

3. The Minister shall consider an objection made by or on behalf of persons appearing to him to be affected that is made to him within the prescribed time, and he may, if he thinks fit, amend the draft regulations, and, unless an inquiry has been held as provided by this schedule, shall then cause the amended draft to be dealt with in like manner as an original draft.

4. Where the Minister does not amend or withdraw draft regulations to which an objection has been made, then (unless the objection either is withdrawn or appears to the Minister to be frivolous) he shall, before recommending that the Governor make the regulations, direct an inquiry to be held in the manner provided by paragraph 5 of this schedule.

5. Where the Minister, pursuant to paragraph 4 of this schedule, directs an inquiry to be held, the following provisions have effect with respect to the inquiry, that is to say:—

- (a) The Minister shall arrange for the inquiry to be held by the appeal tribunal, which shall hold the inquiry accordingly and report to the Minister thereon;
- (b) The inquiry shall be held in public and the Secretary or an officer of the Department who is authorized by him so to do, and an objector, and any other person who, in the opinion of the appeal tribunal, is affected by the draft regulations, may appear at the inquiry either in person or by a barrister, solicitor, or agent;
- (c) A witness may, if the appeal tribunal thinks fit, be examined on oath and, for that purpose, the appeal tribunal may administer an oath or affirmation to a witness; and
- (d) Subject to the provisions of sub-paragraphs (a) to (c) of this paragraph, the inquiry and all proceedings preliminary and incidental thereto shall be conducted in accordance with such rules as may be prescribed by the Governor, by order-in-council, and any rules so prescribed may make provisions as to the expenses of the inquiry and all proceedings preliminary and incidental thereto.

6. The expenses of or incidental to the conduct of an inquiry under this schedule and of the proceedings preliminary and incidental thereto shall be defrayed out of moneys to be provided by Parliament for the purpose.

KINGBOROUGH WATER.

No. 69 of 1958.

AN ACT to amend the *Kingborough Water Act*
1941. [19 December 1958.]

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 *Kingborough Water Act* 1958. Short title
and citation.

(2) The *Kingborough Water Act* 1941, as subsequently amended, is in this Act referred to as the Principal Act.

2 After section thirteen of the Principal Act the following sections are inserted:—

Restrictions
on the use
of water.
Cf. 11 Geo. VI
No. 78,
s. 207A.

“14—(1) The council at any time may, by resolution—

- I Restrict the hours during which water may be used, either generally or for specific purposes:
- II Prohibit or regulate the use of water for specified purposes: and
- III Allow such exemptions and exceptions as it may think fit.

“(2) No person shall use water in contravention of any resolution of the council under this section.

“(3) The council may, by resolution, authorize the council clerk, by notice in writing, either on one occasion only or from time to time, to make such variation or variations, to operate during such period or periods as he thinks fit, of any restriction, prohibition, regulation, exemption, or exception imposed, made, or allowed by the council pursuant to subsection (1) of this section.

“(4) The council shall cause notice of every resolution of the council under this section to be published in a newspaper and shall cause a copy of such notice to be posted on a notice board at the Council Chambers as soon as practicable after the resolution is passed by the council.

“(5) Every notice by the council clerk under subsection (3) of this section shall be published by him in a newspaper and a copy thereof shall be posted on a notice board at the Council Chambers as soon as practicable after it is signed by him.

“(6) The said resolution or notice shall become effective as against a ratepayer as and from the date and time of the publication or the posting thereof on the notice board, whichever is the later.

Supply of
water for
purposes
other than
domestic use.
Ibid., s. 209.

“15 The council, in its discretion, may furnish to any person requiring it, at or upon any premises, either within or without the municipality, an extraordinary supply of water at such charges and upon such terms and conditions as may be prescribed, or, in the absence of any such by-law, at such charges and upon such terms and conditions as may be agreed upon between the council and the person requiring the supply, but as far as practicable the charge for such an extraordinary supply of water shall be uniform where it is supplied in like circumstances and to the like extent.

Power to cut
off supply.
Ibid., s. 213.

“16 If a person who is supplied with water by the council—

- I Fails to pay to the council on demand any rate, charge, or sum of money payable by him: or
- II Is guilty of any contravention of any of the provisions of this Act,

in relation to that supply, the council may cut off or close any of the pipes or means by or through which water is supplied by the council to that person or for his use, and may cease to supply him with water so long as the failure or contravention continues, and neither the closing or cutting off of pipes or means nor the cessation of the water supply relieves any person of his liability to pay any rates or charges during the period of cessation, or prejudices any proceedings which may be taken against him in respect of the failure or contravention.

“ 17 No penalty or liability is incurred by, or enforceable against, the council in respect of any failure by the council to supply any water to any person who would ordinarily be entitled thereto or of any restriction in that supply if the failure or restriction is caused by— Indemnity. Ibid., s. 212.

I Drought or other unavoidable cause, or by accident:

II The necessity for alterations in, or additions or repairs to, any waterworks: or

III The cutting off of the supply under any of the provisions of this Act.

“ 18 The council may make by-laws for the purposes of this Act.” By-laws.

MINING.

No. 70 of 1958.

AN ACT to amend the *Mining Act 1929*.
[19 December 1958.]

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 *Mining Act 1958*.

(2) The *Mining Act 1929*, as subsequently amended, is in this Act referred to as the Principal Act.

(3) This Act shall commence on a date to be fixed by proclamation.

Short title,
citation, and
commence-
ment.