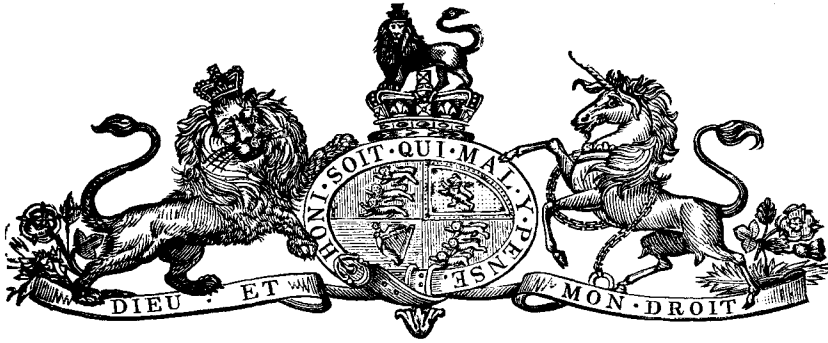


T A S M A N I A.



1895.

ANNO QUINQUAGESIMO-NONO

VICTORIÆ REGINÆ,

No. 49.

Amended by 62 Vict. No. 60
61 " " 62

AN ACT to amend "The *Launceston* Corporation Act, 1894." [24 October, 1895.] A.D. 1895.

WHEREAS it is expedient to amend "The *Launceston* Corporation Act, 1894," in the manner hereinafter appearing : PREAMBLE.

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 as "The *Launceston* Corporation Act, Short title. 1895."

2 On and after the day on which this Act comes into operation, the Acts or portions of Acts of the Parliament of *Tasmania* set forth in the Schedule (1.) hereto shall be and are hereby repealed : Provided that such repeal shall not affect— Repeal of existing Acts. Schedule (1.).

i. Anything duly done under any Act hereby repealed before the date on which this Act comes into operation :

ii. Any liability accruing under any such repealed Act before the date on which this Act comes into operation.

And, excepting so far as there is anything in this Act inconsistent therewith, this Act shall apply to all matters and things done under Application of Act to matters and things done.

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any repealed Act and of any force or effect at the date on which this Act comes into operation by virtue of any Act hereby repealed, as if made or done hereunder.

And whenever in any Act the Acts hereby repealed, or any of them, are mentioned, such mention shall hereafter be held and construed to mean and refer to this Act.

Interpretation.

3 In the interpretation and construction of this Act the following words, unless inconsistent with or repugnant to the context, shall have the respective meanings hereinafter assigned to them ; viz.—

“The said Act” shall mean “The *Launceston Corporation Act*, 1894” :

“The Auditor-General” shall mean the Auditor-General of *Tasmania* appointed under the provisions of “The Audit Act, 1888.”

Hours of Polling.

4 Notwithstanding anything contained in the Thirtieth Section of the said Act, the voting at every Election of an Alderman or Aldermen shall commence at Nine o'clock in the forenoon, and shall close at Six o'clock in the afternoon, unless adjourned by reason of riot or interruption, as provided by the said Act.

Municipal
accounts to be
subject “The
Audit Act.”

5 The accounts of the Corporation, as the same are mentioned and specified in the said Act, shall be subject and liable to all the provisions of “The Audit Act, 1888,” in the same manner in all respects as if such accounts had been specifically mentioned therein.

Accounts to be
forwarded to the
Auditor-General.

6 The Council shall, before the Thirty-first day of *March* in every year, forward to the Auditor-General the statement and account mentioned in Section One hundred and sixty-six of the said Act, accompanied with proper vouchers in support of the same, and all such books, papers, and writings in the custody or power of the Council relating thereto as the Auditor-General shall require to be furnished to him ; and any person interested in the said accounts as a creditor or elector of the Municipality may by himself or his agent make to the Auditor-General any objection, either personally or in writing, to any part of such accounts ; and the Auditor-General shall either make a special report upon such accounts, or if the said accounts are found correct he shall simply confirm and sign the same in token of his allowance thereof.

Publication of
accounts.

7 Upon the annual accounts being so examined and audited as aforesaid, the Council shall cause a copy of such accounts, and of such statement and account as hereinbefore mentioned, each signed by the Mayor and not less than Five Aldermen and by the Auditor-General, to be delivered to the Clerk of each House of the Legislature of this Colony, in order that the same may be laid on the Table of such House ; and the Treasurer shall make out and cause to be printed a full abstract of the accounts for the year as audited ; and a copy of the said abstract shall be published in the *Gazette* within Twenty-one days after such accounts have been so audited as aforesaid.

Officers to be
amenable to
provisions of
“The Audit Act,
1888.”

8 Every officer appointed or employed by the Council in the receipt or disbursement of moneys or other property shall be amenable to all the provisions of “The Audit Act, 1888,” in the same manner in all

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respects as if such officer had been an officer in the Public Service of the Colony. A.D. 1895.

9 The words "Auditor" and "Auditors" are hereby expunged from Parts VI., VII., VIII., IX., XIII., and XIV. of the said Act; and wherever elsewhere in the said Act the word "Auditors" or "Auditor" occurs, the same shall hereafter be read and construed to mean and refer to the Auditor-General of *Tasmania* appointed under the provisions of "The Audit Act, 1888." Auditors.

10 If any person shall become the occupier of any property at any time within Six months after the time appointed for payment of any Rate payable in respect of such property, whether such property was occupied or unoccupied at such time, and such Rate or any portion thereof is in arrear and unpaid, such person shall be liable to pay and shall pay so much of such Rate as shall bear the same proportion to the whole amount thereof as the unexpired portion of the period for which such Rate is payable shall bear to the whole of such period: Provided, that nothing contained in this Section shall relieve the occupier of such property at the time when the Rate so in arrear and unpaid was appointed to be paid from his liability to pay the same, and such Rate shall be recoverable from such occupier as last aforesaid, subject to the deduction of any portion thereof which may have been paid by or recovered from any other person. Proportion of Rate in arrear recoverable from persons becoming occupiers after time fixed for payment of the same.

11 Whenever any property is sold, and any Rates which are payable in respect of such property by the owner thereof are in arrear and unpaid, the purchaser of such property shall be liable to pay and shall pay all such Rates as aforesaid which are in arrear and unpaid, and which had been payable at any time within the immediately preceding period of Six months. Purchaser of property to pay arrears of Rates in certain cases.

12 Every person who shall construct within the said City a Private Street for use as a carriage road shall, in addition to complying with the requirements mentioned in Section Two hundred and fifty-five of the said Act, construct along the kerbing of the footways of such Private Street a gutter of stone or cement concrete Twenty-two inches in width and Six inches thick. Private Streets.

13 Notwithstanding anything contained in the said Act or in any other Act relating to the Mayor or Aldermen of the City of *Launceston*, a Citizen of the said City shall not be disqualified for the office of Mayor or Alderman of the said City by reason of any contract made between the Citizen and the Council or the Corporation— Certain contracts not to disqualify for office of Mayor or Alderman.

- I. For the supply of water or light to such citizen under the provisions of any Act authorising the Corporation or the Council to supply water or light to the citizens of the said City:
- II. For the performance by the Council of any work or services in connection with the paving or asphaltting of footways or the kerbing or guttering of roads, the removal of night-soil or sewage, or the carrying out by the Council of other sanitary measures within the said City:
- III. For the payment of money by any person for permission granted to him by the Council to occupy footways in the said City during the erection of buildings:

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- iv. For the payment of a deposit of money as security for any damage to footways within the said City :
- v. Relating to any lease already granted of any land belonging to or under the control of the Council.

And no costs shall be awarded to or recoverable by a plaintiff or complainant in any proceedings, commenced before the day when this Act takes effect, for the recovery of any penalty incurred or moneys forfeited under, nor shall any penalty be recoverable for, nor any disqualification result from the breach of any of the provisions of any Act in respect of any such contract as aforesaid.

Acts to be read together.

14 This Act and the said Act shall be read and construed together as one Act.

SCHEDULE.

(1.)

REPEAL.

Date and Number of Act.	Title of Act.	Extent of Repeal.
47 Vict. No. 27.	An Act to amend certain portions of <i>The Launceston Improvement Act</i> .	The whole Act.
58 Vict. No. 30.	"The Launceston Corporation Act, 1894."	Sections 66, 67, 68, 69, 118, 167, and 168.