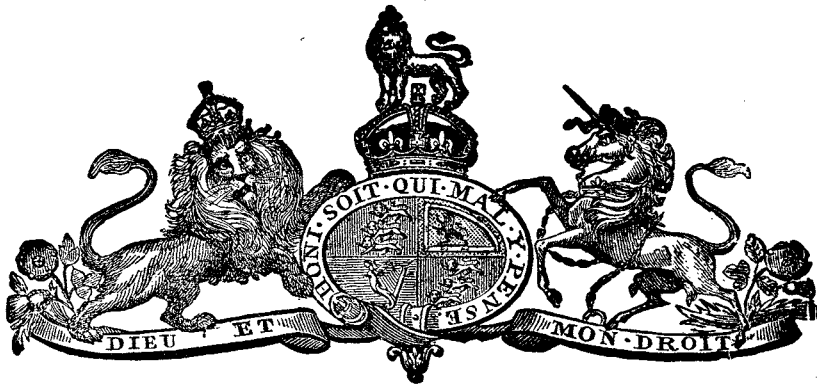


1003

T A S M A N I A.



1935.

ANNO VICESIMO SEXTO

GEORGII V. REGIS.

No. 39.

ANALYSIS.

- |  |   |
|--|---|
| 1. Short title.<br>2. Amendment of 62 Vict No. 5.<br>Preamble.<br>Section 1.<br>Section 2.<br>Section 4.<br>Section 5. | Section 6.<br>Section 7.<br>New section 8.<br>Disfiguring the landscape prohibited.<br>Section 8.<br>New section 9. |
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AN ACT to amend the *Defacement of Property Act* 1898. [18 October, 1935.]

A.D.  
1935.  
—

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 *Defacement of Property Act* 1935.

Short title.

2 The Principal Act is hereby amended—

- I. By expunging the preamble thereto and deleting the word *Preamble*.  
    “therefore” in the enacting clause :

Amend-  
ment of 62  
Vict. No. 5.

*Defacement of Property.*A.D. 1935. Section 1.

II. By deleting the words "for all purposes" in section one thereof:

## Section 2.

III. As to section two thereof—

- (a) By deleting the words "Municipal" to "Board" and substituting "Municipality": and
- (b) By inserting at the end thereof the words "Penalty: ten pounds and a daily penalty of two pounds.":

## Section 4.

IV. As to section four thereof—

(a) By deleting the words—

- (i) "the construction of": and
- (ii) "context" to "determines" and substituting "contrary intention appears":

(b) By expunging paragraphs 1. to III. in the definition of "Pleasure resort" and inserting after "means" in the first line of the definition the words "any park, recreation ground, or reserve which is open to the public for the purposes of recreation; and any tract of land proclaimed under this Act as a pleasure resort": and

(c) By expunging the definitions of "Gazette" and "The Minister":

(d) By adding after the word "means" in the definition of Tourist Road "any State highway and":

## Section 5.

V. As to section five thereof—

(a) By inserting "(1)" at the beginning:

(b) By deleting the words—

- (i) "in the Gazette":
- (ii) "and may" to "definition":
- (iii) "Provided that" and substituting "(2)":
- (iv) "trustees of" to "Board" and substituting "council of any municipality": and
- (v) "trustees" to "respectively" and substituting "council":

## Section 6.

VI. As to section six thereof, by deleting the words "Any" to "Act" and substituting "No person shall—" and by inserting (at the end in alignment therewith) the words "except with the consent of the Minister if Crown Land, or of the owner if otherwise.

Penalty: Ten pounds.":

## Section 7.

VII. As to section seven thereof—

(a) By inserting "(1)" at the beginning:

(b) By deleting the words—

- (i) "Subject" to "Act":
- (ii) "and issue":

*Defacement of Property.*

A.D. 1935

(iii) "the following" to "repeal":

(iv) "for" (at the beginning of paragraphs i. and ii. respectively): and

(c) By inserting (at the end) the following new subsection (2):—

"(2) A copy of every such regulation shall be posted in every pleasure resort to which it relates."

VIII. By inserting after section seven thereof the following new section eight:—

New section 8.

"8—(1) The erection, exhibition, or maintenance of any advertisement which disfigures the landscape is hereby declared to constitute a common nuisance.

(2) No person shall erect, exhibit, or maintain any advertisement which disfigures the landscape.

Penalty: Ten pounds and a daily penalty of two pounds.

(3) The questions—

i. Whether anything is an advertisement: and

ii. Whether an advertisement disfigures the landscape—

shall be questions of fact.

(4) Nothing in this section shall apply to or in respect of any sign or inscription upon any premises which relates solely to any trade, business, meeting, or entertainment carried on, or to be carried on or held, upon or in relation to the said premises, or to or in respect of any advertisement or hoarding in or adjacent to any city or town, or to or in respect of any advertisement which is erected or displayed with the prior consent of the Minister for Lands and Works, and also with consent of every council from any part of whose city or municipality such advertisement shall be visible": and

Disfiguring  
the land-  
scape pro-  
hibited.

IX. As to section eight thereof—

Section 8.

(a) By transposing the section and inserting it in place of repealed section nine and renumbering it accordingly: New section 9.

(b) By deleting the words—

(i) "Any person" to "Act and":

(ii) "or" to "regulation":

(iii) "on conviction" to "ten" and substituting "be liable to a penalty of twenty": and

(iv) "Every such" to "applicable".

