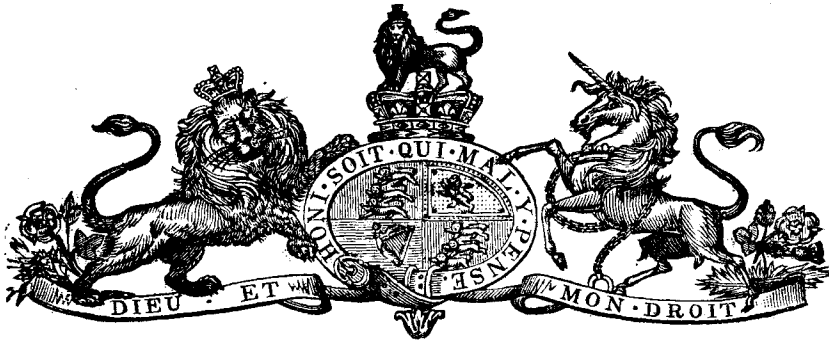


T A S M A N I A .

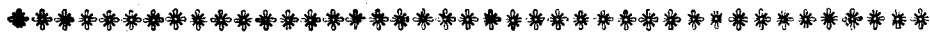


1889.

ANNO QUINQUAGESIMO-TERTIO

VICTORIÆ REGINÆ,

No. 4.



AN ACT to provide for the Repayment of Penalties remitted by the Governor.

A.D. 1889.

[26 September, 1889.]

WHEREAS it is provided, by an Act of the Parliament of *Tasmania*, intituled "An Act to provide for the Remission of Penalties," that it shall be lawful for the Governor to remit in whole or in part any sum of money imposed as a penalty or forfeiture on a convicted offender, although such sum of money may be in whole or in part payable to some party other than Her Majesty, but no provision is made for enforcing repayment of any such sum of money which has been remitted after the same has been paid by any person convicted as an offender :

PREAMBLE.
29 Vict. No. 18.

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 for all purposes as "The Repayment of Remitted Penalties Act, 1889." Short title.

2 Every sum of money imposed as a penalty for any offence, and which has been remitted by the Governor after payment thereof by the person or persons convicted of such offence, shall be repaid to the person or persons from whom the same has been recovered by the

Party receiving penalties to repay same when remitted.

Repayment of Remitted Penalties.

A.D. 1889.

person or persons who have in accordance with law received the same ; and in default of repayment thereof by such person or persons as last aforesaid shall be recoverable by the person or persons who have paid the same, together with full costs of suit, in any Court of competent jurisdiction ; and the remedy hereby given to enable the person or persons from whom any such penalty has been recovered to enforce repayment thereof shall be in addition to and not in substitution for the right of such person or persons to apply to the Supreme Court of *Tasmania* for a Writ of Mandamus to compel repayment thereof by the person or persons who have in accordance with law received the same or any part thereof.

Notice of re-
mission to be
given by Minister.

3 A notification in writing, signed by a Minister of the Crown, that any such sum has been remitted by the Governor shall be accepted by the person or persons to whom the same or any part thereof has been paid as sufficient evidence that such penalty has been remitted by the Governor, and as a sufficient authority to repay the same to the person or persons from whom the same has been recovered.