provided by subsection (2), be eligible for, or shall be appointed as, a council clerk, unless he is the holder of a certificate of competency or a certificate of qualification under this Division.

(2) The Governor may, by order-in-council published in the *Gazette*, declare that the provisions of subsection (1) shall not apply to or in respect of the appointment of the clerk to any council specified in the order-in-council, and while such order-in-council remains in force, a person may be appointed as the clerk to such council notwithstanding that he does not possess the qualifications required by that subsection.

Reciprocity.

“ 129G.—(1) Where legislation similar to the provisions of this Division is in force in the United Kingdom or in any State or Colony within His Majesty's dominions, the Governor, on the recommendation of the board, may, by proclamation, declare that any certificate, diploma, licence, or other document granted to any person under the authority of such legislation shall, for the purposes of this Act, be deemed to be equivalent to a certificate of qualification under section one hundred and twenty-nine B.

(2) While any proclamation under this section is in force, the holder of any certificate, diploma, licence, or other document referred to in such proclamation shall, for all the purposes of this Division, be deemed to be the holder of a certificate of qualification under section one hundred and twenty-nine B.”

PRIMARY PRODUCERS RELIEF (NO. 2).

11 GEO. VI. No. 62.

AN ACT to provide for the granting of assistance to Primary Producers who suffered loss by reason of hail, frost, or abnormal climatic conditions in the years 1946 and 1947. [28 November, 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.

1 This Act may be cited as the *Primary Producers Relief Act (No. 2) 1947.*

2 In this Act, "rural industry" means agriculture, horticulture, fruitgrowing, the pastoral industry, and any farming industry. Interpretation.

3 Subject to the directions of the Minister, this Act shall be administered by the Board of Management of the Agricultural Bank of Tasmania (in this Act called "the Board"). Administration.

4—(1) Subject to this Act, the Board may make advances, out of any moneys at its disposal for the purposes of this Act, to any person who satisfies the Board that he— Advances to primary producers.

- (a) is engaged, on his own account, or as an active member of a partnership, or as a share-farmer, in any rural industry in this State; and
- (b) has suffered loss by reason of hail, frost, or abnormal climatic conditions occurring in the year 1946 or during the first six months ended on the thirtieth day of June, 1947.

(2) Every advance under this section shall be made upon such terms and conditions as the Board, subject to this Act, may, in each case, determine, and shall be repayable by equal annual instalments during a period of five years after the date on which the same is made, but no such instalment shall be payable during the first two years after that date.

(3) If the Board is satisfied that any person to whom an advance has been made under this Act would suffer hardship if required to pay any instalment referred to in subsection (2) on the due date for payment thereof, the Board may, upon and subject to such terms and conditions (if any) as it may impose, allow that person such further time for payment of that instalment as the Board, having regard to all the circumstances, may think just and reasonable.

(4) The Board shall not require or take from any applicant for an advance under this Act, any security for the repayment thereof other than a written undertaking by the applicant to repay the same in accordance with the provisions of this Act.

(5) No interest shall be charged or shall be payable in respect of any advance under this section.

(6) Every advance made by the Board under this Act shall be made within four months after the receipt by the Board of the application therefor.

5—(1) The Board may cause advertisements to be published, at such times and in such manner as the Board may determine, calling for applications from persons eligible therefor for assistance under the provisions of this Act. Applications for advances.

(2) Every application for an advance under this Act shall be made in writing within one month after the publication of the first advertisement under subsection (1) and shall be in such form and shall contain such particulars as the Board may require, and shall be supported by a statutory declaration made by the applicant.

(3) The Board may require such evidence as it thinks necessary in support of any statements in any application for an advance under this Act, and may, if it thinks fit, require any applicant to attend before the Board for examination.

Recovery of advances.

6—(1) Where any advance under this Act, or any part thereof, is not repaid on the due date for the repayment thereof, the Board may sue for and recover the same by action in any court of competent jurisdiction.

(2) If any person to whom an advance has been made under this Act ceases to carry on the rural industry for the purposes of which the same was made, the Board may, if it thinks fit, demand the repayment of the amount of such advance or of any part thereof which has not been repaid to the Board, and thereupon that amount or that part thereof, as the case may be, shall become due and payable to the Board forthwith, and the Board may sue for and recover the same accordingly by action in any court of competent jurisdiction.

Power of Board to call for books, &c.

7 The Board may at any time require any person making application for an advance under this Act, or any person to whom an advance under this Act has been made and has not been repaid in full, to produce to the Board for inspection such papers, books, documents, and accounts relating to the advance, or to the rural industry in respect of which the same is sought or was made, as, in the opinion of the Board, may be necessary.

Protection of advances.

8—(1) An advance made under this Act to any person—

- (a) shall not pass to any other person by virtue of any assignment made before the advance was made by the Board;
- (b) shall not be subject to any lien, right of set off or appropriation, or charge which exists or is claimed in respect of any debt incurred before the advance was made by the Board;
- (c) shall not be taken or applied, by virtue of any legal process, in or towards satisfaction of any debt incurred before the advance was made by the Board.

(2) In this section “advance” means the whole or any part of an advance.

Power of Treasurer to borrow £300,000.

9—(1) The Treasurer may borrow any sum or sums of money, not exceeding in the aggregate the sum of £300,000, and may advance any moneys so borrowed to the Board, to be applied by the Board for the purposes of this Act.

(2) All expenses incurred by the Board in the administration of this Act shall be defrayed out of the moneys advanced to the Board by the Treasurer under subsection (1).

10—(1) No person shall, in any application for an advance Offences. under this Act, or in any statement made in support of any such application, make any statements or furnish any particulars which to his knowledge are false or misleading in any material particular:

Penalty: One hundred pounds or six months' imprisonment.

(2) No person, being required by the Board, pursuant to section seven, to produce to the Board any paper, book, document, or account, shall fail or refuse so to do without reasonable excuse:

Penalty: Ten pounds.

11 The Governor may make regulations prescribing all Regulations. matters which are necessary or convenient to be prescribed for carrying out or giving effect to the provisions of this Act, and, in particular, prescribing the procedure to be followed by persons making applications for advances under this Act, and prescribing penalties, not exceeding one hundred pounds, for breaches of any regulation.

TOWN AND COUNTRY PLANNING.

11 GEO. VI. No. 63.

AN ACT to amend the *Town and Country Planning Act 1944.* [28 November, 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:—

1—(1) This Act may be cited as the *Town and Country Planning Act 1947.* Short title and citation.

(2) The *Town and Country Planning Act 1944** is in this Act referred to as the Principal Act.

2 Section eleven of the Principal Act is amended by adding at the end thereof the following subsections:— Preparation of schemes.

“(5) Any expenses incurred in or in connection with the preparation of a combined scheme by two or more local authorities in pursuance of paragraph (b) of subsection (1) shall be defrayed out of a common fund contributed, as prescribed, by such local authorities in proportion to the ratable

* 7 & 8 Geo. VI. No. 99.