

T A S M A N I A.



1857.

ANNO VICESIMO-PRIMO

VICTORIÆ REGINÆ,

No. 8.

AN ACT to provide for keeping the Proceeds of the Sale and other Disposal of Crown Lands separate and distinct from other Branches of the Public Revenue, and for the separate Appropriation of such Proceeds.

[4 December, 1857.]

WHEREAS it is expedient that the Proceeds of the Sale of Crown Lands in this Colony, and all Rents, Fees, and sums of money whatsoever received in respect of the leasing, occupation, or other disposal of such Crown Lands, should be kept separate from all other branches of the Public Revenue, and form a separate fund to be called "The Land Fund;" and that the appropriation of such Fund should be made and kept separate and distinct from the appropriation of other branches of the Public Revenue: Be it therefore 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:—

PREAMBLE.

1 The gross proceeds of the Sale of all Lands of the Crown, and all Rents, Fees, and sums of money whatsoever payable in respect of the leasing, occupation, or other disposal of such Lands, received by the Colonial Treasurer after the Thirty-first day of *December*, 1857, shall be

After the 31st day of *December*, Land Fund to be kept separate.

kept separate and distinct from all other branches of the Public Revenue, and shall form a separate and distinct Fund, which shall be called "The Land Fund."

Treasurer to keep separate Books in his Office for entering Receipt and Expenditure of Land Fund.

2 The Colonial Treasurer shall, from and after the said Thirty-first day of *December*, 1857, cause separate Books to be provided and kept in his Office in which all moneys received on account of the said Land Fund, and all moneys paid out of such Fund, shall be entered separate and apart from all other moneys received or paid by the said Treasurer.

Charges on the Land Fund. Expenses of surveys and management of Crown Lands. Public Debt of the Colony.

3 The Land Fund is hereby charged with the expense of the survey, management, sale, and disposal of the Lands of the Crown, and the expenses incident to the collection of the Revenue arising therefrom, and shall also continue chargeable and be charged with the whole amount of the Public Debt of the Colony incurred, or lawfully authorised to be incurred, before the commencement of this Act, and the Interest thereof accruing due from time to time, and with the payment of all Debentures and Interest thereon representing such Debt: Provided, that nothing herein contained shall exempt the General Revenue Fund of the Colony from the charge of such Debt or Debentures, or of the Interest accruing due upon the same, but the same shall be and continue charged both on the Land Fund and on the General Revenue Fund.

What payments may be made out of the Land Fund.

4 The Governor is hereby authorised from time to time to issue Warrants to the Colonial Treasurer authorising him to pay, and for such Treasurer to pay, out of the Land Fund any sums of money required for any of the following purposes:—

Expense of survey, &c. of Crown Lands.

Any sums of money required to defray the expenses relating to the survey, management, sale, or other disposal of the Lands of the Crown, or the expenses incident to the collection of the Revenue arising therefrom:

Debentures and interest.

Any sums of money required to pay the principal or interest due upon any Debentures issued for securing any Loan which is part of the Public Debt of the Colony by the authority of any Act heretofore passed, or of any Act hereafter passed authorising the issue of Debentures chargeable upon the Land Fund, or the principal or interest due upon any Debentures or Securities for which any of such Debentures as aforesaid may be exchanged:

Sums authorised by Legislature.

Any sums of money charged upon or authorised to be paid out of the Land Fund by any Law now or hereafter passed.

What payments out of Land Fund the Governor and Treasurer not to make.

5 It shall not be lawful for the Governor to issue any Warrant authorising the Colonial Treasurer to pay, or for such Treasurer to pay, out of the Land Fund any sum of money for any other purpose whatsoever than by this Act is authorised; and any sum of money which the Colonial Treasurer pays in contravention of this Act shall become a Debt of Record due to Her Majesty, and such Treasurer shall be liable in his person and property for such debt, and the same shall be recoverable from him as a Debt of Record due to Her Majesty.

Estimates of probable Revenue and Expenditure of Land Fund to be prepared separate from General Estimates.

6 The Colonial Treasurer shall, from time to time as occasion requires, lay before the House of Assembly Estimates of the probable Receipt and Expenditure of the Land Fund, separate and distinct from the Estimates of the probable Receipt and Expenditure of other branches of the Public Revenue.

7 The Land Fund shall be appropriated and applied from time to time by Acts of the Parliament of *Tasmania* specifically appropriating and applying such Land Fund, as distinct from other branches of the Public Revenue of the Colony. Land Fund to be appropriated by specific Appropriation Acts.

8 The Colonial Treasurer shall quarterly, in the months of *January, April, July, and October* in every year, cause to be published in the *Gazette* a full, accurate, and distinct statement showing the particulars of the Receipt and Expenditure of the Land Fund during the preceding quarter ending the *Thirty-first day of December, Thirty-first day of March, Thirtieth day of June, and Thirtieth day of September*, as the case may be; and shall cause all such statements to be laid before both Houses of Parliament within Fourteen days after their publication if Parliament is then sitting, or within Fourteen days after the commencement of the next ensuing Session of Parliament if Parliament is not then sitting. Treasurer to publish statements of Receipt and Expenditure of Land Fund, and lay the same before Parliament.

9 The terms "Crown Lands" and "Lands of the Crown," as used in this Act, shall extend to all Lands whatsoever in the Colony now or hereafter belonging to Her Majesty, Her Heirs and Successors. Interpretation of term "Crown Lands."

10 In referring to this Act it shall be sufficient to use the expression *The Land Fund Act*. Short Title.