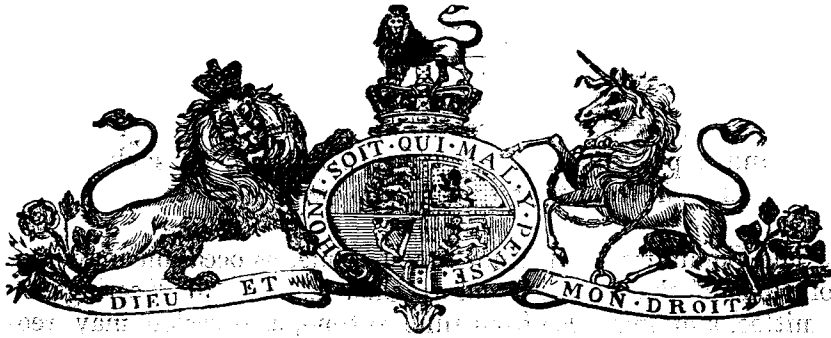


T A S M A N I A.

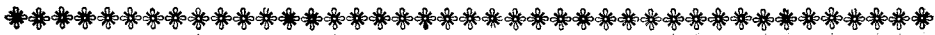


1889.

ANNO QUINQUAGESIMO-TERTIO

VICTORIÆ REGINÆ,

No. 13.



AN ACT to provide for the better Care and Management of the *Queen's Domain*. A.D. 1889.
[28 October, 1889.]

WHEREAS it is expedient to provide for the better Care and Management of the *Queen's Domain* : 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 cited as "The *Queen's Domain* Committee Act, 1889." Short title.

2 In this Act, unless the context otherwise determines— Interpretation.
"Minister" shall mean and include the Minister of Lands and Works for the time being :
"Committee" shall mean and include the Committee appointed by the Governor in Council under this Act.

3 It shall be lawful for the Governor in Council, for the purposes of this Act, from time to time to appoint a Committee of not less than Seven nor more than Twelve persons, who shall be styled or called "The *Queen's Domain* Committee," and from time to time to remove any Member of such Committee and to appoint another person in his stead. Governor may appoint persons as a Committee.

4 It shall be lawful for the Minister from time to time to place at the disposal of such Committee the whole, or such portions as he shall think fit, of any sum or sums of money voted by Parliament for the maintenance or improvement of the *Queen's Domain*. Minister may place money at disposal of Committee.

Queen's Domain Committee.

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Committee to
expend money on
Queen's Domain.

5 Such Committee shall expend any sum or sums of money placed at their disposal by the Minister as aforesaid upon and in the maintenance and improvement of the *Queen's Domain* in such manner as the Minister shall from time to time approve.

Committee to
appoint officers.

6 The Committee shall from time to time, as occasion may require, appoint one of themselves to act as Chairman at all Meetings of the Committee, and may also from time to time, as occasion may require, appoint one of themselves to act as Secretary; and every Chairman so elected shall hold office for a period of one year from the date of his election.

Orders and
proceedings of
Committee to be
recorded.

7 All proceedings at any Meeting of the Committee, together with the names of the Members thereof present at every such Meeting, shall be entered in a Book to be kept by the Committee for that purpose, and be signed by the Chairman of the Meeting at which such proceedings are, from time to time, confirmed; and all entries of any such proceedings so confirmed and signed by the Chairman of such Meeting shall be received in all Courts as evidence of the matters therein recorded until the contrary be proved.

Moneys received
to be paid into
Bank.

8 All moneys received by the Committee under this Act shall be paid into a Bank to the credit of "The *Queen's Domain Committee*," and all moneys disbursed by the Committee shall be paid by cheque signed by the Secretary and countersigned by the Chairman and one other Member thereof.

Annual account
of receipts and
expenditure.

9 An annual account of all moneys received and expended by the Committee for the purposes of this Act, up to the Thirty-first day of *December* in each year, signed by the Chairman or Two Members thereof, after approval by the Committee, shall, before the end of the then next *January*, be transmitted by the Chairman of the Committee to the Auditor-General, who shall cause the same to be published in the *Gazette*; and such account shall specify the total sum received under the provisions of this Act, and also the different heads of expenditure for the purposes of this Act, and the amounts actually expended under each head; and every such account shall be audited by the Auditor-General.

Moneys received
by Committee not
accounted for, or
improperly re-
tained, recover-
able as a Crown
debt of record.

10 All sums of money received by the Committee by virtue and for the purposes of this Act, of which the application or disposition for the purposes of this Act is not duly shown or accounted for by the Committee, or for the payment and disbursement of which for such purposes no legal or proper voucher or receipt is produced by the Committee, or which is wrongfully or improperly retained by the Committee or any Member thereof, shall be and be recoverable as a debt upon record from the Committee to Her Majesty.

Committee may
make Regulations
to protect trees,
&c.

11—(1.) It shall be lawful for the Committee appointed by virtue of this Act from time to time to make Regulations for the protection of the trees, shrubs, and herbage growing in or upon the *Queen's Domain*, and for regulating the use and enjoyment of the *Queen's Domain*, and for the removal of persons causing annoyance or inconvenience thereon; but no such Regulations shall be of any force or effect until the same have been approved of by the Governor in Council.

(2.) Any person who shall offend against any such Regulation so made as aforesaid shall be liable to a penalty not exceeding Five Pounds; and any person who shall continue to offend against any such Regulation

Queen's Domain Committee.

after he shall have been warned by any Constable, may be forthwith apprehended by such Constable and taken before some Justice of the Peace, and shall on conviction, where no other penalty is provided, forfeit and pay a penalty not exceeding Ten Pounds. Every such Regulation shall be posted in such conspicuous places in the Domain as the Committee may direct.

A.D. 1889.

12 All offences against this Act, or any Regulation made in pursuance hereof, shall be heard and determined, and all penalties recovered, in a summary way before any Two Justices of the Peace in the mode prescribed by *The Magistrates Summary Procedure Act*; and any person aggrieved by any summary conviction under this Act may appeal therefrom in the mode prescribed by *The Appeals Regulation Act*.

Recovery of penalties.

19 Vict. No. 8.

19 Vict. No. 10.

All penalties recovered under this Act shall be paid into the Treasury, and shall form part of the Consolidated Revenue Fund.

Appropriation of penalties.

13 All Regulations made by the Committee under the authority of this Act shall, with the approval of the Governor in Council thereto, be published in the *Gazette*, and at least once in a newspaper published in *Hobart*, and shall take effect from a date to be notified in such publication in the *Gazette*, unless otherwise provided in such Regulations; and in all legal proceedings the production of the *Gazette* containing any such Regulations shall alone be sufficient *prima facie* evidence that such Regulations have been duly made, and the onus of proving the contrary shall in every case be on the person disputing the validity thereof.

Regulations to be published.

All such Regulations shall be laid before both Houses of Parliament within Fourteen days from the making thereof if Parliament is then in Session, and if not, then within Fourteen days after the commencement of the next Session.

14 The appointment, resignation, or removal of any Member of the Committee shall be published in the *Gazette*; and in all legal proceedings the production of the *Gazette* containing any such appointment, resignation, or removal shall alone be sufficient *prima facie* evidence of such appointment, resignation, or removal.

Appointments, &c. to be notified in *Gazette*.

15 The Committee may sue or be sued by the name of "The *Queen's Domain Committee*" without otherwise naming the Members of such Committee; and no action, suit, or other proceedings commenced or had by or against the Committee shall abate or be in any way affected by reason of the death, resignation, absence, or new appointment of any Member of such Committee, but the same may be carried on and proceeded with as if no such change had taken place; and service or notice of any proceedings upon the Chairman or Secretary of the Committee for the time being shall be sufficient service on the Committee.

Committee may sue and be sued.

16 In any proceeding, civil or criminal, relating to any property or money vested in the Committee for the purposes of this Act, it shall be sufficient to describe such property or money as the property or money of the *Queen's Domain Committee* without otherwise naming the Members of such Committee.

Property may be laid in the Committee.

17 From and after the passing of this Act the provisions of "The *State Forests Act*," and all Regulations made thereunder, shall not apply to the *Queen's Domain*.

Provisions of 49 Vict. No. 36 not to apply.

