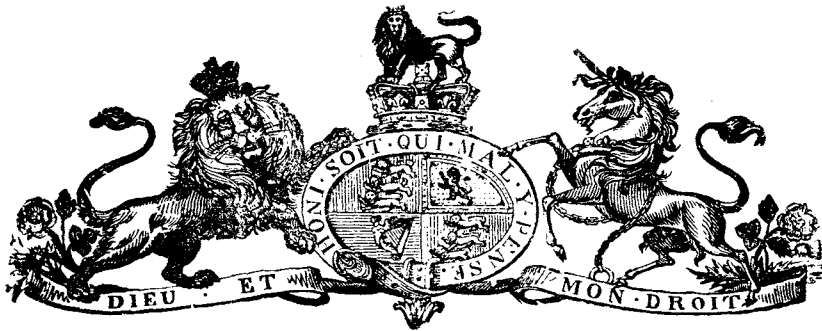


TASMANIA.

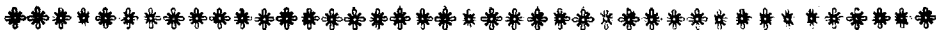


1903.

ANNO TERTIO

EDWARDI VII. REGIS,

No. 12.



AN ACT to further amend "The Marine Boards Act, 1889," and to make provision for the reconstruction of the Marine Board of *Mersey*. [28 November, 1903.] A.D. 1903.

WHEREAS it is desirable to further amend the Law relating to Marine Boards by placing the Marine Board of *Mersey* upon an elective basis: PREAMBLE.

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:—

1 This Act may be called "The *Mersey* Marine Board Amendment Act, 1903." Short title.

2 In this Act—

"The said Act" shall mean "The Marine Boards Act, 1889": "Elector" means and includes every person, whether male or female, of the age of Twenty-one years whose name is on the Assessment Roll in force for the time being as the Interpretation. 53 Vict. No. 34. "Elector."

Mersey Marine Board Amendment.

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owner or occupier of any property situated in the District; and every such elector shall, for the purpose of this Act, have a number of votes proportioned to the annual value of the property within the District owned or occupied by such elector as ascertained by the Assessment Roll according to the scale set forth in "The Rural Voting Act, 1884"; and the word "elector" as used in that Act shall hereinafter include an elector under this Act:

"District."

"District" shall be the district as defined by this Act.

Districts may be defined by Governor.

3 The District, for the purpose of the election of the Marine Board of *Mersey*, shall comprise the Towns of *Devonport*, *Latrobe*, and *Sheffield*, and the following Road Districts, viz. :—*Don*, *Tarleton*, *Harford* and *Templeton*, *Latrobe*, *East Mersey*, *Railton*, *Beulah*, *Kentish Plains*.

Constitution of Marine Board of *Mersey*.

4 From and after a date to be fixed by Proclamation made by the Governor the present Members of the Marine Board of *Mersey* shall cease to hold office, and thereafter the Marine Board of *Mersey* shall consist of Nine Wardens, Five of whom shall form a quorum, and such Wardens shall be elected by the electors of the District as above defined.

Such Wardens shall be elected as hereinafter provided, and the Wardens so elected shall respectively hold office, subject to the provisions of this Act, for a period of Three years.

First Election. Elections to be held in *December*.

5 The first election for Wardens of the Marine Board of *Mersey* under the provisions of this Act shall take place on or before the third *Thursday* in the month of *January*, in the year One thousand nine hundred and four, and the subsequent annual election of persons to fill the vacancies caused by the annual retirement of Wardens from the Marine Board of *Mersey* shall take place on or before the third *Thursday* in the month of *December* in every year. The members elected at the first elections to be held under this Act shall not enter upon their duties as members of the Marine Board of *Mersey* until the present members of the Board cease to hold office in accordance with the provisions hereinafter contained.

Proclamation as to First Election.

6—(1.) The Governor shall by Proclamation direct that on or before the third *Thursday* in the month of *January*, in the year One thousand nine hundred and four, at the times and places therein named, the electors of the District shall elect Nine members as Wardens for the Marine Board of *Mersey*.

(2.) Every such Proclamation shall be published in the *Gazette*, and shall direct that the Election to be held thereunder shall be held before such person as shall be appointed therein or thereby; and nominations of persons for election as such Wardens shall be forwarded to and be received by such person Seven clear days before the day appointed for holding the Election pursuant to such Proclamation, and such person shall thereupon provide and do all things necessary for holding such Elections pursuant to the Act.

Mersey Marine Board Amendment.

- (3.) Such person may appoint all necessary Polling-places, and also any Officers requisite for the purpose of such Election. A.D. 1903.
- (4.) The date fixed by such Proclamation for holding the Election therein directed to be held, and shall not be less than Fifteen, nor more than Thirty days after the date of the first publication of the Proclamation. Period within which Election to be held.
- (5.) All expenses of and incidental to the First Election of the Wardens of the Marine Board of *Mersey* shall be certified under the hand of the person before whom such First Election was held, and shall be paid by such Marine Board out of the moneys at their disposal. Expenses of First Election to be paid by the Board.
- 7** On the Third *Thursday* in the month of *December* in each year Three of the Wardens of the Marine Board of *Mersey* shall retire from office, and the vacancies shall be filled in the manner hereinafter provided. Retirement of Wardens.
- 8** The Wardens of the Marine Board of *Mersey* who are elected at the First Election of Wardens held under this Act shall retire from office in the manner hereinafter provided; that is to say—the Three Wardens who respectively receive the smallest number of votes at such First Election shall, on the Third *Thursday* in the month of *December* in the year One thousand nine hundred and four retire from office, and on the Third *Thursday* in the month of *December*, One thousand nine hundred and five, the Three Wardens who obtained the next smallest number of votes at such First Election shall retire from office, and on the Third *Thursday* in the month of *December*, in the year One thousand nine hundred and six, the remaining Three Wardens elected at the First Election shall retire, and in the event of any two of the Wardens elected at such First Election receiving an equal number of votes, the rotation in which such Wardens shall retire shall be determined by lot between such Wardens. How Wardens retire after First Election.
- 9** The vacancies created by the retirement of Wardens from the *Mersey* Marine Board at the expiration of the periods for which such Wardens were respectively elected shall be filled up by the Election in accordance with the provisions of this Act, and the Regulations to be made hereunder of fit and proper persons. Elections after First Election.
- 10** All the provisions of the said Act relating to the Election of Master Warden of any Marine Board, the Master Wardens whereof are elected, shall apply to the Election of the Master Warden of the Marine Board of *Mersey*. Election of Master Warden.
- 11** In the event of any delay occurring in the election of the successor of any Warden who would otherwise retire from office in consequence of the expiration of the period for which he was elected as aforesaid, such Warden shall continue in office until his successor has been duly elected. Election of successor of Warden.

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Regulations for
election of
Wardens.

12—(1.) The Governor may at any time, and from time to time, make, alter, or repeal Regulations for regulating generally the mode, manner, and time of election of Wardens of the Marine Board of *Mersey*; and the appointment of Returning Officers, Deputy-Returning Officers, and other Officers for carrying out any such Election, and the mode in which, and the time within which, nominations of persons for election shall be made and received, and generally for the management and conduct of such Elections, and to provide for the payment out of the funds of the Marine Board of *Mersey* of the expenses of and attending upon any such Election.

(2.) All such Regulations shall be published in the *Hobart Gazette*, and shall, while in force, be valid in law as if the same were expressly enacted by this Act.

(3.) All Regulations shall be laid before Parliament within One month after the making thereof, if Parliament be then in Session, or if not, then within Fourteen days after the commencement of the next Session of Parliament, and if in any case any Regulation made under this Act shall be disallowed by a Resolution of either House of Parliament, it shall thereupon become void, and cease to have force or effect.

Extraordinary
vacancies.

13 In the event of a vacancy occurring through death or resignation of a Warden, or from any other cause, the remaining Wardens are hereby empowered to fill up such vacancy, and the Warden so elected shall hold office until the next Election, when he shall submit himself for election. Any person chosen or elected to fill any vacancy shall retain his office so long only as the vacating Warden would have retained the same if no vacancy had occurred.

Expenses of Act.

14 Any expenses incurred in the preparation and printing this Act shall be a charge upon the revenue of the Marine Board of *Mersey*.

Acts to be read
together.

15 This Act, and the said Act, save as amended by this Act, shall be read and construed together as one and the same Act.