

## CRUELTY TO ANIMALS PREVENTION.

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No. 63 of 1958.

AN ACT to amend the *Cruelty to Animals Prevention Act 1925*. [28 November 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:—

Short title and citation.

**1**—(1) This Act may be cited as the *Cruelty to Animals Prevention Act 1958*.

(2) The *Cruelty to Animals Prevention Act 1925*, as subsequently amended, is in this Act referred to as the Principal Act.

What is deemed cruelty to animals.

**2** Section five of the Principal Act is amended by inserting after paragraph VIC of subsection (2) the following paragraph:—

“VI D Abandoning any animal of a species that is ordinarily kept in a state of confinement or for domestic purposes:”.

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## PUBLIC SERVICE (No. 2).

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No. 64 of 1958.

AN ACT to amend the *Public Service Act 1923*. [28 November 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:—

Short title and citation.

**1**—(1) This Act may be cited as the *Public Service Act (No. 2) 1958*.

(2) The *Public Service Act 1923*, as subsequently amended, is in this Act referred to as the Principal Act.

Constitution of Classification and Appeal Board.

**2** Section nineteen of the Principal Act is amended—

(a) by adding at the end of subsection (2B) the words “or any person appointed under subsection (2C) of this section”; and

(b) by inserting after that subsection the following subsection:—

“(2C) The Commissioner, with the approval of the Minister, may, by instrument in writing under his hand, appoint any person approved by the Minister to be chairman of the Board in his stead—

(a) for such period; or

(b) for the purpose of such appeal (not being such an appeal as is referred to in subsection (2B) of this section) or such other matter,

as may be specified in the instrument; and the person so appointed shall, for that period or for that purpose, be the chairman of the Board in lieu of the Commissioner.”.

**3** Section thirty-nine of the Principal Act is amended—

Investigation  
of charges.

(a) by omitting from subsection (1) the words commencing with the word “After” and ending with the word “head”, and substituting therefor the words “Where a charge is made against an officer under section thirty-eight by the permanent head or a prescribed officer, the permanent head, after considering the reports relating to the charge and the explanation, if any, of the officer charged,”;

(b) by omitting subsection (4) and substituting therefor the following subsection:—

“(4) Where a recommendation is made under subsection (3) of this section for the appointment of a special tribunal to inquire into a charge, or where a charge is made by the Commissioner under section thirty-eight, the Governor may appoint one or more fit and proper persons as a special tribunal to inquire into the charge, and the tribunal shall report to the Commissioner the results of its inquiry, with such recommendation thereon as it may think proper.”; and

(c) by omitting from subsection (5) the words “If upon any such inquiry the Commissioner, or such tribunal,” and substituting therefor the words “If, upon any such inquiry as is referred to in subsection (3) or subsection (4) of this section, the Commissioner or the special tribunal (as the case may be)”.

**4** In relation to any offence committed or alleged to have been committed before the passing of this Act proceedings in respect of which have not been commenced or finally determined before the passing of this Act, the Principal Act shall have effect as if this Act had been in force at the time when the offence was committed or alleged to have been committed.

Application  
of Act to  
previous  
offences.