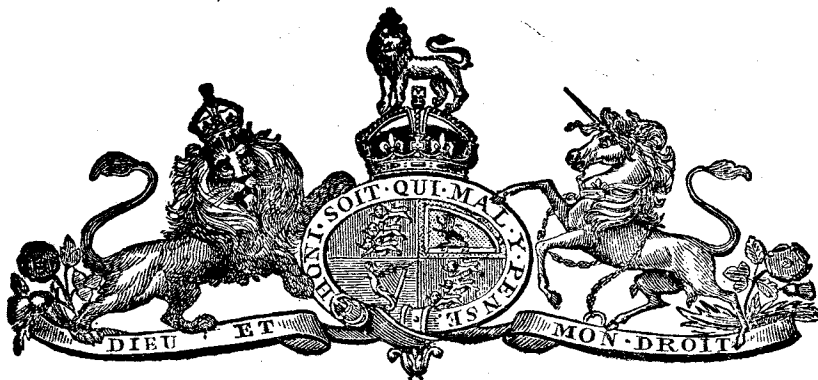


# TASMANIA



1918.

ANNO NONO

## GEORGII V. REGIS.

### No. 46.

#### ANALYSIS.

- |   |  |
|---|--|
| <ol style="list-style-type: none"> <li>1. Short title.</li> <li>2. Amendment of Section 21 of 3 Geo. V. No. 52.</li> <li>3. Repeal of Section 22 of 3 Geo. V. No. 52, and substitution of fresh section.</li> <li>4. Allows for discount and interest on rate, and confirms powers where a charge on land.</li> </ol> | <ol style="list-style-type: none"> <li>5. Board may acquire up to 500 acres at Bell Bay.</li> <li>6. As to estimating compensation of any land taken for the purposes of the Tamar Improvement Acts.</li> <li>7. Settlement of value.</li> </ol> |
|---|--|

\*\*\*\*\*

AN ACT to further amend "The Tamar Improvement Act, 1912."

A.D.  
**1918.**

[14 January, 1919.]

WHEREAS it is expedient to further amend "The Tamar Improvement Act, 1912":

PREAMBLE.  
3 Geo. V. No. 52.

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 Tamar Improvement Act, No. 4," and shall be read as one with "The Tamar Improvement Act, 1912" (in this Act referred to as "The Principal Act"), and every amendment thereof.

Short title.  
3 Geo. V. No. 52.  
4 Geo. V. No. 56.  
6 Geo. V. No. 55.

*Tamar Improvement (No. 4).*

A.D. 1918.

—  
Amendment of  
Section 21 of  
3 Geo. V. No. 52.

**2** Paragraph III. of Section Twenty-one of the Principal Act is hereby expunged, and the following paragraph is hereby inserted in lieu thereof:—

“III. To pay to the credit of the Board at such bank in Launceston as the Board shall from time to time direct all moneys received by or on behalf of the Corporation of such city or municipality in respect of the Tamar rate within Three days of the receipt of the same, and on or before the Fourteenth day of July and the Fourteenth day of January in each year, to make up and deliver to the Board a statement of all such moneys received, and of all such moneys paid to the credit of the Board up to and inclusive of the last day of the preceding month.”

Repeal of Section  
22 of 3 Geo. V.  
No. 52 and sub-  
stitution of fresh  
section.

**3** Section Twenty-two of the Principal Act is hereby repealed, and the following section is hereby inserted in the Principal Act in lieu thereof:—

“**22** The Board shall repay to each Municipal Council that shall deliver to the Board a statement in accordance with Section Twenty-one of this Act within Fourteen days of such delivery a sum equal to Three Pounds Ten Shillings per centum of the total amount paid to the credit of the Board by that Municipal Council in accordance with the said Section Twenty-one and shown in that statement, as and by way of commission to recoup such Municipal Council for the trouble and expense incurred in the collection thereof.”

Allows for dis-  
count and interest  
on rate and con-  
firms powers  
where a charge  
on land.

**4** Whenever the Municipal Council of the City of Launceston or the Municipal Council of any of the municipalities within the Tamar district is empowered and does allow discount or charge interest on the general rate or general road rate, as the case may be, made and levied in that city or municipality, then and in every such case the like discount may be allowed, or the like interest charged on the Tamar rate in that city or municipality in the same manner, and such interest shall be recoverable in all respects in the same manner as the rate, and whenever the said general rate or general road rate, as the case may be, is a charge on the land in the said city or municipality, the Tamar rate shall also be a charge on the land in that city or municipality, and all the consequences of such charge and all the powers vested in the Municipal Council as the result thereof, with regard to the general rate or the general road rate, shall also apply in the case of the Tamar rate.

Board may  
acquire up to 500  
acres at Bell Bay.

**5** The Board is hereby authorised and empowered at one time, or from time to time, to purchase and take any land not exceeding in total area Five hundred acres in the vicinity of Bell Bay, Parish of Cranbourn, County of Dorset, in Tasmania, which the Board may deem it desirable to acquire, and all such land shall be considered to be land required for enabling the Board to carry the purposes of the Principal Act into due execution and effect, within the meaning of Section Eight of the Principal Act, and the provisions of the said

*Tamar Improvement (No. 4).*

Section Eight shall apply to such land, and the Principal Act shall be read as if the power to purchase and take such land had been originally inserted in the said Section Eight. A.D. 1918.

**6** In estimating the purchase money or compensation to be paid for any lands to be purchased or taken by the Board by virtue of this Act, or the Principal Act, or any amendment thereof, regard shall be had by the arbitrators or surveyors, as the case may be, not only to the matters referred to in Section Thirty-two of "The Lands Clauses Act," but also the enhancement or depreciation in value of other land adjoining the land taken or severed therefrom of the person entitled to compensation by reason of the public purpose or public works carried out or to be carried out, and for the purpose of which the land or any portion thereof is to be purchased or taken. As to estimating compensation of any lands taken for purposes of the Tamar Improvement Acts.

Cf. 1 Geo. V. No. 11, Section 34.

The enhancement or depreciation shall be set off against or added to the amount of the value and damage and expense referred to in the said Section Thirty-two of "The Lands Clauses Act."

**7** In all cases where a notice to treat is served before the expiration of One year after the commencement of this Act, the value of the land to be purchased or taken shall be assessed without reference to any increase in value arising from the carrying out of or the proposal to carry out the public purpose or public work. Settlement of value. *Ibid*, Section 35.

But in cases where the land to be purchased or taken has been sold between the Twenty-first day of December, One thousand nine hundred and twelve, and the Twenty-first day of August, One thousand nine and eighteen, the value of such land may be increased to the amount paid or agreed to be paid on such sale

