

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

“(3) Where any Crown land has been declared a sanctuary, the Board shall not grant a permit under the authority of the proviso to subsection (1) of this section in relation to that land unless both Houses of Parliament have, by resolution, authorized the granting of the permit.”.

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## CONSTITUTION.

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### No. 33 of 1959.

AN ACT to amend the *Constitution Act 1934*.  
[20 November 1959.]

**B**E 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 *Constitution Act 1959*.

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

Qualifica-  
tions of  
members.

**2** Section fourteen of the Principal Act is amended by omitting from sub-paragraph (b) of paragraph II of subsection (1) the words “for a period of not less than five years”.

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## KIMBERLEY LOAN GUARANTEE.

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### No. 34 of 1959.

AN ACT to authorize the Treasurer to guarantee the repayment of a loan made to Archibald Kimberley of Ulverstone in this State, Building Contractor, by the Commonwealth Trading Bank of Australia and the payment of the interest payable in respect thereof, and to provide for matters incidental thereto.  
[20 November 1959.]

**W**HEREAS a shipping service is carried on between ports Preamble.  
on the North-West Coast of this State and King Island  
by Kimberley King Island Trading Proprietary Limited, a  
company incorporated in this State under the *Companies Act*  
1920:

And whereas the economic progress of King Island is aided  
by the provision of shipping services plying between that  
Island and other parts of this State:

And whereas on or about the seventeenth day of December  
1958 the auxiliary ketch "Willwatch" owned by the company  
and used for the purpose of providing a direct shipping  
service between King Island and ports on the North-West  
Coast of this State sank in Bass Strait:

And whereas for the purpose of continuing the carrying on  
of that shipping service the company purchased a motor vessel  
known as the "Davara":

And whereas the cost to the company of the purchase,  
repair, and refitting of that motor vessel amounted to the  
sum of £23,000:

And whereas the cost of the purchase, repair, and refitting  
of that vessel was defrayed out of moneys lent by the Com-  
monwealth Trading Bank of Australia to Archibald Kimberley  
of Ulverstone in this State, Building Contractor, one of the  
directors of the company:

And whereas those moneys have been so lent on condition  
that the Treasurer guarantees, on behalf of the State, the  
repayment thereof and the payment of the interest payable  
in respect thereof:

And whereas in order to ensure the continued operation of  
the shipping service provided by the company by means of  
the motor vessel "Davara" it is expedient that the Treasurer  
should so guarantee the repayment of the moneys so lent by  
the bank and the payment of the interest payable in respect  
thereof:

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 *Kimberley Loan Guarantee* Short title.  
*Act* 1959.

**2** In this Act, unless the contrary intention appears— Interpreta-  
tion.  
"bank" means the Commonwealth Trading Bank of Cf. No. 18  
of 1957, s. 2.  
Australia;

“borrower” means Archibald Kimberley of Ulverstone in this State, Building Contractor;

“company” means Kimberley King Island Trading Proprietary Limited, a company incorporated under the *Companies Act 1920*.

Power of Treasurer to guarantee the repayment of a certain loan.

*Ibid.*, s. 3.

**3**—(1) Subject to this section, the Treasurer may, on behalf of the State, guarantee the repayment by the borrower to the bank of a loan made by the bank to the borrower for the purpose of assisting the company to purchase a vessel to replace the auxiliary ketch “Willwatch” and the payment of the interest payable in respect of that loan.

(2) The Treasurer shall not, in pursuance of this section, guarantee the repayment of any principal moneys in excess of the sum of twelve thousand pounds or the payment of interest on any principal moneys in excess of that sum.

(3) Before a guarantee is given by the Treasurer under this section, the borrower or the company, or both, shall give to the Treasurer such security as the Treasurer may require and shall execute all such instruments as may be necessary for that purpose.

Payments to bank under the guarantee.

**4**—(1) If the Treasurer is called upon to make a payment to the bank in consequence of giving a guarantee under section three the Treasurer shall, upon the demand of the bank and without any authority other than this section, make that payment to the bank out of the Consolidated Revenue (which, to the necessary extent, is appropriated accordingly).

(2) The borrower or the company shall, upon demand being made on him or it by the Treasurer, pay to the Treasurer any amount paid to the bank by the Treasurer under this section, together with interest thereon at the rate of six per cent per annum calculated from the day of payment by the Treasurer to the bank until repayment to him by the borrower or the company, as the case may be.

(3) All moneys received by the Treasurer from the borrower or the company under subsection (2) of this section shall be paid by the Treasurer into the Consolidated Revenue.