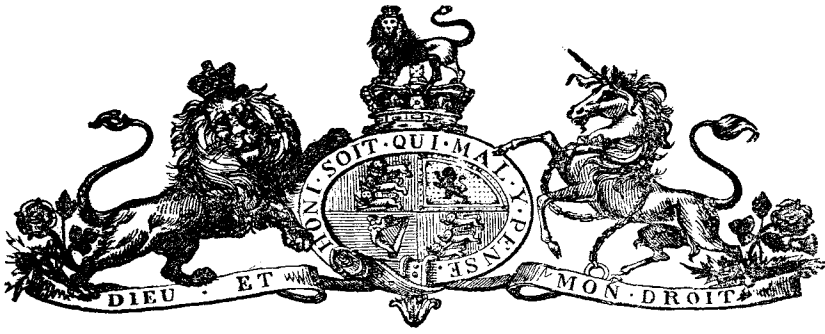


TASMANIA



1897.

ANNO SEXAGESIMO-PRIMO

VICTORIÆ REGINÆ,

No. 7.

AN ACT to provide for the Establishment A.D. 1897.
of a Department of Agriculture, and for
other purposes. [24 December, 1897.]

2 Edw VII No 37

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 Department of Agriculture Act, Short title. 1897.”

2 This Act shall come into operation and take effect on and after the Date of Act.
First day of *January*, One thousand eight hundred and ninety-eight.

3 “The Council of Agriculture Act” shall be and is hereby repealed Repeal.
from the Thirty-first day of *December*, One thousand eight hundred 55 Vict. No. 43.
and ninety-seven. Provided that this repeal shall not affect anything
lawfully done under the authority thereof, nor any rights acquired or
liabilities incurred thereunder.

4 In the construction and for the purposes of this Act the following Interpretation.
terms, except when inconsistent with the context, shall have the
respective meanings hereby assigned to them:—

“Council” shall mean the Council of Agriculture by this Act
constituted:

“Agriculture” shall mean and include all matters in any way
connected with the cultivation of the soil and its products,
and their export or import, and everything connected

*see 62 Y No 40
etc.*

Department of Agriculture.

A.D. 1897.

with the management and depasturage and export or import of stock :

“Branch Boards” shall mean Boards of Agriculture of not less than Twelve Members, which Boards have been appointed under the Act hereby repealed, or which shall hereafter be appointed by the Council, and having the names of their Members duly entered in the Branch Boards Register of the Council, and such Members shall be eligible to vote at any election to be held under this Act in such manner as may be defined by Regulations prescribed by the Governor in Council :

“Minister” shall mean the Responsible Minister of the Crown for the time being administering this Act, who shall, when doing or performing any act, matter, or thing hereunder, be styled or called the “Minister for Agriculture :”

“District” shall mean any one of the Council of Agriculture Districts mentioned in the Schedule (2.), each of which comprises the Branch Boards in the Electoral Districts set opposite to the name of the District in the said Schedule.

Council of
Agriculture to be
elected.

5 The Members of the Council of Agriculture shall be Eleven in number, and the Branch Boards in each of the Eleven Districts set forth in the Schedule (2.) hereto shall elect One Member. Every election shall, subject to the provisions of this Act, be carried out in accordance with Regulations prescribed from time to time by the Governor in Council, which Regulations may also prescribe the method of determining an election in case of equality of votes, or in case the same person is elected for more than one District.

Provided, that the Members of the existing Council shall continue in office until their successors are elected.

Method of
electing the
Council.

6—(1.) On or before the First day of *January* in every year, the Minister shall notify each Branch Board in every District where there is a Member to be elected that nominations will be received by him on or before the following First day of *February*, of some person who shall be a Member of some Branch Board, to represent the Branch Boards of the said District in the Council.

(2.) Within Three days after the said First day of *February*, the Minister shall, in case there is more than one person nominated by the Branch Boards of any District as their Representative, cause a list of the persons so nominated to be forwarded to the same Boards for the purpose of electing out of such persons one to be their Representative on the Council.

(3.) Every such nomination and election shall be made subject to the before-mentioned Regulations, at Meetings of the Branch Boards convened for that purpose, and shall be certified to the Minister in writing under the hands of the Chairmen presiding at such Meetings.

Duration of
appointment of
Members.

7 Three of the Members of the Council elected at the first election shall retire at the end of the first year, and Four of the remaining Members at the end of the second year, and the remaining Four Members at the end of the third year from such election; and the selection of the Members who shall so retire shall be decided by lot; and, subject to the provisions of this Act, every person elected a Member of the Council after the first election shall hold office for a period of Three years from the date of his election; and every such person shall be eligible for re-election.

Department of Agriculture.

8 Extraordinary vacancies in the Council shall be deemed to occur upon the happening of any of the following events:— A.D. 1897.

- i. The death, resignation, or removal from the Colony of any Member:
- ii. The failure of any Member to attend the meetings of the Council for Two consecutive ordinary meetings without leave of absence:
- iii. The failure of the Branch Boards in any District to elect a representative as hereinbefore provided:
- iv. Whenever at the time an election should take place there shall be no Branch Board in any District.

Unless there be a period of less than Three months intervening between the occurrence of an extraordinary vacancy and the next annual election for the Council, the Council shall forthwith appoint a person to fill such vacancy.

The Member appointed to fill any such vacancy shall hold office for the remainder of the term for which his predecessor was or should have been elected.

9 The first meeting of the Council shall be held at such time and place as the Minister may appoint, and all subsequent meetings at such times and places, but not less frequently than once every Three months, as the Council may determine. Meetings of Council.

Provided, that the Minister shall, at any time, if requested in writing by not less than Five Members of the Council, convene a meeting of the Council to be held within Fourteen days after the receipt by him of such request.

10 The Minister shall *ex officio* be President of the Council, and when present shall preside at all meetings of the Council or the Executive Body thereof. Minister *ex officio* a Member of Council and to preside.

The Council shall elect a Member of the Council to be Vice-President, and the Member so elected shall preside at any meeting of the Council or Executive Body thereof from which the Minister is absent.

In the event of both President and Vice-President being absent, the Council or Executive Body thereof shall appoint any other Member to act as Chairman at such Meeting.

11 The Council may, from time to time, elect any Five members of their body, ~~other than the Minister~~, as and to be the Executive Body of the Council, and may delegate to such Executive Body such of their powers, duties, and functions as they may from time to time think fit. The members of the Executive Body shall meet at such times and places as the ~~Minister or the~~ Executive Body may determine, but not less than Six times in every year. Any Three Members of the Executive Body shall form a quorum. Five Members of the Council may be appointed as Executive Body.

12 All questions which shall come before the Council, or the Executive Body thereof, shall be decided by a majority of the Members present; and the Chairman at any such meeting shall have a deliberative vote only, and if there is an equal division of votes upon any question it shall be deemed to be lost. Questions to be decided by majority present.

No question shall be decided at any meeting of the Council unless Five Members at the least are present at the time of the decision; and all powers of the Council may be exercised by any Five Members at a duly convened meeting. Quorum.

Department of Agriculture.

A.D. 1897.

Secretary to the
Council.

13 There shall be a Secretary to the Council appointed by the Governor in Council. He shall not be a Member of the Council. He shall be the medium of communication between the Minister and the Council and the Branch Boards, and his duties shall be to keep the records of the Council, attend all Meetings of the Council, conduct its correspondence, and assist in every way, under the directions of the Council, in promoting its objects.

Powers and
duties of the
Council.

14 The powers and duties of the Council shall be—

- i. To appoint Branch Boards, nominated by Three or more persons residing in the District, and to maintain correspondence and co-operation with such Branch Boards with a view to advance the interests of agriculture generally.

All Branch Boards appointed under the Act hereby repealed and in existence at the date on which this Act comes into operation shall continue and shall be deemed to have been appointed under this Act: Provided, that any Board which fails to hold a meeting during any Three consecutive months shall cease to exist:

- ii. To collect and publish, by means of the *Agricultural Journal* and the Press and by aid of the Branch Boards, and, when necessary, by special bulletins and reports, information of every kind calculated to prove beneficial to persons engaged in agricultural, horticultural, pastoral, and other pursuits connected with the culture of the soil:
- iii. To employ, from time to time, with the approval of the Governor in Council, persons competent to inspect and report at the request of the exporters upon any produce to be exported, upon payment of fees to be fixed by regulations, to give instruction of a practical character in matters appertaining to agricultural, pastoral, and horticultural science, and, when necessary, provide for occasional lectures on agriculture:
- iv. To advertise from time to time as may be deemed expedient the products and advantages of the Colony in other countries:
- v. To furnish, under such restrictions and regulations as may be prescribed by the Council and approved by the Minister, analyses of soils and manures free of cost to agriculturists:
- vi. To supply seeds, plants, trees, and manures for experimental purposes to such persons as are willing to undertake the conduct of experiments, in accordance with regulations prescribed by the Council, with the approval of the Minister, and, whenever practicable, to establish Agricultural Schools or Experimental Farms:
- vii. To take steps to guard against the importation or dissemination of birds, animals, insects, diseases, or noxious weeds inimical to any of the aforesaid industries, and to make experiments with a view to ascertaining the best remedies for, and to instruct those engaged in such industries how best to combat, all such diseases or pests:
- viii. To arrange for holding occasionally an Agricultural Congress, at which the Council and the Branch Boards

Department of Agriculture

may be represented, for the purpose of advancing generally the objects of the Department: A.D. 1897.

- ix. To furnish annually, for presentation to Parliament, a general report of the proceedings of the Department, in which may be included any suggestions of legislation deemed necessary in the interests of agriculture:
- x. To make, alter, or repeal, subject to the approval of the Governor in Council, Regulations for awarding Scholarships to any Agricultural College or School in *Tasmania*, out of any funds which may be provided by Parliament for that purpose.

15 The Acts mentioned in the Schedule (1.) to this Act shall hereafter be administered by the Minister, who shall bring all matters materially affecting the administration of such Acts before the Council for their consideration and advice. 2 Edw VII No 37
Acts in Schedule (1.) to be under Minister for Agriculture.

16 The moneys to be expended under the direction of the Council shall be such as may be provided from time to time by Parliament; and such moneys shall be disbursed subject to the approval of the Minister. Appropriation of money voted.

17 The Council may, subject to the approval of the Governor in Council, from time to time make, alter, or repeal Regulations for giving better effect to the provisions of this Act. All such Regulations shall be published in the *Gazette*, and shall be laid before both Houses of Parliament within Fourteen days from the publication thereof, if Parliament be then sitting, and if Parliament be not then sitting, then within Fourteen days after the beginning of the next Session; and upon publication in the *Gazette* all such Regulations shall have the force of law. Regulations.

SCHEDULE.

(1.)

<i>Date of Act.</i>	<i>Title of Act.</i>
2 Vict. No. 19.	"An Act for the Prevention of the Disease in Sheep called Scab."
25 Vict. No. 4.	"The Contagious Diseases (Cattle) Act, 1861."
39 Vict. No. 20.	"The Stock Act."
41 Vict. No. 8.	"The Scab Act, 1877."
42 Vict. No. 45.	"The Scab Act, 1879."
44 Vict. No. 12.	"The Contagious Diseases (Cattle) Act, 1890."
47 Vict. No. 2.	"The Diseased Animals Importation Act."
47 Vict. No. 16.	"The Scab Act, 1883."
47 Vict. No. 17.	"The Californian Thistle Act, 1883."
48 Vict. No. 21.	"The Californian Thistle Act Amendment Act, 1884."
51 Vict. No. 29.	"The Californian Thistle Act Amendment Act, 1887."
52 Vict. No. 16.	"The Codlin Moth Act, 1888."
53 Vict. No. 43.	"The Stock Act, 1889."
53 Vict. No. 42.	"The Rabbits Destruction Act, 1889."
55 Vict. No. 45.	"The Codlin Moth Amendment Act, 1891."
57 Vict. No. 22.	"The Rabbits Destruction Amendment Act, 1893."
59 Vict. No. 16.	"The Rabbits Destruction Amendment Act, 1895."
60 Vict. No. 35.	"The Contagious Diseases (Cattle) Act, 1896."

Department of Agriculture.

A.D. 1897.

(2.)

<i>The Council of Agriculture District of</i>	<i>Comprises the Branch Boards in the Electoral Districts of</i>
1. Wellington	Wellington. Waratah. West Devon.
2. Devon.....	Devonport. Latrobe. Deloraine.
3. Westmorland	Longford. Westbury. Cressy.
4. Launceston.....	Launceston. Selby.
5. Dorset.....	Ringarooma. George Town.
6. Cornwall	Evandale. Fingal. Campbell Town.
7. Cumberland	Oatlands. Cumberland. Montagu.
8. Pembroke.....	Sorell. Glamorgan. Richmond.
9. Derwent	Brighton. New Norfolk. Glenorchy.
10. Huon	Franklin. Kingborough.
11. Hobart.....	Hobart. Queenborough.