

Powers of investigation.

2—(1) An officer of, or other person employed in, the Department of Mines may for the purposes of any geological or geophysical investigation or any other scientific investigation of the earth, if authorized in writing by the Director of Mines or his deputy—

- (a) enter upon any land with or without assistants, drivers, and workmen, and with or without vehicles, wheeled or tracked, and drilling machinery; and
- (b) open fences and gates, dig or drill holes, let off explosives, and do any other things necessary or proper.

(2) Before entering upon occupied land under subsection (1) of this section the person so authorized shall give the occupier at least seventy-two hours' notice in writing of his intention to enter.

(3) In the exercise of his powers under subsection (1) of this section a person shall do as little damage as possible and for any damage that he does the Crown shall make full compensation, the amount of which, if it cannot be agreed, shall be determined as a disputed claim for compensation under the *Lands Resumption Act 1957*

TRANSPORT.

No. 47 of 1972.

AN ACT to amend the *Transport Act 1938*.

[14 December 1972.]

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, citation, and commencement.

1—(1) This Act may be cited as the *Transport Act 1972*.

(2) The *Transport Act 1938*, as subsequently amended, is in this Act referred to as the Principal Act.

(3) This Act shall commence on a day to be fixed by proclamation.

2 Section three of the Principal Act is amended by inserting therein, before the definition of "the Commission", the following definition:—

Interpretation.

" 'Associate Commissioner' means a person appointed pursuant to section four A as an Associate Commissioner for Transport;".

3 After section four of the Principal Act the following section is inserted:—

"4A—(1) The Governor may appoint three persons as Associate Commissioners for Transport. Associate Commissioners.

"(2) Of the persons so appointed—

- (a) one shall be a person who appears to the Governor to have had experience and to have shown capacity in the management and operation of railways;
- (b) one shall be a person who appears to the Governor to have had experience and to have shown capacity in public transport operations and in the administration and control of road traffic; and
- (c) one shall be a person who appears to the Governor to have had experience and to have shown capacity in the management and operation of shipping services.

"(3) An Associate Commissioner shall hold office for such term, being not less than one year or more than three years, as may be specified in the instrument of appointment.

"(4) An Associate Commissioner shall be paid by way of salary such remuneration as the Governor may determine, and as may be specified in the instrument of appointment, and that remuneration shall not be reduced during the period for which he is appointed, except with the consent of the Associate Commissioner.

"(5) An Associate Commissioner is entitled to such leave of absence for recreation purposes as the Commission may determine.

"(6) An Associate Commissioner is not subject to the provisions of the *Public Service Act* 1923, but if an officer of the Public Service or of the Commission is appointed as an Associate Commissioner he is entitled to retain all his existing and accruing rights as if his service as an Associate Commissioner were a continuation of his service as such an officer."

4 Section five of the Principal Act is amended—

Constitution of Commission.

- (a) by omitting from subsection (2) the word "two" and substituting therefor the word "three";
- (b) by omitting subsection (2A);
- (c) by adding at the end of subsection (3) the words "and to the performance of such other duties, if any, as the Minister may direct or approve";
- (d) by inserting after subsection (3) the following subsection:—

“(3A) An Associate Commissioner shall devote to the performance of the duties of his office such part of his time as is specified in the instrument of appointment.”; and

(e) by omitting subsection (6).

Suspension and
removal of
Commissioner.

5 Section seven of the Principal Act is amended by inserting in paragraph (b) of subsection (1), after the word “Commissioner”, the words “or of an Associate Commissioner who is required to devote the whole of his time to the performance of the duties of his office”.

Reconstitution
of Commission.

6—(1) On the day on which this Act commences the Commission shall be reconstituted in accordance with the provisions of the Principal Act, as amended by this Act.

(2) The reconstitution of the Commission does not affect any rights or obligations of the Commission.

RURAL FIRES.

No. 48 of 1972.

AN ACT to amend the *Rural Fires Act 1967*.

[14 December 1972.]

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 *Rural Fires Act 1972*.

(2) The *Rural Fires Act 1967*, as subsequently amended, is in this Act referred to as the Principal Act.