

**2** Section eight of the Principal Act is amended—

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

Where explosives may be made and kept.

“(4) This section does not apply to the keeping of—

(a) explosives by a carrier or other person for the purpose of conveyance while they are conveyed or kept in accordance with this Act or any other law relating to their conveyance or keeping; or

(b) an explosive on any premises for any purpose that may be prescribed as a purpose for which that explosive may be kept, so long as—

(i) the quantity of that explosive kept on those premises does not exceed the maximum quantity that is prescribed for or in relation to the keeping of that explosive for that purpose; and

(ii) all terms and conditions prescribed in relation to the keeping of that explosive are complied with in all respects.”; and

(b) by omitting subsection (6) and substituting therefor the following subsection:—

“(6) In subsection (3) of this section ‘the prescribed penalty’ means a penalty—

(a) of—

(i) ten dollars for every detonator; and  
(ii) one dollar for every pound of explosive or ingredient,

manufactured or kept in contravention of that subsection; or

(b) of two hundred dollars,  
whichever is the greater sum.”.

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## SUPREME COURT CIVIL PROCEDURE.

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### No. 6 of 1971.

AN ACT to amend the *Supreme Court Civil Procedure Act 1932*. [29 April 1971.]

**B**E 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 *Supreme Court Civil Procedure Act 1971*. Short title and citation.

(2) The *Supreme Court Civil Procedure Act 1932*, as subsequently amended, is in this Act referred to as the Principal Act.

Interpretation.

**2** Section fifty-three of the Principal Act is amended by omitting the symbols and numeral “—(1)” at its commencement.

Actions against the Crown.

**3** Section sixty-four of the Principal Act is amended—

- (a) by inserting in sub-paragraph (vi) of paragraph (b) of subsection (1), after the word “recover”, the words “, subject to subsection (5) of this section,”;
- (b) by omitting from that subsection the words “, but the jurisdiction referred to in paragraph (vi) shall be dependent on the existence of the conditions in division (a) of subsection (5) of this section”;
- (c) by omitting from subsection (2) the words “clause (ii)” and substituting therefor the words “sub-paragraph (ii)”;
- (d) by omitting subsection (5) and substituting therefor the following subsections:—

“(5) The Government of this State is only liable to pay such compensation as is referred to in sub-paragraph (vi) of paragraph (b) of subsection (1) of this section if the salvage service is one in respect of which salvage reward would have been recoverable in the Admiralty jurisdiction of the Court if—

- (a) where the salvage service was rendered to the vessel, or any apparel or other property belonging to the vessel, or to the life of any person (including a passenger) belonging to the vessel, at the time the service was rendered the vessel had been owned by and had been in the service of a subject;
- (b) where the salvage service was rendered to a wreck, at the time the service was rendered or immediately before the wreck was abandoned or lost, it had been owned by or was in the service of a subject; or
- (c) where the salvage service was rendered to cargo, at the time the service was rendered the cargo had been owned by a subject.

“(5A) The compensation mentioned in subsection (5) of this section shall be assessed on the same principles as salvage reward is assessed in the Admiralty jurisdiction of the Court, and every action to recover any such compensation shall (subject to the provisions of this Act) be determined in accordance with the principles applied by the Court in its Admiralty jurisdiction in an action instituted to recover salvage reward; and the Court or judge has jurisdiction to apportion and order the distribution of such com-

pensation between such persons as would have been entitled thereto if salvage reward in respect of the salvage service had been recoverable in the Admiralty jurisdiction of the Court, and an action to recover such compensation or for the distribution thereof, as the case may be, had been instituted in the Admiralty jurisdiction of the Court.”;

- (e) by omitting from subsection (7) the words “ clause (vi)” and substituting therefor the words “ sub-paragraph (vi)” ; and
- (f) by omitting subsection (8) and substituting therefor the following subsection:—

“(8) No action is maintainable by virtue of this Act against the Government of this State to enforce any claim or demand for compensation in respect of any such salvage services as are mentioned in sub-paragraph (vi) of paragraph (b) of subsection (1) of this section unless proceedings therein are commenced within two years from the date when the salvage service was rendered, but the Court or a judge may, in accordance with the Rules of Court, extend that period to such extent and on such conditions as it or he thinks fit, and shall, if satisfied that there has not during that period been any reasonable opportunity of enforcing the claim, extend that period to an extent sufficient to give such a reasonable opportunity.”.

**4** Section one hundred and ninety-seven of the Principal Act is amended by omitting from sub-paragraph (ii) of paragraph (f) of subsection (1) the word “ including ” and substituting therefor the word “ excluding ”.

Power of judges to make rules of court.

## MOTOR VEHICLES TAX.

### No. 7 of 1971.

AN ACT to amend the *Motor Vehicles Tax Act 1917*.  
[29 April 1971.]

**B**E 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 *Motor Vehicles Tax Act 1971*.

Short title and citation.

(2) The *Motor Vehicles Tax Act 1917*, as subsequently amended, is in this Act referred to as the Principal Act.

**2** Section three of the Principal Act is amended by omitting from paragraph (b) of the definition of “ commercial trailer ” the word “ cause ” and substituting therefor the word “ course ”.

Interpretation.