

3 After section twenty-one of the Principal Act the following section is inserted:—

“21A—(1) The Governor may on the request of the Commission, by proclamation, declare any place to be the source of supply for any works to which paragraph (a) of section twenty-one applies.

Sources of supply for Commission's works.
Cf. No. 67 of 1962, ss. 664, 662.

“(2) Before making a request under this section, the Commission shall cause the intended request to be published in the *Gazette* and at least once in a newspaper, and no proclamation may be made thereon within the twenty-one days after the publication of the intended request.”.

4 After section thirty-one of the Principal Act the following section is inserted in Division II of Part III:—

“31A—(1) The Hydro-Electric Commission may sell water taken by it to the Commission or to any authority that supplies water to a water district or an irrigation water district at such prices as may be mutually agreed or ordered under this section.

Hydro-Electric Commission may sell water to water authorities.

“(2) In default of mutual agreement on prices under subsection (1) of this section between the Hydro-Electric Commission and the Commission or other authority, either may refer the matter to its Minister, or, in the case of an authority not under a Minister, the Minister for Lands and Works, and thereupon the Governor-in-Council, upon reading or hearing what is submitted on behalf of the two parties, may order at what prices the water concerned in the dispute shall be sold.”.

RAILWAY MANAGEMENT.

No. 30 of 1969.

AN ACT to amend the *Railway Management Act* 1935. [19 December 1969.]

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 *Railway Management Act* 1969. Short title and citation.

(2) The *Railway Management Act* 1935, as subsequently amended, is in this Act referred to as the Principal Act.

Power of Commission to purchase or exchange land.

2 Section forty-nine of the Principal Act is amended by omitting from subsection (2) the word "Minister" and substituting therefor the word "Commission".

Appointment of officers, &c.

3 Section fifty of the Principal Act is amended by omitting from subsection (6) the word "Secretary" and substituting therefor the words "General Manager".

Appeals after reclassification.

4 Section sixty BA of the Principal Act is amended by omitting the word "him" and substituting therefor the word "it".

Disciplinary powers of officers, &c.

5 Section sixty-one of the Principal Act is amended—

- (a) by omitting from subsection (1) all the words following the word "Service" (second occurring) and substituting therefor the words "to caution, admonish, or censure him.";
- (b) by omitting from subsection (2) the word "Commission" and substituting therefor the words "General Manager";
- (c) by omitting from subsection (3) the word "Commission" and substituting therefor the words "General Manager";
- (d) by omitting from paragraph (b) of that subsection the words "suspend or"; and
- (e) by omitting from that subsection all the words following the word "Board".

Suspension of employees pending inquiry, &c.

6 Section sixty-one A of the Principal Act is amended—

- (a) by omitting subsection (2) and substituting therefor the following subsections:—

"(2) The General Manager may annul or remove a suspension imposed under subsection (1) of this section unless it has been confirmed by the Commission.

"(2A) The Commission may confirm, annul, or remove a suspension imposed under subsection (1) of this section."; and

- (b) by adding at the end thereof the following subsection:—

"(5) If, upon the determination of the charge against the employee, the employee is not acquitted of the charge, the Commission or, subject to such directions as may be given by the Commission, the General Manager, may, if it or he thinks it proper in the circumstances so to do, determine that the employee shall receive the whole or a part of the salary, wages, and allowances referred to in subsection (4) of this section, and, if a determination is so made, the

employee shall, in accordance with the determination, be paid the whole or that part of the salary, wages, and allowances so referred to.”.

7 Section sixty-one B of the Principal Act is amended—

Incapacity of employee.

(a) by omitting from subsection (1) the words “or otherwise”;

(b) by omitting subsection (2) and substituting therefor the following subsection:—

“(2) An employee who is aggrieved by a decision of the General Manager made in respect of him under subsection (1) of this section may appeal, as prescribed, to the Commission.”; and

(c) by omitting subsection (4) and substituting therefor the following subsections:—

“(4) On the hearing of an appeal under this section the Commission (unless it disallows the appeal) may—

(a) in the case of an appeal in respect of the dismissal or transfer of the employee, direct the General Manager to reinstate the employee in the position from which he was dismissed or transferred or transfer him to a position of such class or grade as may be specified in the direction; and

(b) in the case of an appeal in respect of the reduction in the rank, position, grade, or pay of the employee, direct the General Manager to place him in the rank, position, or grade, or on such rate of pay, as may be specified in the direction,

and the General Manager shall comply with any direction given him under this section.

“(4A) Nothing in subsection (4) of this section entitles the Commission on the determination of an appeal brought in respect of a decision of the General Manager to make a direction that would have the effect of placing the person by whom the appeal is brought in a more favour-

able position with respect to his employment in the Railway Service than if that decision had not been made or in any less favourable position with respect to that employment than if the appeal had not been brought.”.

Appeals from decisions of officers in disciplinary matters.

8 Section sixty-two of the Principal Act is amended by omitting the word “Commission” and substituting therefor the words “General Manager”.

Transitory provisions.

9 Nothing in this Act affects any decision made or action taken under Division II of Part VI of the Principal Act before the commencement of this Act and the Principal Act applies in relation thereto as if this Act had not been enacted.

CO-OPERATIVE INDUSTRIAL SOCIETIES.

No. 31 of 1969.

AN ACT to amend the *Co-operative Industrial Societies Act 1928*. [19 December 1969.]

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 citation.

1—(1) This Act may be cited as the *Co-operative Industrial Societies Act 1969*.

(2) The *Co-operative Industrial Societies Act 1928*, as subsequently amended, is in this Act referred to as the Principal Act.