

- (b) is subject to this section; and
- (c) in other respects is subject to the other provisions of this Act for water licences.

“(2) A water licence granted under this section—

- (a) shall be known as a secondary water licence;
- (b) shall not be granted unless the Director is satisfied that—
 - (i) the rights conferred by the original water licence will not be prejudiced by the grant of the secondary water licence; and
 - (ii) the grant of the secondary water licence will not cause any loss of water to the original licensee;
- (c) shall, unless sooner revoked, continue in force for such period as is specified therein; and
- (d) may be revoked at any time by the Minister on the recommendation of the Director.

“(3) The holder of a secondary water licence shall make compensation for the use of his waterworks to the original licensee in money or work or both as—

- (a) may have been agreed in writing between them before the grant of the secondary water licence; or
- (b) if they have failed so to agree, may be determined by the warden or the warden's court.

“(4) The Minister may on the recommendation of the Director in a secondary water licence give the holder thereof priority over other applicants if, on the determination of the original water licence otherwise than by reason of a forfeiture under section fifty-seven, he should apply in writing for so much of the rights conferred by the original water licence as he requires to continue the enjoyment of his secondary water licence.”.

STAMP DUTIES.

No. 24 of 1964.

AN ACT to amend the *Stamp Duties Act* 1931.
[23 October 1964.]

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 *Stamp Duties Act* 1964.

(2) The *Stamp Duties Act* 1931, as subsequently amended, is in this Act referred to as the Principal Act.

(3) This Act shall commence on the first day of December 1964.

2 Section thirteen A of the Principal Act is amended—

(a) by omitting subsection (1) thereof and substituting therefor the following subsection:—

“(1) Notwithstanding anything contained elsewhere in this Act, the Treasurer may, on the application of an insurer, grant to the insurer, as prescribed, a licence authorizing the insurer to pay in the manner prescribed in this section duty on—

(a) policies of insurance and other instruments granted or issued by the insurer; and

(b) certificates of insurance delivered by the insurer pursuant to subsection (4) of section sixty-four of the *Traffic Act* 1925 to persons by whom policies of insurance to which that section relates are effected with the insurer.”;

(b) by inserting in subsection (2) thereof, after the word “policies” (wherever occurring), the words “and certificates”;

(c) by inserting after subsection (5) thereof the following subsection:—

“(5A) In addition to the duty payable by him pursuant to subsection (5) of this section, there is payable by an insurer to whom a licence under this section is granted (if that insurer is an insurer within the meaning of section sixty-two of the *Traffic Act* 1925), during the continuance of the licence, a duty of one pound in respect of every certificate of insurance delivered by the insurer to any person pursuant to subsection (4) of section sixty-four of that Act (other than a certificate of insurance that is exempt from duty by virtue of any of the provisions of the third schedule).”;

(d) by inserting in subsection (6) thereof, after the words “subsection (5)”, the words “or subsection (5A)”;

(e) by inserting in paragraph (a) of that subsection, after the word “received”, the words “, or (as the case may be) in respect of certificates of insurance under subsection (4) of section sixty-four of the *Traffic Act* 1925 delivered as provided by that subsection,”;

(f) by inserting in paragraph (b) of that subsection, after the word “policies”, the words “and certificates”;

(g) by inserting in subsection (7) thereof, after the word “issued”, the words “, and on certificates

Special provisions relating to the payment of duty on policies of insurance.

of insurance under subsection (4) of section sixty-four of the *Traffic Act* 1925 delivered as provided by that subsection,"; and

- (h) by inserting in subsection (8) thereof, after the word "insurance", the words "certificate of insurance,".

The second
schedule.

3 The second schedule to the Principal Act is amended—

- (a) by inserting in sub-paragraph (ii) of paragraph (a) of item 9 thereof, after the numerals "£100" (last occurring), the words "up to £3,500 of the purchase money or consideration";
- (b) by inserting after that sub-paragraph the following sub-paragraph:—

“(iii) for each £100 or frac-	tional part of £100		
	by which the pur-	chase money or con-	
	sideration exceeds		
£3,500			1 10 0

- (c) by inserting in paragraph (b) of item 17 thereof, after the numerals "£100" (last occurring), the words "up to £3,500 of that value";
- (d) by adding at the end of that item the following paragraph:—

“(c) for each £100 or frac-	tional part of £100		
	by which that value	exceeds £3,500	1 10 0

- (e) by inserting in the heading to Part II of that schedule, after the word "POLICIES", the words "AND CERTIFICATES";
- (f) by inserting in paragraph (a) of item 20 thereof, after the words "other than", the words "a policy of insurance effected for the purposes of Part VII of the *Traffic Act* 1925 or a certificate of insurance under subsection (4) of section sixty-four of that Act or"; and
- (g) by inserting in paragraph (b) of that item, after the words "other than", the words "a policy of insurance effected for the purposes of Part VII of the *Traffic Act* 1925 or a certificate of insurance under subsection (4) of section sixty-four of that Act or"; and
- (h) by inserting in that Part, after item 20, the following item:—

“20A	Certificate of insur-		
	ance delivered by an	insurer pursuant to	
	the provisions of	subsection (4) of	
	section sixty-four of	the <i>Traffic Act</i> 1925	
	(other than a certifi-	cate of insurance	
	that is exempt from	duty by virtue of any	

of the provisions of the third schedule).	1 0 0	By the insurer who delivers the certificate (including an insurer represent- ing the Crown).".
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4 The third schedule to the Principal Act is amended—

The third
schedule.

- (a) by inserting after the word "injury" in sub-paragraph (ii) of paragraph (b) of item 20 the words "(not being a policy of insurance effected for the purposes of Part VII of the *Traffic Act* 1925 or a certificate of insurance under subsection (4) of section sixty-four of that Act)"; and
- (b) by inserting after that item the following item:—

"20A *Certificates of insurance*—

A certificate of insurance delivered by an insurer pursuant to the provisions of subsection (4) of section sixty-four of the *Traffic Act* 1925 in relation to a policy of insurance effected for the purposes of Part VII of that Act in any case where—

- (a) the policy is expressed to be in force for a period not exceeding six months;
- (b) the rate of the annual premium payable in respect of the policy, as prescribed for the time being under that Act, does not exceed two pounds five shillings; or
- (c) the policy is taken out by a public hospitals board constituted under the *Hospitals Act* 1918, or by the licensee, proprietor, governors, trustee, committee of management, or resident manager of a private hospital for or in connection with the purposes of the hospital, or by the University of Tasmania."

5 Where—

Transitory
provisions.

- (a) a licence under section thirteen A of the Principal Act authorizing the holder thereof to pay duty in the manner prescribed in that section on policies of insurance and other instruments granted or issued by him is in force at the commencement of this Act; and
- (b) the holder of that licence is an insurer within the meaning of section sixty-two of the *Traffic Act* 1925,

that licence, by virtue of this section, also operates (without any further application on the part of the holder thereof) to authorize the holder to pay duty on certificates of insurance delivered by him pursuant to subsection (4) of section sixty-four of the last-mentioned Act in the manner prescribed in section thirteen A of the Principal Act as if that licence contained an express provision to that effect.