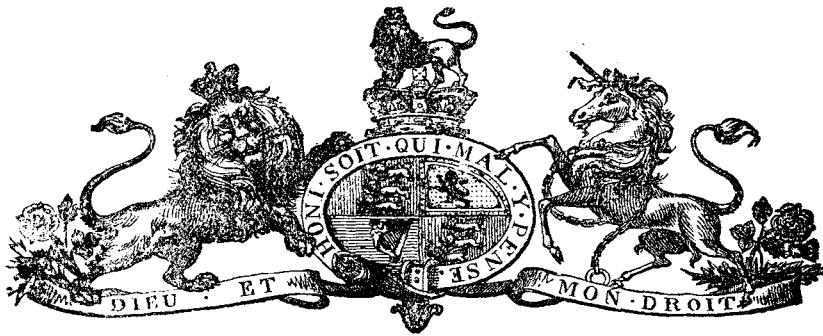


TASMANIA.



1884.

ANNO QUADRAGESIMO-OCTAVO

VICTORIÆ REGINÆ,

No. 41.



AN ACT to provide for the Purchase of Land A.D. 1884.
required for Railways or other Public Purposes.
[24 November, 1884.]

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 In this Act :—

“The Minister” means the Minister of Lands and Works for the time being.

Interpretation.

2 Whenever by any Act the Minister or the Governor in Council is empowered to purchase, acquire, and take any land for the purposes of any railway, road, public school, or other work of public utility, or for or in connection therewith, or for the purposes of such Act, the provisions herein contained shall be applicable to the purchase of such land in addition to any provisions in such Act or *The Lands Clauses Act* contained relating to the mode in which the compensation to be paid for any land purchased, acquired, and taken by the Minister or the Governor in Council under any such Act is to be estimated.

Provisions of Act to be cumulative.

3 The compensation to be paid by the Minister or the Governor in Council in respect of any land entered upon, taken, or injuriously affected, for the purposes or in the execution of any Act authorising the

Compensation to be paid for land taken, &c.

Land for Public Purposes.

A.D. 1884.

construction of any line of railway, road, public school, or other work of public utility, shall, unless otherwise fixed by agreement, be determined in the following manner—

- i. With respect to land alienated from the Crown in fee-simple, and granted before the passing of the Act authorizing the construction of the line of railway, road, public school, or other work of public utility in respect of which such lands shall be entered upon, taken, or injuriously affected, the compensation payable therefor shall not exceed what would have been payable if the value of such land had been assessed Twelve months before the passing of the Act authorising the construction of the said line of railway, road, public school, or other work of public utility.
- ii. With respect to land alienated or contracted to be alienated in fee-simple from the Crown, after the passing of the Act authorizing the construction of the line of railway, road, public school, or other work of public utility in respect of which such lands shall be entered upon, taken, or injuriously affected, the same rate per acre shall be payable as was paid or contracted to be paid when the same was alienated or contracted to be alienated from the Crown, with an addition of Ten Pounds per centum thereon, together with the value of the buildings and improvements, if any, on such lands. The compensation in respect of any land which shall be under contract for sale from the Crown shall be deducted from the purchase money on the completion of the purchase thereof.

No compensation for severance only.

4 Notwithstanding anything to the contrary in any former Act contained, no compensation shall be payable to any person for severance in respect of land taken for the construction of any line of railway, road, public school, or other work of public utility, unless the owner or occupier of the property of which the land taken forms part shall prove that substantial damage of a permanent nature will be caused to such property by reason of the taking of such land for the purposes before mentioned.

Application of Act to land taken under 47 Vict. No. 46.

5 The provisions of this Act shall extend and apply to any lands which have been or may hereafter be entered upon, taken, or injuriously affected for the purposes of "The Railway Construction Act, 1883."

Short title.

6 This Act may be cited as "The Land for Public Purposes Act, 1884."