

PRIMARY PRODUCERS' RELIEF.

No. 47 of 1960.

AN ACT to assist the Lower Midlands potato-growers to recover from bad weather.

[14 November 1960.]

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 *Primary Producers' Relief Act 1960*. Short title.

2 In this Act, unless the contrary intention appears—

Interpretation.

“Board” means the Board of Management of the Agricultural Bank of Tasmania;

“Financial Agreement” means the agreement made between the Commonwealth and the States and ratified by the *Financial Agreement Act 1927*, and includes that agreement as varied from time to time and any agreement made in substitution therefor;

“Loan Fund” means the Loan Fund established under section six of the *Public Account Act 1957*;

“Lower Midlands” means the municipalities of Oatlands and Richmond and such adjoining municipalities as the Governor may by proclamation declare to be included in that expression.

3 The Board may, at its absolute discretion, out of moneys provided under section fourteen, make loans, in accordance with this Act, to persons who were on the first day of June 1960 growing potatoes in the Lower Midlands, and had suffered damage thereto by the heavy rains of the preceding two months so that they can maintain their production.

Power of Board to lend.

No. 1 of 1960, s. 3.

4 In determining the amount of loans under this Act the Board shall have regard to—

Principles of loans.

- (a) the acreage of potatoes planted by the applicant for the 1960 crop;
- (b) the damage to the 1960 crop referred to in section three; and
- (c) the acreage of potatoes which the applicant undertakes to plant for the 1961 crop.

Terms and
conditions
of loans.

5—(1) Loans under this Act shall be—

- (a) repayable within five years;
- (b) subject to subsection (2), at the current rate determined by the Treasurer under section seventeen of the *State Advances Act* 1935; and
- (c) conditional upon the borrower's planting for the 1961 crop the acreage of potatoes that he has undertaken to plant, so that if he does not comply with his undertaking the loan shall, subject to subsection (3), forthwith become due and payable.

(2) The Board may make a loan under this Act free of interest for the whole or any part of the first three years.

(3) Where a borrower has planted some potatoes for the 1961 crop but not the full amount that he has undertaken to plant the Board may call up a part of the loan proportional to the acreage in respect of which he is in default and leave the rest of the loan outstanding as if the condition of planting had been fulfilled.

Applications
for loans.
Ibid., s. 6.

6—(1) Applications for loans under this Act shall be made in such form as the Board may determine and shall be accompanied by such evidence in support as the Board may require.

(2) In an application under this section the applicant shall state what acreage of potatoes he undertakes to plant for the 1961 season if he is granted a loan.

(3) The Board may require such further evidence as it thinks necessary in support of an application and may require the applicant to attend and give evidence before it.

Security.
Ibid., s. 7.

7—(1) The Board may take and require such security for the repayment of loans under this Act as in each case it thinks the best that can reasonably be obtained in the circumstances.

(2) A loan under this Act may be made as if it were an advance under the *State Advances Act* 1935, and in that case the provisions of that Act appropriate to the nature of the loan shall apply as nearly as possible.

Power of
Board to
obtain
information.
Ibid., s. 8.

8 Where a person has applied for a loan under this Act the Board may require that person—

- (a) to give the Board authority to obtain from any other person information available to him; and
- (b) to produce to the Board such books, papers, documents, and accounts relating to the loan, or the purposes for which, or the conditions on which, it was made, as the Board may require.

Exemption
from fees and
stamp duty.
Ibid., s. 9.

9 Any instrument made by the Board for the purposes of this Act is exempt from stamp duty and may be filed, recorded, or registered without payment of any fee.

Costs of
adminis-
tration.
Ibid., s. 10.

10 All expenses incurred in the administration of this Act shall be defrayed out of moneys to be provided by Parliament for that purpose.

11 All moneys received by the Board in repayment of loans and payment of interest thereon shall be paid into the Treasury and shall be applied in such manner as the Treasurer may direct. Repayment of loans.
Ibid., s. 11.

12 The Board shall keep such accounts of its transactions under this Act in such form as the Treasurer may direct. Accounts.
Ibid., s. 12.

13 As soon as practicable after the close of each financial year until all loans under this Act have been repaid the Treasurer shall cause to be laid before each House of Parliament— Annual report.
Ibid., s. 13.

- (a) an account in such form as the Treasurer requires, certified as correct by the Auditor-General, in respect of the Board's operations under this Act in that financial year; and
- (b) a report of the Board's administration of this Act during that year.

14 For the purposes of this Act the Treasurer may issue out of the Loan Fund (which, to the necessary extent, is appropriated accordingly), any sums of money not exceeding in the whole the sum of £55,000. Appropriation of Loan Fund.
Ibid., s. 13.

15 The Treasurer may arrange for the borrowing on behalf of the State, in accordance with the Financial Agreement, of any sums of money required for the purposes of section fourteen. Power of Treasurer to borrow moneys.
Ibid., s. 19.

16—(1) The Board may, at the time of making a loan or instalment of a loan under this Act, specify the purpose for which it is to be applied. Board may in certain events refuse to pay instalments of loans and may call in any moneys already lent.
26 Geo V No. 41, s. 38.

(2) The Board may, if it is satisfied that any money lent under this Act has not been applied for the purpose for which it was lent, or for some other purpose approved by the Board, or that such money has been expended in a careless or wasteful manner—

- (a) refuse to pay to the borrower any further instalment on account of the loan; and
- (b) call in the money already lent, whereupon the borrower shall forthwith repay that money to the Board, together with all interest due or accruing due thereon.

17—(1) No person shall—

- (a) in an application for a loan under this Act, in evidence in support of such an application, or for the purposes of section eight, make a statement which to his knowledge is false in a material particular; or
- (b) having received a loan under this Act, use it or any part thereof contrary to the conditions on which it was made.

Offences.
No. 1 of 1960,
s. 21.

Penalty: Three hundred pounds or six months' imprisonment.

(2) No person who, under section eight, is lawfully required to produce to the Board a book, paper, document, or account, or to give information to the Board, shall fail or refuse so to do without just cause.

Penalty: Thirty pounds.

Regulations.
Ibid., s. 22.

18 The Governor may make regulations for the purposes of this Act and may prescribe a penalty, not exceeding thirty pounds, for a breach of the regulations.

CHILD WELFARE.

No. 48 of 1960.

AN ACT to consolidate and amend certain enactments relating to children and other persons who have not attained the age of twenty-one years.
[5 December 1960.]

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:—

PART I.

PRELIMINARY.

Short title
and com-
mencement.

1—(1) This Act may be cited as the *Child Welfare Act* 1960.

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