

MARINE.

No. 57 of 1967.

AN ACT to amend the *Marine Act* 1921, the *Marine Act* 1963, and the *Marine Act* 1966.

[7 December 1967.]

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 *Marine Act* 1967.

(2) The *Marine Act* 1921, as subsequently amended, is in this Act referred to as the Principal Act.

Interpreta-
tion.

2 Section five of the Principal Act is amended—

(a) by adding at the end of the definition of “board” in subsection (1) thereof the words “and includes a board the name of which has been altered pursuant to section seven A”; and

(b) by adding at the end of the definition of “trust” in that subsection the words “and includes a trust the name of which has been altered pursuant to section seven A”.

3 After section five G of the Principal Act the following section is inserted in Part IA:—

Remission of
fees, &c.

“5H. The Authority may, by resolution, remit the payment of any fee or charge payable, or any other moneys owing, to it under this Act or any part of any such fee, charge, or moneys, but no such resolution shall be passed except after three days’ notice of motion therefor.”

4 After section seven of the Principal Act the following section is inserted:—

Alteration of
name of
board or
trust.

“7A—(1) Notwithstanding anything in sections six and seven, on the application of a board or trust continued by or constituted under this Act the Governor may, by proclamation, alter the name of that board or trust in accordance with subsection (2) of this section.

“(2) Where the name of a board or trust is altered pursuant to this section, the altered name of the board or trust shall be ‘The Port of (*name of port*) Authority’, and the port specified in the name shall be one of the ports within the jurisdiction of the board or trust.

“(3) Where the name of a board or trust is altered pursuant to this section—

- (a) the board or trust shall, on and after the date specified in that behalf in the proclamation altering the name, be known for all purposes by its altered name;
- (b) the seal of the board or trust shall be altered so as to show the altered name of the board or trust or shall be replaced by a new seal bearing the altered name of the board or trust; and
- (c) the alteration of the name of the board or trust does not affect any of the rights, powers, duties, obligations, or liabilities of the board or trust or the validity or effect of any instrument or legal process (whether made, issued, served, or filed before or after the date of the alteration) that refers to the board or trust by its previous name.”.

5 Section one hundred and thirty-three of the Principal Act is amended— Fishing vessels.

- (a) by omitting from subsection (1) thereof the word “sixty” and substituting therefor the words “one hundred”; and
- (b) by omitting from subsection (8) thereof the word “six” and substituting therefor the word “twelve”.

6 Section one hundred and thirty-four of the Principal Act is amended— Launches.

- (a) by omitting paragraph (b) of subsection (1) thereof and substituting therefor the following paragraph:—
 - “(b) is—
 - (i) used for plying for hire or is held or let for hire or reward on any waters within the jurisdiction of the Authority; or
 - (ii) used for any prescribed purpose (other than for the purposes of trade) on any waters within the jurisdiction of the Authority;”;

- (b) by omitting from paragraph (c) of that subsection the word "sixty" and substituting therefor the word "seventy";
- (c) by omitting from subsection (2) thereof the words "to ply for hire or to be held or let for hire or reward" and substituting therefor the words "to which this section applies";
- (d) by omitting subsection (7) thereof and substituting therefor the following subsection:—

"(7) If a launch to which this section applies—

- (a) being a launch to which sub-paragraph (i) of paragraph (b) of subsection (1) of this section relates, plies for hire or is held or let for hire or reward; or
- (b) not being a launch to which that sub-paragraph relates, is used for any purpose,

on any waters within the jurisdiction of the Authority while it is unlicensed, the owner and the person in charge of the launch are both guilty of an offence against this Act.

Penalty: One hundred dollars.";

- (e) by omitting from subsection (9) thereof the words "plying for hire or hired without master, engineer, crew, or boatman" and substituting therefor the words "to which this section applies,";
- (f) by omitting from subsection (10) thereof the words "plying for hire or let on hire," and substituting therefor the words "to which this section applies,"; and
- (g) by adding at the end thereof the following subsection:—

"(11) In this section 'trade', in relation to a launch, includes plying for hire or reward and the conveyance of passengers or cargo, or both, for profit."

Grant of
certificates.

7 Section one hundred and forty-four of the Principal Act is amended—

- (a) by inserting in subsection (1) thereof, after the word "competency", the words "of such kinds or classes as may be prescribed";
- (b) by omitting from that subsection the words "any river, or in, to, or from, any port, or between any ports in Tasmania" and substituting therefor the words "any waters within the jurisdiction of the Authority"; and

- (c) by adding at the end of paragraph (a) of subsection (4) thereof the words “, unless that person has, for a period of twelve months immediately before the date of the examination, been continuously resident in the Commonwealth”.

8 Section one hundred and fifty-three of the Principal Act is amended by inserting in subsection (3) thereof, after the words “arriving at”, the words “or departing from”.

Collection of statistics.

9 Section forty of the *Marine Act 1963* is amended—

- (a) by omitting from subsection (1) thereof the words “, if endorsed with the prescribed statement,”; and

Amendment of the *Marine Act 1963*.

- (b) by omitting subsection (2) thereof.

10 The schedule to the *Marine Act 1966* is amended by omitting therefrom the item relating to the amendment of section one hundred and forty-eight of the Principal Act.

Amendment of the *Marine Act 1966*.

HOSPITALS.

No. 58 of 1967.

AN ACT to amend the *Hospitals Act 1918*.

[7 December 1967.]

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 *Hospitals Act 1967*.

Short title and citation.

(2) The *Hospitals Act 1918*, as subsequently amended, is in this Act referred to as the Principal Act.

2 After section eighty-six of the Principal Act the following section is inserted:—

“86A—(1) Where, out of moneys provided by Parliament for the purpose, the Minister pays to any authority or other body any sums in respect of—

Recovery of cost of treatment, &c., outside State.

- (a) the furnishing of treatment to any person (in this section referred to as ‘the patient’) at a place outside this State; or