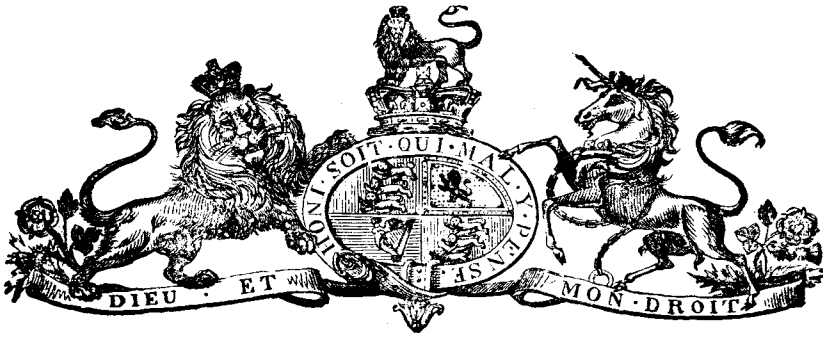


T A S M A N I A



1902.

ANNO SECUNDO

EDWARDI VII. REGIS,

No. 50.



AN ACT to further amend "The *Hobart* A.D. 1902.  
Water Act, 1893." [20 December, 1902.] —

**W**HEREAS it is expedient to amend "The *Hobart* Water Act, 1893," in the manner hereinafter appearing: PREAMBLE.  
57 Vict. No. 25.

Be it therefore 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 for all purposes as "The *Hobart* Water Act, 1902." Short title.

**2** In the construction and for the purposes of this Act, unless the context otherwise determines— Interpretation.

The expression "the said Act" shall mean "The *Hobart* Water Act, 1893:"

The expression "the Council" shall mean the Municipal Council of the City of *Hobart*:

The expression "the Corporation" shall mean the Mayor, Aldermen, and citizens of the City of *Hobart*:

The expression "the said river" shall mean the *North-West Bay* River.

*Hobart Water.*

A.D. 1902.

Repeal.

**3** The parts of the Act mentioned in the Schedule hereto are hereby repealed to the extent to which such parts of the Act are therein expressed to be repealed.

Continuation of present rights.

**4**—(1.) It shall be lawful for the Corporation, until the Thirty-first day of *August*, One thousand nine hundred and four, to take, divert, and impound one-half of the water flowing at any time until such date in the said river at the point where the present intake constructed under the provisions of “The *Hobart Water Act, 1900*,” is situate, such point being about Two thousand feet above sea-level, and about Two miles and Fourteen chains distant from *St. Crispin’s Well*, and to make, construct, lay down, maintain, alter, and discontinue such waterworks upon any land as the Council thinks necessary to carry such water to the waterworks authorised by the said Act.

(2.) Upon the Thirty-first day of *August*, One thousand nine hundred and four, the right of the Corporation to take, or divert, or impound any of the said water flowing in the said river shall absolutely cease and be determined, and the Corporation shall forthwith thereafter disconnect and remove the intake.

Compensation for taking water, &amp;c.

**5**—(1.) The Corporation shall make full compensation to all persons lawfully interested in the water of the said river for all damage or injury sustained by them, or any of them, by reason of the taking of any water or doing any act by the Corporation which may in any way diminish the quantity of water flowing in the said river.

(2.) The amount to be paid by the Corporation to each of such persons by way of compensation shall be such sum as may be mutually agreed upon, or failing agreement the amount shall be ascertained in the manner hereinafter provided.

(3.) It shall be lawful for the said persons, or any of them, to at any time make a claim for compensation in respect of all damages sustained by reason of the exercise of any powers given to the Corporation under this Act, and any such claims for compensation by such persons, or any of them, may be made by an application to a Judge of the Supreme Court in Chambers, who shall have full power to hear such application and the evidence tendered in respect thereof, and generally to give directions, award damages, and make and enforce any order made in respect of such application, in the same manner as a Judge’s order may be enforced.

(4.) The provisions of the said Act relating to compensation and compensation works, and the mode and time of recovery of such compensation, shall not apply to claims arising by reason of the execution of the powers conferred on the Corporation by this Act.

Acts to be read together.

**6** This Act and the said Act, and every Act amending the said Act, shall be read and construed together as one Act.

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*Hobart Water.*

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## SCHEDULE.

A.D. 1902.

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<i>Date and Number of Act.</i>	<i>Title of Act.</i>	<i>Extent of Repeal.</i>
64 Vict. No. 64.	"The Hobart Water Act, 1900."	Sections 11, 12, 13, 14.

