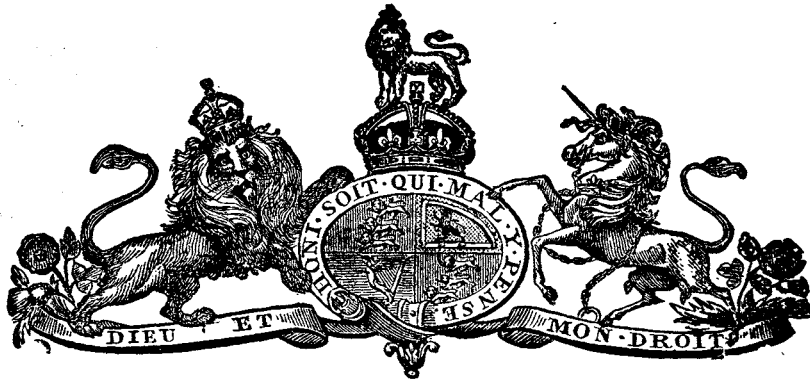


TASMANIA.



1934.

ANNO VICESIMO QUINTO  
GEORGII V. REGIS.

No. 70.

ANALYSIS.

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| <ul style="list-style-type: none"> <li>1. Short title.</li> <li>2. Repeal.</li> <li>3. Power to remit penalties where part payable to other persons than the Crown.</li> </ul> | <ul style="list-style-type: none"> <li>4. Obligation on party receiving penalty to pay same when remitted.</li> <li>5. Notice of remission by Minister.</li> </ul> |
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AN ACT to repeal and consolidate certain Enactments relating to the Remission of Penalties. [13 December, 1934.]

A.D.  
1934.

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 *Penalties Remission Act* Short title. 1934.

2 The Acts specified in the schedule are hereby repealed. Repeal.

3—(1) The Governor may remit, in whole or in part, any sum of money which, under any Act, is imposed as a penalty or forfeiture on a convicted offender, although such sum of money may be in whole or in part payable to some party other than His Majesty. Power to remit penalties where part payable to other persons than the Crown.

*Penalties Remission.*

A.D. 1934.

(2) The Governor may extend the Royal mercy to any person who may be imprisoned for non-payment of any sum of money so imposed, although the same may be in whole or in part payable to some party other than His Majesty.

Obligation on party receiving penalty to pay same when remitted.

53 Vict. No. 4.

4—(1) Every sum of money imposed as a penalty for any offence, which has been remitted by the Governor after payment thereof by the person convicted of the offence, shall be repaid to the person so convicted by the person who has received the same in accordance with the law, and in default of payment thereof as provided by this subsection shall be recoverable by the person so convicted in any court of competent jurisdiction.

(2) The provisions of subsection (1) of this section shall be in addition to, and not in substitution for, the right of any such person to apply to the Supreme Court for a writ of *mandamus* to compel repayment of such sum of money.

Notice of remission by Minister.  
*ib.*

5 A notification, in writing, signed by a Minister, that any such sum of money has been remitted by the Governor shall be accepted by the person to whom the same has been paid as sufficient evidence that such sum has been so remitted, and as sufficient authority to repay the same to the person from whom the same has been recovered.

## SCHEDULE.

## ACTS REPEALED.

Regnal Year and Number.	Title of Act.
10 Geo. IV. No. 6	<i>An Act to extend to this Colony certain Acts of Parliament whereby pecuniary Penalties are inflicted which are made applicable only to some Local Purpose and to facilitate Proceedings before Justices of the Peace in such Cases.</i>
8 Vict. No. 11	<i>An Act to provide for the Liberation from Gaol of Persons imprisoned for Non-payment of Fines in certain Cases.</i>
29 Vict. No. 18	<i>An Act to provide for the Remission of Penalties.</i>
53 Vict. No. 4	<i>An Act to provide for the Repayment of Penalties remitted by the Governor.</i>