

- (c) upon such ratable property within the water district as is connected with the waterworks, at such amount, fixed according to the measure of water supplied to such property, as the Council may determine.

(2) Any water rate made and levied in pursuance of paragraph (a) of subsection (1), may, notwithstanding anything contained in the Principal Act, comprise an amount not exceeding seven shillings and sixpence in the pound on the annual value of all ratable property within the water district, and may be so levied as to provide for a minimum annual payment in respect of every property in relation to which it is payable.

(3) The provisions of section one hundred and seventy-two of the Principal Act shall not have any application in respect of any water rate made and levied in pursuance of this section.

Power to
borrow on
overdraft.

3 It shall be lawful for the Council during the construction and installation of the waterworks after passing a special resolution for this purpose, as required by section one hundred and ninety of the Principal Act, from time to time to obtain advances from a bank or banks by overdraft of the current account of the Council upon the credit of the Municipality to finance the progress payments of such construction and installation.

Repayment of
overdraft.

4 Upon completion of the waterworks the moneys raised by overdraft as provided by section three shall be repaid by the sale of debentures under the provisions of the Principal Act and the *Local Bodies Loans Act 1881**.

* 45 Vict. No. 16. For this Act, as amended to 1936, see Reprint of Statutes, Vol. V., p. 211. Subsequently amended by No. 17 of 1948.

BUILDING MATERIALS.

No. 50 of 1949.

AN ACT to amend the *Building Materials Act 1948*.
[29 November, 1949.]

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:—

Short title
and citation.

1—(1) This Act may be cited as the *Building Materials Act 1949*.

(2) The *Building Materials Act 1948** is in this Act referred to as the Principal Act.

* No. 41 of 1948.

2 Section seven of the Principal Act is amended—

Sale, use, &c.,
of essential
building
materials
prohibited
except under
permit.

(a) by inserting in subsection (3), after the word “discretion”, the words “but subject to subsection (3A),”; and

(b) by inserting after subsection (3) the following subsection:—

“(3A) The Controller shall not grant to any person pursuant to this section any permit to purchase, acquire, or use, in or in connection with the repair or renewal of the whole or any part of the roof of any building, any galvanised sheet iron, unless the Controller is satisfied, after obtaining such technical advice and reports as he may consider desirable, that the material of which such roof is constructed is unfit for use; and no such permit shall authorise the use, in or in connection with the repair or renewal of the roof of any dwelling-house, of any quantity of galvanised sheet iron in excess of the quantity in respect of which permits under this Act are normally granted in the case of the erection of new dwelling-houses.”.

3 Section nine of the Principal Act is amended—

Special
provisions
relating to
bricks.

(a) by inserting in subsection (1), after the word “use”, the words “, or cause or permit any other person to use,”;

(b) by inserting after subsection (1) the following subsection:—

“(1A) In any proceedings for an offence against this Act, if evidence is given that any bricks (other than cement bricks) have been used upon any land for any purposes other than in or in connection with the erection, extension, or alteration of a dwelling-house, and if there is proof that any person is the owner or occupier of that land, that person shall, in the absence of proof to the contrary, be deemed to have so used those bricks, or, as the case may be, to have caused or permitted those bricks to be so used.”; and

(c) by adding at the end thereof the following subsection:—

“(5) In this section, ‘dwelling-house’ means any building which is used, or intended to be used, primarily for human habitation, but does not include any hotel or club, or any shop premises.”.

Offences and
penalties.

4 Section ten of the Principal Act is amended by adding at the end thereof the following subsection:—

“(4) Proceedings in respect of any offence against this Act may be taken at any time within twelve months after the offence was committed.”.

Expiry of Act.

5 Section thirteen of the Principal Act is amended by omitting therefrom the numerals “1949” and substituting therefor the numerals “1950”.

FRUIT BOARD.

No. 51 of 1949.

AN ACT to amend the *Fruit Board Act* 1934.
[29 November, 1949.]

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:—

Short title
and citation.

1—(1) This Act may be cited as the *Fruit Board Act* 1949.

(2) The *Fruit Board Act* 1934*, as subsequently amended, is in this Act referred to as the Principal Act.

(3) Section four of this Act shall commence on a date to be fixed by proclamation, and the remaining sections of this Act shall commence on the date on which the Governor gives his assent to this Act.

Moneys of
the Board.

2 Section eighteen of the Principal Act is amended by adding at the end thereof the following subsection:—

“(5) The Board, with the approval of the Governor, may, in any financial year, expend out of its funds any sums of money not exceeding thirty pounds or two per cent of its revenue for the preceding financial year (whichever is the lesser amount) for any purposes whatsoever approved by the

* 25 Geo. V. No. 49. For this Act, as amended to 1938, see Reprint of Statutes, Vol. IV., p. 180. Subsequently amended by 2 Geo. VI. No. 18, 6 Geo. VI. No. 67, and No. 73 of 1948. See also 9 Geo. VI. No. 25.