

TAMAR IMPROVEMENT.

No. 42 of 1951.

AN ACT to amend the *Tamar Improvement Act*
1912. [28 September 1951.]

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 *Tamar Improvement Act* 1951. Short title and citation.

(2) The *Tamar Improvement Act*, 1912*, as subsequently amended, is in this Act referred to as the Principal Act.

2 Section two of the Principal Act is amended by inserting after the definition of "The Board" the following definition:— Interpretation.

"'The City rate' means the aggregate of the rates levied by the Launceston City Council under sections one hundred and six and one hundred and seven of the *Launceston Corporation Act* 1941†."

3 Section twenty of the Principal Act is amended by inserting after the word "respects," the words "and subject to the like liability to surcharge and interest,". Rate, how payable and recoverable.

4 Section twenty-one of the Principal Act is repealed and the following section is substituted therefor:—

"21—(1) It shall be the duty of the Launceston City Council (in this section referred to as "the Council")— Duty of Launceston City Council.

- I. To diligently collect and recover the Tamar rate:
- II. To give officers of the Board access at all reasonable times to view and examine and take copies of or extracts from all books and documents in connection with the Tamar rate:

* 3 Geo. V. No. 52, as amended by 4 Geo. V. No. 56, 6 Geo. V. No. 55, 9 Geo. V. No. 46, 20 Geo. V. No. 45, 21 Geo. V. No. 16, and 26 Geo. V. No. 51. See also 3 Geo. V. No. 56 and 12 Geo. V. No. 69.

† 4 & 5 Geo. VI. No. 91, as amended by 6 Geo. VI. Nos. 52 and 69, 7 Geo. VI. No. 14, 8 & 9 Geo. VI. No. 55, 10 Geo. VI. No. 50, 11 & 12 Geo. VI. No. 89, Nos. 22 and 63 of 1949, and No. 76 of 1950.

- III. On or before the fourteenth day of July, 1952, to pay to the Board the full amount of the Tamar rates which are due to the Board up to the thirtieth day of June, 1952, together with all arrears thereof then outstanding and all interest then due on those arrears, whether or not those arrears and interest have then been collected by the Council:
- IV. On or before the third day of August, 1952, and thereafter on or before the third day of each month in every year, to pay to the Board a sum which shall bear to the total amount of the City rate and the Tamar rate collected by the Council in the preceding month the same proportion as the Tamar rate levied for that year bears to the aggregate of the City rate and the Tamar rate levied for the same year:
- V. On or before the fourteenth day of January, 1953, and on or before the fourteenth day of July and the fourteenth day of January in every year thereafter, to pay to the Board the balance of the Tamar rate which is due up to the last day of the preceding month and has not been previously paid to the Board, whether or not that balance has then been collected by the Council.

(2) If on an adjustment of accounts at the expiration of any half-year it is found that the Council has paid to the Board under the provisions of paragraph IV. of subsection (1) of this section a sum in excess of the Tamar rate which was due to the Board for that half year, that excess shall be refunded to the Council by the Board.

(3) In arriving at the amount of the Tamar rate due to the Board for the purposes of subsection (1) of this section, all just and proper allowances in respect of abatements, rebates, discounts, rates written off, and other adjustments shall be allowed to the Council.

(4) All amounts received or collected by the Council in respect of the Tamar rate, together with all surcharge and interest on overdue rates, shall belong to the Corporation of the City of Launceston."

5 Section twenty-two of the Principal Act is repealed and the following section is substituted therefor:—

Board to pay
commission to
Council.

"22. Whenever the Board receives any moneys on account of the Tamar rate in accordance with section twenty-one, the Board shall, within fourteen days of the receipt of a demand in writing from the Launceston City Council, repay to the Council a sum equal to three and one-half per cent of the total amount paid to it as and by way of commission to recoup the Council for the trouble and expense incurred in the collection thereof."