

II By leaving it at his address for service, within the meaning of this section, or at his last-known place of abode or business.

“(2) Service in accordance with subsection (1) of this section is sufficient compliance with any provision of the Principal Act directing service of a notice by registered post.

“(3) The address of a person, set forth in any instrument by which that person becomes a registered proprietor or in any caveat lodged by or on behalf of that person may, for the purposes of this section, be treated as his address for service.

“(4) Upon being notified in writing by a registered proprietor or a caveator of any change of the proprietor's or caveator's address, the Recorder shall alter that address as set forth in any instrument specified by the proprietor (being an instrument by which he became a registered proprietor) or in the caveat.

“(5) Notwithstanding anything in the foregoing provisions of this section, if for any special reason the Recorder thinks it desirable so to do he may direct any notice to be given or served in such manner as he may specify, either in addition to, or in substitution for, the mode of giving or serving prescribed in those provisions.”.

**35** The *Real Property Act 1947* is repealed.

Repeal of the  
*Real Property*  
*Act 1947.*

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## WAR SERVICE LAND SETTLEMENT.

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No. 22 of 1960.

AN ACT to amend the *War Service Land Settlement Act 1950*. [29 June 1960.]

**BE** it 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**—(1) This Act may be cited as the *War Service Land Settlement Act 1960*. Short title and citation.

(2) The *War Service Land Settlement Act 1950*, as subsequently amended, is in this Act referred to as the Principal Act.

Interpretation.

**2** Section three of the Principal Act is amended by omitting the definition of "eligible person" and substituting therefor the following definition:—

" 'eligible person' means—

(a) a discharged member of the Forces who—

(i) has been honourably discharged after not less; or

(ii) having in the opinion of the Board been materially prejudiced by reason of his war service, has been honourably discharged after less,

than six months' war service; or

(b) a person who is included in a class of persons (if any) that the Minister determines shall be eligible to participate in war service land settlement under this Act,

and has been registered under section thirteen A;".

Land not required.

**3** Section twelve of the Principal Act is amended by omitting subsection (2) and substituting therefor the following subsection:—

"(2) Where land granted as provided in Part III has reverted to the Board by surrender, forfeiture, or escheat, and the Board declares that it is impossible to dispose of it as provided in section thirty-two, the Board shall—

(a) sell the land as trustee for all persons interested therein, including the person entitled to tenant right under section twenty-seven and to compensation under section twenty-seven A, whose claims therefor are a charge on the proceeds of sale; or

(b) surrender it to the King, and upon registration of the instrument of surrender the land surrendered shall be held subject to the *Closer Settlement Act 1957*".

**4** Before section fourteen of the Principal Act the following section is inserted in Division I of Part III:—

Registration.

"13A—(1) The Board shall register all persons who are otherwise eligible and who have applied to the Board to participate in war service land settlement under this Act before the last date determined by the Board, with consent, for that purpose.

(2) The Board may determine different dates for the purpose of this section in respect of different classes of persons."

Holdings to be offered to suitable applicants.

**5** Section fourteen of the Principal Act is amended—

(a) by omitting from paragraph (e) of subsection (2) the words "and if so, the improvements for which the increase will be payable"; and

(b) by omitting paragraph (f) of that subsection.

**6** Section nineteen of the Principal Act is amended by omitting subsection (2) and substituting therefor the following subsection:— Additional rent.

“(2) The Board shall determine the cost of improvements done under subsection (1) of this section, either as they are done or when they have all been done, and the annual rent payable shall, if the Board has reserved its right thereto in notifying the tenant of its allotment of the holding, be increased by one-fortieth of—

- (a) the cost so determined; or
- (b) where anything is payable under section twenty-six in respect of an improvement so done, the amount remaining after subtracting from the cost so determined the amount payable under section twenty-six.”.

**7** Section twenty-six of the Principal Act is amended by omitting subsections (1) and (2) and substituting therefor the following subsections:— Tenant to acquire structural improvements.

“(1) A tenant to whom a holding is allotted under section fifteen or re-allotted under section thirty-one or section thirty-two shall pay to the Board the capital value of all structural improvements thereon—

- (a) existing at the time of allotment or re-allotment; or
- (b) done thereafter under section nineteen,

which capital value shall be determined by the Board as if it were an outgoing tenant.

“(2) Notwithstanding anything contained in subsection (1) of this section, a tenant to whom a holding is allotted under section fifteen or re-allotted under section thirty-two is not liable to pay the Board, in respect of structural improvements done by it or at its expense, more than their capital value determined as on the first day of July 1946.”.

**8** Section twenty-seven of the Principal Act is amended by omitting subsections (6) and (7) and substituting therefor the following subsection:— Tenant right: When it arises: Its nature.

“(6) Where after the commencement of the *War Service Land Settlement Act 1960*—

- (a) a holding is allotted or re-allotted to an eligible person; and
- (b) that person has the benefit of subsection (2) of section twenty-six in respect of structural improvements,

the capital value of those improvements shall be deemed, as between the Board and that person or his successor in title to be their capital value as on the first day of July 1946.”.

**9** Section thirty-seven of the Principal Act is amended— Purchase price.

- (a) by omitting the words “ at the time of allotment ”; and
- (b) by omitting all words following the words “ twenty-six ” (first occurring).

**10** Section forty-two of the Principal Act is repealed and the following section is substituted therefor:—

Financial assistance by the Commonwealth.

“ 42—(1) All moneys received from the Commonwealth by way of financial assistance in connection with the purposes of this Act shall be credited to such accounts in the Treasury as the Treasurer may direct and may, subject to any conditions imposed by the Commonwealth, be expended on any of the purposes of this Act.

(2) In return for financial assistance as mentioned in subsection (1) of this section the Treasurer may make payments to the Commonwealth on such terms and conditions as the Minister may determine and both Houses of Parliament may by resolution approve.

(3) Payments under subsection (2) of this section may be made—

(a) out of moneys borrowed or re-appropriated for the purposes of this Act, which the Treasurer may re-appropriate accordingly; or

(b) by appropriation by the Treasurer for that purpose of moneys that would otherwise be paid into the Consolidated Revenue,

and shall be debited to such accounts in the Treasury as the Treasurer may direct.”.

Accounts and reports.

**11** Section forty-four of the Principal Act is amended—

(a) by inserting at the commencement thereof the following subsection:—

“(1) The Board shall keep such accounts in such form as the Treasurer may direct.”; and

(b) by inserting before the words “As soon as” the numeral “(2)”.

Interim distribution of the fund.

**12** Section fifty-four A of the Principal Act is amended by omitting subsection (1) and substituting therefor the following subsection:—

“(1) The State Sinking Fund Commissioners shall pay to the Board out of moneys standing to the credit of the Returned Soldiers’ Stock Purchasers Fund Account such amounts as the Board demands and for that purpose shall sell securities in which those moneys are invested, debiting any loss thereby occasioned to that account.”.

Amendments required by consolidations.

**13** The sections of the Principal Act that are specified in the first column of the schedule to this Act are amended as respectively specified in the second column of that schedule.

Validation of transactions.

**14—**(1) Transactions recorded in the public accounts before the first day of July 1959 shall not be deemed to be unlawful merely because no approved arrangement was in existence under section forty-two of the Principal Act but are hereby confirmed unless certified by the Treasurer to be improper in view of the usual practice when they occurred.

(2) As soon as terms and conditions are approved under section forty-two of the Principal Act they shall relate back to the beginning of the financial year commencing on the first day of July 1959.

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THE SCHEDULE.

(Section 13.)

FIRST COLUMN. Section amended.	SECOND COLUMN. How amended.
3	In the definition of "Board" omit "1929" and insert "1957".
8	Omit "1929" (twice occurring) and substitute "1957".
10	In subsection (8) omit "1910" and substitute "1957".
12	Omit "1929" (twice occurring) and substitute "1957".
43	In subsection (2) omit "1929" (twice occurring) and substitute "1957".

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HEALTH SERVICES.

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No. 23 of 1960.

AN ACT to amend the *Mental Hospitals Act 1858*, the *Food and Drugs Act 1910*, the *Hospitals Act 1918*, the *Public Health Act 1935*, the *Tuberculosis Act 1949*, the *Waterworks Clauses Act 1952*, the *Radioactive Substances Act 1954*, the *Sewers and Drains Act 1954*, the *Water Act 1957*, and the *Dangerous Drugs Act 1959*.

[29 June 1960.]

BE it 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 *Health Services Act 1960*. Short title.