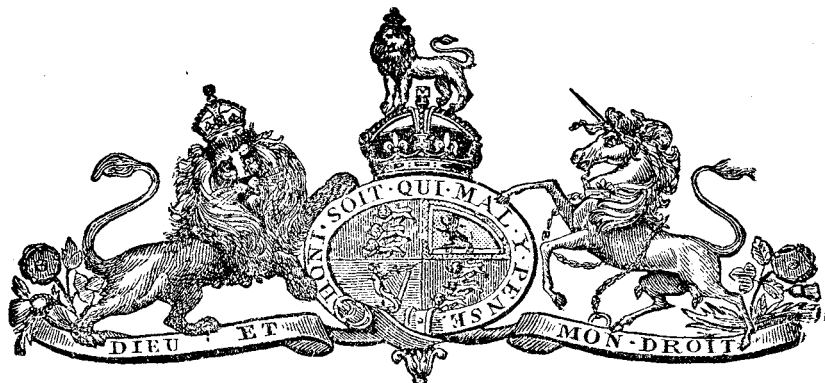


TASMANIA.



1932.

ANNO VICESIMO TERTIO

GEORGII V. REGIS.

No. 11.

ANALYSIS.

- | | |
|---|--|
| <p>1. Short title.</p> <p>2. Amendment of 21 Geo. V. No. 71.</p> <p> Section 2.</p> <p> New Section 4a.</p> <p> Payment by owners.</p> <p> Section 5.</p> <p> New Sections 5a and 5b.</p> <p> Provisions as to debentures.</p> <p> Purchaser of debenture not concerned to see to application of moneys.</p> <p> Section 12.</p> <p> Section 20.</p> | <p>Section 21.</p> <p>Section 23.</p> <p>Section 24.</p> <p>Section 27.</p> <p>Section 28.</p> <p>Section 29.</p> <p>Section 34.</p> <p>Section 35.</p> <p>Section 37.</p> <p>New Section 40.</p> <p> Prosecutions.</p> <p>Section 43.</p> <p>Schedule.</p> |
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AN ACT to amend the Devonport Sewerage Act, 1930. [7 July, 1932.]

A.D.
1932.

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 Devonport Sewerage Act, 1932.”

Short title.

6d.]

Devonport Sewerage.

A.D. 1932.

Amend-
ment of 21
Geo. V.
No. 71.

Section 2.

2 The Devonport Sewerage Act, 1930, is hereby amended—

I: As to Section Two thereof—

(a) By deleting from the definition of "Sewerage District" the words "notice in the Gazette" in the fourth and fifth line thereof and substituting therefor the word "Proclamation," and by inserting the word "decreased" after the word "increased" in the fifth line; and

(b) By expunging the definition of "Sewered property" and substituting therefor the following definition:—

"'Sewered property' means, as well as any sewered land or premises, any land or premises that may be conveniently served by any sewer by the Council, and is ready to receive connections from any such land or premises to convey the sewerage or drainage therefrom to such sewer." :

New Sec-
tion 4a.Payment
by owners.

II. By inserting after Section Four the following new section

4a:—

"**4a** The amount of money expended in respect of each particular premises shall be payable to the Council by the owner of such premises in such manner as the Council may decide. The amounts of money so expended shall be deemed to be expenses within the meaning of the Local Government Act, 1906, and shall be recoverable as therein provided." :

Section 5.

III. As to Section Five thereof, by deleting the word "and" in the first line of Paragraph 1., and inserting after the word "six" in the same line the words "seven, eight, and eleven" :

New Sec-
tions 5a and
5b.Provisions
as to debentures.

IV. By inserting after Section Five the following new sections:—

"**5a**—(1) Any debentures issued in pursuance of this Act shall be a charge upon the municipal rates and revenues of the Council and may provide for the repayment of the principal amount thereby secured and the payment of interest on such principal amount by such instalments of principal and interest combined as will secure the repayment of such principal amount not later than thirty years from the date of such debenture.

(2) The debentures may also provide for the payment of interest on the amount thereof at a rate not exceeding the rate hereinafter mentioned from the due date until payment thereof.

(3) Any debenture issued in pursuance of this Act shall be in the form or to the effect of the Fourth Schedule hereto and shall be numbered consecutively in arithmetical progression wherein the common difference is one beginning at the number one.

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- “**5b** No purchaser of any debenture issued under this Act shall be concerned to see to the application of the moneys paid for the same or be chargeable or accountable for the loss, misapplication, or non-application of the same, or be required to inquire as to the necessity for raising the same.”:
- Purchaser of debenture not concerned to see to application of moneys. A.D. 1932. —
- V. As to Section Twelve thereof, by inserting the words “ or premises ” after the word “ lands ” in the sixth line thereof. Section 12
- VI. As to Section Twenty thereof, by substituting the word “ premises ” for the word “ houses ” wherever occurring therein: Section 20.
- VII. As to Section Twenty-one thereof, by substituting the word “ premises ” for the word “ houses ” in the first line; by deleting the words “ under any house or under the surface of any yard or premises ” in the seventh and eighth lines thereof, and the words “ house or ” in the tenth line thereof; and by substituting the word “ there ” for “ their ” in the ninth line thereof: Section 21.
- VIII. As to Section Twenty-three thereof— Section 23.
- (a) By deleting the word “ private ” wherever occurring therein;
- (b) By deleting the words “ make an order ” in the seventh line thereof and substituting therefor the words “ serve a notice ”;
- (c) By deleting the words “ making of such order ” in the tenth and eleventh lines thereof and substituting therefor the words “ service of such notice ”; and
- (d) By deleting the words “ one month ” in the tenth line thereof and substituting therefor the words “ a reasonable time ”:
- IX. As to Section Twenty-four thereof, by deleting the words “ of the Council ” in the third line thereof and substituting the words “ or drain ”: Section 24.
- X. As to Section Twenty-seven thereof, by deleting the words “ this Act ” in the sixth line of Subsection (7) thereof and substituting therefor the words “ the Local Government Act, 1906 ”: Section 27.
- XI. As to Section Twenty-eight thereof, by deleting the words “ by qualified or licensed persons only ” in the last two lines thereof and substituting therefor the words “ only by persons licensed by the Council so to do ”: Section 28.
- XII. As to Section Twenty-nine thereof, by inserting after the word “ and ” in the fourth line of Subsection (1) the words “ except as otherwise provided herein ”: Section 29.
- XIII. As to Section Thirty-four thereof, by inserting the words “ or negligently ” after the word “ wilfully ” in the first line thereof: Section 34.

Devonport Sewerage.

- A.D. 1932.
Section 35. XIV. As to Section Thirty-five thereof, by inserting the words "or drain" after the word "sewer" in the third line of Paragraph I. of Subsection (1) thereof, and the third line of Paragraph I. of Subsection (2) thereof:
- Section 37. XV. As to Section Thirty-seven thereof, by inserting the words "or negligently" after the word "wilfully" in the first line of Paragraph II. thereof:
- New Section 40. XVI. By repealing Section Forty thereof and substituting therefor the following new Section Forty:
Prosecutions. "40 All prosecutions for offences under this Act shall be in accordance with the provisions of the Justices Procedure Act, 1919."
- 10 Geo. V. No. 55. Section 43. XVII. As to Section Forty-three thereof, by deleting the words "information or" and "where not required to be made on oath" in Subsection (1) and:
- Schedule. XVIII. By inserting after the Third Schedule the following Fourth Schedule:—

"FOURTH SCHEDULE.

MUNICIPALITY OF DEVONPORT.

FORM OF DEBENTURE.

LOAN, £ _____, bearing interest at £
per centum per annum.

DEBENTURE—

REDEEMABLE—

Issued by the Warden, councillors, and electors of the Municipality of Devonport under the provisions of the Devonport Sewerage Act, 1930, the Local Bodies Loans Act and its amendments, the Devonport Sewerage Act, 1931, and the Devonport Sewerage Act, 1932.

LOAN, £

TRANSFERABLE BY DELIVERY.

No. 1.

THIS DEBENTURE is issued by the abovenamed Municipality in accordance with the provisions of the abovementioned Acts, and is to secure to
or other holder thereof for the time being the sum of
£ _____, being the principal and interest
as shown in the table printed on the back hereof. Such principal sum and interest are payable at the
_____ day of _____ 19 ____.

If such sum is not paid on the date last aforesaid, interest thereon at the rate aforesaid shall be payable until payment of such sum. All such principal and interest are

Devonport Sewerage.

charged, in accordance with the provisions of the above-named Acts, upon the municipal rates and revenues of the Warden, councillors, and electors of the Municipality of Devonport. This Debenture, being one of a series of () Debentures issued to

A.D. 1932.

to secure the repayment with interest of the amount of (£), lent by the said to the said Municipality, is issued under and subject to the abovementioned Acts. And it is hereby expressly declared that, when the said sum of £ shall have been paid in redemption of this debenture, the sum so paid shall be in satisfaction of the instalment of principal and interest set opposite to the number of this debenture in the third and fourth columns respectively on the table printed on the back hereof. Provided that, if default be made in the due payment of any moneys secured by any debenture of this series, then the moneys secured by all other outstanding debentures of the said series shall, at the option of the holder or holders for the time being, become payable on demand and until payment shall carry interest at the rate aforesaid from the date of such default until payment thereof.

Dated at Devonport, in Tasmania, this
day of 19

The Common Seal of the Warden,
councillors, and electors of the
Municipality of Devonport has
been hereunto affixed in the pres-
ence of us, this day of
19 , in pursuance of
authorisation given at a meeting
of the said Council on the
day of 19

[To be endorsed on back of debenture.]

£

LOAN.

TERM :

RATE :

per centum per annum.

Devonport Sewerage.

A.D. 1932.

TABLE REFERRED TO IN THIS DEBENTURE.

Half-year No.	Principal Outstanding at Beginning of Half- year.	Portion of Half-year's Payment Applied to Interest at 6 per cent. per Annum on Principal Outstanding at Beginning of Half-year.	Portion of Half-year's Payment Applied in Repayment of Principal.	Total Payment for Half-year.	Date Payable.