

(8) Any person who is guilty of an offence against this section shall be liable to a penalty of five hundred pounds, together, in the case of a continuing offence, with a daily penalty of fifty pounds.

(9) The powers conferred on the Commission by this section shall be in addition to, and not in derogation of, any other powers exercisable by the Commission apart from this section.

(10) Any costs or expenses incurred by the Commission in the exercise of the powers conferred on it by this section may be defrayed out of the revenues of the Commission.

(11) This section shall bind the Crown, and the powers conferred on the Commission by this section shall be exercisable accordingly.

Effect of this Part.

“72C. The provisions of section seventy-two B shall have effect, and the powers conferred on the Commission by that section may be exercised, notwithstanding any rule of law or anything expressed or implied in any other provision of this Act or in any other enactment, or in any contract (whether oral or written) to which the Commission is or is deemed to be a party, or in any deed, document, security, or writing whatsoever.

Indemnity.

“72D. No action, claim, or demand whatsoever shall lie or be made or allowed by or in favour of any person whomsoever against His Majesty, any Minister, the Commission, a Commissioner, or any officer of the Commission or other person acting in the execution of section seventy-two B or of any order, notice, or direction thereunder, for or in respect of any damage, injury, or loss sustained or alleged to have been sustained by reason of the passing or operation of that section, or anything done or purporting to be done under that section or under or in pursuance of any order, notice, or direction thereunder.”

Expiry of Act.

**3** This Act shall expire on the thirtieth day of June, 1952.

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## RAILWAY MANAGEMENT.

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### No. 2 of 1951.

AN ACT to amend the *Railway Management Act* 1935. [13 April, 1951.]

**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 *Railway Management Act* 1951.

(2) The *Railway Management Act 1935\**, as subsequently amended, is in this Act referred to as the Principal Act.

**2** Section sixty B of the Principal Act is amended by omitting subsection (7) and substituting therefor the following subsection:—

Appeals  
against  
promotions.

“(7) This section shall not apply to or in respect of the promotion of officers or employees to such offices or positions as may be prescribed.”.

**3**—(1) Notwithstanding anything contained in the Principal Act—

Officers, &c.,  
to have the  
right to  
appeal  
against cer-  
tain promo-  
tions.

(a) every promotion of an officer or employee in the Railway Service which was effected on or after the thirtieth day of September, 1946, and before the twenty-third day of July, 1948, shall, by virtue of this section, be subject to appeal as provided by this section; and

(b) any officer or employee who would have been entitled to appeal to the Railway Service Promotions Appeal Board (in this section referred to as “the Board”) in respect of any promotion to which paragraph (a) of this subsection applies if the *Railway Management Act 1948†* had come into force on the thirtieth day of September, 1946, may appeal to the Board, as provided by this section, in respect of that promotion.

(2) Any officer or employee (in this section referred to as “the appellant”) who desires to avail himself of the provisions of this section shall, within fifteen days after the commencement of this section, lodge with the chairman of the Board or with any officer appointed by the Board for the purpose of receiving notices of appeal under section sixty B of the Principal Act, a written notice of appeal—

(a) specifying the promotion in respect of which the appeal is made; and

(b) setting forth—

- (i) the full name and address of the appellant;
- (ii) the grounds of the appeal; and
- (iii) a concise statement of the appellant’s case.

(3) An appeal under this section may be made on the ground prescribed in subsection (2) of section sixty B of the Principal Act, but on no other ground.

(4) If any appeal under this section is allowed by the Board it shall order that the appellant, notwithstanding the position held by him, shall be deemed, for the purposes of paragraph II. of subsection (2) of section sixty B of the Principal Act, to be classified in a class or grade equal to the class or grade applicable to the position to which the appeal related.

\* 26 Geo. V. No. 33. For this Act, as amended to 1936, see Reprint of Statutes, Vol. VI., p. 344. Subsequently amended by 2 and 3 Geo. VI. No. 70, 8 and 9 Geo. VI. No. 60, 10 Geo. VI. No. 12 Nos. 29 and 53 of 1948, and No. 69 of 1949.

† No. 29 of 1948.

(5) Subject to the foregoing provisions of this section, the provisions of sections sixty B, sixty C, and sixty D of the Principal Act shall, so far as they are applicable, apply to every appeal under this section as if it were an appeal under section sixty B of that Act.

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## CONSOLIDATED REVENUE DEFICIT (FUNDING).

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### No. 3 of 1951.

AN ACT to authorise the Funding of the Deficit in the Consolidated Revenue Fund for the financial year ended the thirtieth day of June, 1949.

[13 April, 1951.]

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.

**1** This Act may be cited as the *Consolidated Revenue Deficit (Funding) Act 1951*.

Power to borrow  
£201,100  
12s. 7d. to  
fund deficit  
for 1948-49.

**2** The Treasurer may borrow any sums of money, not exceeding £201,100 12s. 7d., for the purpose of funding the deficit in the Consolidated Revenue for the financial year ended on the thirtieth day of June, 1949.

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## INSPECTION OF MACHINERY.

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### No. 4 of 1951.

AN ACT to amend the *Inspection of Machinery Act 1902*.

[13 April, 1951.]

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 *Inspection of Machinery Act 1951*.