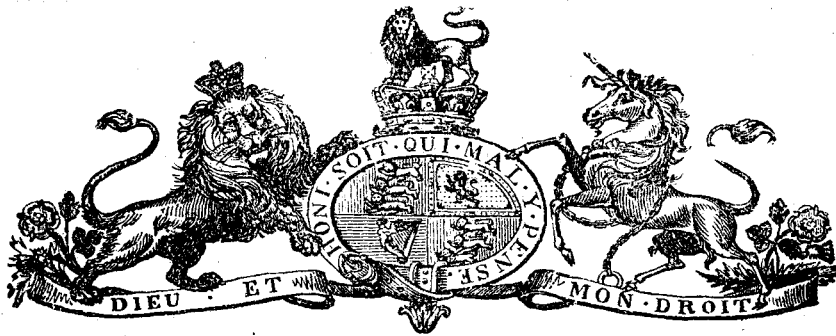


T A S M A N I A.



1898.

ANNO SEXAGESIMO-SECUNDO

VICTORIÆ REGINÆ,

No. 60.

*Terminated & closed  
2 Geo V No 18*

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AN ACT to further amend "The *Launceston* Corporation Act, 1894." [29 October, 1898.] A.D. 1898.

WHEREAS it is expedient to further 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, 1898." Short title.

2 In this Act, the expression— Interpretation.  
"The Principal Act" shall mean "The *Launceston* Corporation Act, 1894":  
"The Association" shall mean "The City and Suburbs Improvement Association of *Launceston*."

3 It shall be lawful for the Governor from time to time to grant to the Corporation, in trust for use as a Public Cemetery, any land beyond the boundaries of the City of *Launceston* which may have been or may be set apart or acquired by the Crown under the authority of Parliament for the use aforesaid. Governor may grant land to Corporation for use as a Public Cemetery.

4 Whenever any land shall be granted by the Governor to the Corporation under the authority of this Act for use as a Public Cemetery, a notice, signed by the Mayor and the Town Clerk, of the Notice of grant of land to be published in *Gazette*.

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grant of such land for that purpose, and containing a description of the situation and extent of such land, shall be published in Three successive numbers of the *Gazette*.

Upon publication of notice Municipal Council shall possess all the powers of Trustees under *The Cemeteries Act, 1865*.

**5** Upon the completion of such publication as aforesaid of any such notice as is hereinbefore mentioned, the Municipal Council shall acquire and possess, and may thereafter exercise, in regard to such land all the powers, rights, and privileges conferred upon the Trustees of Public Cemeteries by *The Cemeteries Act, 1865*, and all the Acts amending that Act, and shall be subject to all the obligations and restrictions imposed by the said Acts upon such Trustees as aforesaid.

Municipal Council to be subject to the provisions of the Principal Act in the exercise of powers conferred by this Act.

**6** In the management and control of any Public Cemetery established by the Corporation under this Act, the Municipal Council shall be subject to all the provisions of the Principal Act in regard to meetings of the Council and the conduct of business; and the provisions of *The Cemeteries Act, 1865*, and the several Acts amending that Act which refer to the number of Trustees that shall constitute a quorum, and the acts or powers which may be performed or exercised by a quorum or other specified number of Trustees, shall not apply to the management and control of any Public Cemetery by the Municipal Council under this Act.

Instalments payable by owners of land abutting on private streets reduced one-half.

**7** Notwithstanding anything contained in Part XV. of the Principal Act, each of the annual instalments of all sums of money payable to the Council by yearly instalments by the owners of any lands fronting or abutting on any private street constructed by the Council under the powers conferred upon the Council for that purpose by Part XV. of the Principal Act shall, as from the day on which the first of such yearly instalments were payable, be reduced to a sum equal to One-half of the instalment which would otherwise be payable to the Council by the person paying such reduced instalment as aforesaid; and every payment of such a reduced instalment as aforesaid shall be a full discharge of all liability on the part of the person paying the same in respect of the instalment for which the reduced instalment is substituted.

Any moneys paid as instalments by any person before the date on which this Act comes into operation in excess of the reduced amount made payable by this Act shall be carried by the Council to the credit of such person, and go towards liquidating any future instalments payable by such person.

Council may grant gratuity to retiring officer, &c.

**8** It shall be lawful for the Council to grant to any officer or other person who is employed by the Corporation, and who is about to retire from the service of the Corporation, or to the widow or children of any deceased officer of the Corporation, such gratuity as the Council shall think proper, not exceeding a sum equal to the annual salary or remuneration paid to such officer or other such person as aforesaid previous to his retirement or death.

Council may compensate persons injured in the service of the Corporation.

**9** It shall be lawful for the Council to grant to any person who has sustained any physical injury in the course of his or her employment in the service of the Corporation, such sum of money as the Council shall think proper as a compensation for the injury so sustained.

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**10** Any gratuity or sum of money granted under either of the last Two preceding Sections may be granted in one sum or in periodical payments as the Council shall think fit.

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Gratuity or compensation may be granted in one sum or in periodical payments.

**11** It shall be lawful for the Council, from time to time, to appropriate out of the revenues of the Corporation such sum as the Council shall think proper for the purpose of remunerating or assisting to maintain any bands of musicians who shall provide music in any Hall, or Building, or Park, or Public Reserve which shall at any time be under the control and management of the Council, provided that the sum or sums so appropriated shall not in any one year exceed Fifty Pounds.

Council may maintain bands of musicians.

**12** Section Two hundred and two of the Principal Act is hereby repealed, and in lieu thereof the following shall be and be deemed to be and may be cited as Section Two hundred and two of the Principal Act; that is to say—

Substitution for Sect. 202 of Principal Act.

“**202** It shall be lawful for the Council from time to time to nominate and appoint during pleasure an Inspector of Stock and such number of Assistant Inspectors as the Council may think fit, and all proper and suitable officers and persons who shall be required to conduct, manage, and supervise any public slaughter-house so declared and appointed as aforesaid.

Council to appoint persons to manage slaughter-houses and make Rules for the conduct thereof and other purposes.

“The Council may from time to time, by order published in the *Hobart Gazette* under the hand of the Mayor, make such Rules and Regulations for the proper ordering, conduct, management, and cleansing of any such public slaughter-house as aforesaid, or for or in respect of the landing from any steam-boat, ship, or vessel of any animal, or the carcase of any animal, as hereinafter mentioned, as to the Council shall seem requisite and desirable.

“Any person who shall neglect or refuse to obey or comply with, or who shall in any manner disobey or infringe any such Rule or Regulation, shall be guilty of an offence against this Act, and shall for every such offence, if not otherwise provided for in this Act, forfeit and pay a penalty or sum not exceeding Fifty Pounds.”

**13** The purchase of the property, rights, and interest of the Association by the Corporation, and the liquidation of the liabilities of the Association by the Corporation, is hereby confirmed and ratified; and such property, rights, and interests so purchased shall hereafter be called or designated “The *Cliff* Grounds,” and such expression when used in this Act shall include such property, rights, and interests.

Purchase of *Cliff* Grounds confirmed.

**14** It shall be lawful for the Corporation to borrow from time to time any sum or sums of money upon the security of the Municipal Rates of the City of *Launceston* not exceeding the sum of Four thousand Pounds, for and towards all or any of the following purposes:—

Power to borrow.

- I. The payment of the consideration for the purchase and acquisition of The *Cliff* Grounds, and for the improvement of the same:
- II. For the purchase or acquisition of any land and easements adjoining The *Cliff* Grounds, and for the improvement of the same:

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III. For the improvement of the recreation grounds in the City of *Launceston* known as "*Prince's Square*" and "*City Park*," and other public reserves.

Boundaries of  
City extended.

**15** Notwithstanding anything to the contrary contained in the Principal Act, the boundaries of the City of *Launceston* are hereby extended to include all land purchased or acquired by the Corporation from the Association, and also all land which may hereafter be purchased or acquired by the Corporation adjoining the same; and all such lands shall for all purposes be deemed to be within the boundaries of the City of *Launceston*.

Council may let  
Grounds for  
hire.

**16** It shall be lawful for the Council to let or hire The *Cliff* Grounds, or any portion thereof, together with any building thereon; and any person so hiring may make a charge to the public for admission to the whole of The *Cliff* Grounds, or the portion thereof of which he is the hirer.

Toll payable for  
entering  
Grounds.

**17** Every person entering or using The *Cliff* Grounds, unless the holder of a season ticket, shall pay a toll of not less than One Penny.

Council may  
regulate certain  
matters by notice  
by Mayor.

**18** The Council may from time to time by notice fix and determine:—

- i. The charges, terms, and conditions of letting or hiring The *Cliff* Grounds or any part thereof;
- ii. The days and the hours at which any baths under the control of the Council may be open for use; and
- iii. The charges for the use of any such baths.

And every such notice shall be in writing under the hand of the Mayor.

By-laws.

**19** It shall be lawful for the Council from time to time to make, publish, alter, modify, amend, or repeal, in accordance with the provisions of Section Two hundred and seventy-two of the Principal Act, all such By-laws as the Council shall deem proper in regard to any of the matters following; viz.—

- i. The pace at which horses and other animals and vehicles may be ridden, or driven, or drawn through the streets of the City of *Launceston*;
- ii. The prevention of racing or jostling between omnibuses, coaches, or other vehicles plying for hire within the City of *Launceston*;
- iii. The regulation of carts, drays, and parcel delivery carts when waiting for hire by passengers arriving by steamer or railway within the City of *Launceston*;
- iv. The protection of persons from injury or danger from the use of animals or vehicles or bicycles in the streets of the City of *Launceston*;
- v. The prevention of the disfigurement of public and private property within the City of *Launceston*;
- vi. For controlling and managing The *Cliff* Grounds or any grounds adjoining the same which the Corporation may acquire under this Act;
- vii. For regulating the payment of a toll of not less than One Penny for every person entering or using The *Cliff* Grounds:

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- VIII. For regulating the charges, terms, and conditions of letting or hiring The *Cliff* Grounds, or any portion thereof: A.D. 1898.
- IX. For the good rule and government of The *Cliff* Grounds :
- X. To regulate the space for each person in public halls and theatres, so as to prevent overcrowding :
- XI. To regulate and restrain the smoking of cigars, tobacco, or cigarettes by persons under Thirteen years of age in public streets and places :
- XII. For regulating the mode in which registered dogs may be identified.

And to impose for the breach or infringement of any By-law made under the authority of this Act, such penalty as is authorised by Section Two hundred and seventy-two of the Principal Act.

**20** Any rule or regulation heretofore purported to be made by the Council as a By-law in regard to any of the matters as to which the Council is by this Act authorised to make By-laws, shall have the same force and effect as if such rule or regulation had purported to be made under the authority of this Act and the Principal Act. By-laws validated.

**21** It shall be lawful for the Council to establish a Provident Fund for the benefit of persons in the employment of the Council, and such Fund when established shall be called "The *Launceston Corporation Provident Fund*." Provident Fund to be established for Council employees.

**22** It shall be lawful for the Council to pay and transfer to the credit of the Fund to be established under this Act all sums of money standing to the credit, in the *Launceston Police Provident Fund*, on the First day of *January*, One thousand eight hundred and ninety-nine, of any person, other than a member of the Police Force, employed by the Council; and all such sums of money shall be carried to the credit of such person in the Fund to be established under this Act. Council to transfer money from Police Provident Fund.

**23** The Fund to be established under this Act, and all accumulations thereof, shall be solely appropriated (after payment of the expenses of management, if any) for the providing superannuation allowances for any person in the employment of the Council who may retire therefrom as hereinafter is mentioned. Appropriation of Fund.

**24** The Fund shall be from time to time managed and controlled by, and be invested and disbursed under the direction of, the Council in accordance with the provisions of this Act, and of the rules and regulations to be made thereunder as hereinafter provided; and any dispute or question as to any claim upon the said Fund, or any application for aid therefrom, shall be decided by the said Council. Fund to be managed and controlled by Council.

**25** It shall be lawful for the Council, from time to time, to deduct from the pay or allowance of every person employed by the Council such sum, not exceeding Eighteen Pence in the Pound upon the amount of such pay or allowance, as may be directed by any rule or regulation framed as hereinafter directed, and the amount of all such deductions shall be added to and form part of the said Fund. Deductions from pay of employee to be added to Fund.

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Regulations.

**26** It shall be lawful for the Council, from time to time, to make such rules or regulations as to such Council may seem fit for any of the following purposes:—

- i. For the management and investment of the said Fund, and of all accumulations thereof, in such securities as Trustees are by any Law empowered to invest Trust moneys:
- ii. For specifying the form of any mortgage or other instrument to be used in connection with the investment of any part of the said Fund:
- iii. For fixing the period at which, and the conditions upon which, every person employed by the Council shall be entitled to benefits from the said Fund, and for determining the amount and duration of such benefits:
- iv. For fixing from time to time the amount to be deducted from the pay of every person employed by the Council, not exceeding the limits imposed by this Act, and prescribing the time and manner in which such deductions shall be made:

And it shall also be lawful for the Council, from time to time, to amend, alter, or revoke such rules or regulations, or any of them, as it sees fit.

All rules and regulations made by the Council, and all amendments thereof, shall be published in the *Hobart Gazette*, and after publication as aforesaid shall have the force of law, so far as they are not inconsistent with or repugnant to this Act, or to any other Act.

Continuance of  
existing regula-  
tions.  
41 Vict. No. 23.

All rules and regulations heretofore made by the Council under the authority of the Acts hereby repealed, or of "The *Launceston Police Provident Fund Act*," which are applicable to the moneys to be transferred from the *Launceston Police Provident Fund* to the *Launceston Corporation Provident Fund*, or to the securities for the same, or to the contributions, rights, and interests of the present members (other than those belonging to the Police Force), shall continue until altered or amended by the Council under the provisions hereinbefore contained.

Provision for  
investing Fund  
and accumulations  
on mortgages of  
freehold  
property.

**27** The whole or any part or parts of the said Fund and any accumulations thereof may from time to time be invested upon mortgage to the Corporation of freehold property in *Tasmania*, and the sums to be so invested shall be repayable at such time or times, and in such manner, and with such rate or rates of interest and other payments added thereto as may from time to time be provided by any rules or regulations made under this Act.

Discharge by  
receipt endorsed  
or annexed and  
registered.

**28**—(1.) When all moneys intended to be secured by any mortgage or further charge given to the Corporation have been repaid, the Corporation may endorse upon or annex to such mortgage or further charge a receipt under the seal of the Corporation, countersigned by the Mayor and Town Clerk, in the form specified in any rules and regulations made under this Act, and such receipt shall vacate the mortgage or further charge or debt, and vest the estate of and in the property therein comprised in the person for the time being entitled to the equity of redemption, without any reconveyance or surrender whatever.

(2.) If the mortgage or further charge shall have been registered in the Office of the Registrar of Deeds no such receipt shall be sufficient

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to vacate such mortgage, or to vest the estate of and in the property comprised therein, unless such receipt be also registered in the Office of the Registrar of Deeds as by Law required. A.D. 1898.

(3.) If any such mortgage shall have been registered in the Office of the Recorder of Titles no such receipt shall be sufficient to vacate such mortgage unless such receipt be also registered in the Office of the Recorder of Titles.

**29** The Acts set forth in the Schedule hereto shall, as and from the First day of *January*, One thousand eight hundred and ninety-nine, be repealed, but such repeal shall not in any way affect the past operations of the said Acts or anything duly done thereunder. Repeal.

**30** Any mortgages or investments given or made under the provisions of any Act hereby repealed, and representing any of the moneys transferred from the *Launceston Police Provident Fund* to the Fund to be established under this Act, shall for all purposes be deemed to have been given or made under the provisions of this Act, and may be dealt with accordingly. Mortgages, &c. continued.

**31** This Act and the Principal Act shall be read and construed together as one Act. Acts to be read together.

## SCHEDULE.

<i>Date and Number of Act.</i>	<i>Title of Act.</i>	<i>Extent of Repeal.</i>
54 Vict. No. 48. ✓	"The Launceston Police Provident Fund Act, 1890."	The whole Act.
59 Vict. No. 50. ✓	"The Launceston Police Provident Fund Act, 1895."	The whole Act.

