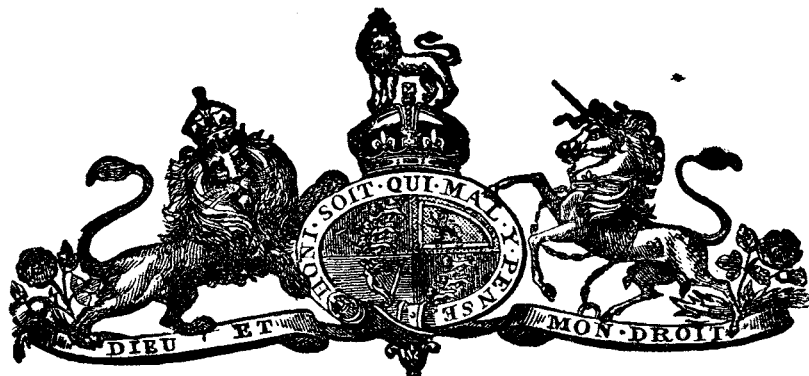


TASMANIA.



1927.

ANNO OCTAVO DECIMO
 GEORGI V. REGIS.
 No. 9.

ANALYSIS.

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| <p>1. Short title.
Principal Act.</p> <p>2. Amendment of Section Three of the Principal Act.</p> <p>3. Repeal of Subsection (2) of Section 5 of the Principal Act, and substitution of new subsection.</p> <p>4. Amendment of Section 7 of the Principal Act.</p> <p>5. Repeal of Section 8 of the Principal Act, and substitution of new section.
Appointment of Chairman.</p> | <p>6. Repeal of Subsection (1) of Section 9 of the Principal Act, and substitution of new subsection.
Appointment of acting members.</p> <p>7. Repeal of Subsection (2) of Section 13 of the Principal Act, and substitution of new subsection.
Allowances.</p> <p>8. Insertion of new Section 14a after Section 14 of the Principal Act.
Office of member not to disqualify for seat in Parliament.</p> <p>9. Repeal of Section 16 of the Principal Act, and substitution of new section.
Annual appropriation.</p> |
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AN ACT to amend the Main Roads Maintenance Act, 1926. [8 September, 1927.]

A.D.

1927.

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—(1) This Act may be cited as “The Main Roads Maintenance Act, 1927.” Short title.

(2) The Main Roads Maintenance Act, 1926, is herein called the Principal Act. Principal Act.
17 Geo.V. No. 33.

4d.]

Main Roads Maintenance.

A.D. 1927.

Amendment of
Section 3 of the
Principal Act.**2** Section Three of the Principal Act is hereby amended as follows:—

i. By inserting after the definition of "Motor taxes" in that section the following definition:—

"Motorist member" means the member of the Board appointed by the Governor to represent the registered motor-car owners of the State:

ii. By expunging the definition of "Municipal member" in that section, and substituting the following definition therefor:—

"Municipal member" means the member of the Board appointed by the Governor on the nomination of the executive committee of the Association; and

iii. By inserting at the end of that section the following definition:—

"Registered motor-car owner" means the owner of any motor-vehicle registered under regulations made under the Traffic Act, 1925.

16 Geo. V. No.
38.Repeal of Sub-
section (2) of
Section 5 of the
Principal Act,
and substitution
of new subsection.**3** Subsection (2) of Section Five of the Principal Act is hereby repealed and the following subsection substituted therefor:—

"(2) The Board shall consist of three members, of whom—

i. One member shall be councillor of some municipality, the council of which is a member of the Municipal Association of Tasmania, and shall be appointed annually by the Governor on the nomination of the executive committee of the Association. Such nomination shall be made as soon as practicable, after the commencement of each financial year, beginning with the year which commenced on the first day of July, one thousand nine hundred and twenty-seven, and the member appointed in pursuance of any such nomination shall, subject as hereinafter provided, hold office until the appointment of his successor in the immediately succeeding year; when he shall retire from office. Every such nomination shall be under the seal of the Association, and be delivered to the Commissioner, who shall certify the same to the Governor:

ii. One other member shall be a registered motor-car owner, and shall be appointed by the Governor to represent the registered motor-car owners of the State. Such member shall hold office for such term as shall be mentioned in the instrument of his appointment, but such term shall not exceed three years: and

iii. One other member shall be appointed by the Governor, and shall hold office for such term as shall be mentioned in the instrument of his appointment, but such term shall not exceed three years."

Main Roads Maintenance

4 Section Seven of the Principal Act is hereby amended as follows:— A.D. 1927.

- i. By inserting (1) before the word “Where” at the commencement of the said section:
- ii. By deleting all the words of Subsection (1) of the said section after the word “member” in the third line thereof: and
- iii. By inserting the following subsections after Subsection (1) of the said section:—

Amendment of Section 7 of the Principal Act.

“(2) Where any vacancy occurs in the office of the motorist member, otherwise than by effluxion of time, the Governor may appoint a registered motor-car owner to be the motorist member.

(3) Whenever a vacancy occurs, otherwise than by effluxion of time, in the office of a member other than the municipal member or the motorist member, the Governor may appoint some person to the vacant office.

(4) A member appointed to fill any such vacancy as is referred to in Subsections (1), (2), or (3) of this section shall hold office until the expiration of the period for which his predecessor was appointed, when he shall retire from office.”

5 Section Eight of the Principal Act is hereby repealed, and the following section substituted therefor:—

Repeal of Section 8 of the Principal Act, and substitution of new section.

“**8**—(1) The Governor may—

- i. Appoint a member of the Board to be the Chairman thereof, and he shall hold office as such Chairman until the expiration of the term for which he was appointed as such member: and
- ii. As occasion may in his opinion require, appoint a fit person as substitute to do and execute the duties of the Chairman for such time as the Governor may deem necessary.

Appointment of Chairman.

(2) A person appointed as substitute Chairman shall, during the continuance of his appointment, and notwithstanding the death of the Chairman, have all the powers of the Chairman, and be deemed to be a member of the Board.”

6 Subsection (1) of Section Nine of the Principal Act is hereby repealed, and the following subsection substituted therefor:—

Repeal of Subsection (1) of Section 9 of the Principal Act, and substitution of new subsection.

“(1) The Governor may appoint, for a period not exceeding three months—

- i. Any councillor to act in the place of any municipal member:
- ii. Any registered motor-car owner to act in the place of any motorist member:

Appointment of acting members.

iii. Any person to act in the place of any other member—

who is absent from the State or incapacitated by illness or other temporary cause from discharging his duties as such member.

Main Roads Maintenance.

A.D. 1927.

Repeal of Sub-section (2) of Section 13 of the Principal Act, and substitution of new subsection.

Allowances.

Insertion of new Section 14a after Section 14 of the Principal Act.

Office of member not to disqualify for seat in Parliament.

Repeal of Section 16 of the Principal Act, and substitution of new section.

Annual appropriation.

7 Subsection (2) of Section Thirteen of the Principal Act is hereby repealed and the following subsection substituted therefor—

“(2) Every member of the Board shall also be entitled to be paid out of such fund as aforesaid a sustenance allowance of One Pound Five Shillings for each day on which he is engaged in the performance of his duties under this Act.”

8 After Section Fourteen of the Principal Act the following Section **14a** is hereby inserted:—

“**14a** Nothing in this Act shall constitute the office of any member of the Board an office of profit or emolument within the meaning of any law relating to the Constitution of the State, nor shall the acceptance or holding of such office render the holder thereof incapable of sitting or voting as a member of either House of Parliament, or liable to any penalty for so sitting or voting, or make void the election of such holder as a member of such House.”

9 Section Sixteen of the Principal Act is hereby repealed, and the following section substituted therefor:—

“**16**—(1) Out of the Consolidated Revenue there shall be appropriated, issued, and applied annually in each financial year commencing with the financial year ending on the thirtieth day of June, one thousand nine hundred and twenty-eight, for the purposes of this Act, in the manner hereinafter provided, a sum to be arrived at by deducting from the net amount of the motor taxes for the immediately preceding financial year—

- i. Three per centum of such net amount : and
- ii. The sum of Eleven thousand Pounds.

(2) The sum to be so arrived at as aforesaid shall be annually paid into and credited by the Treasurer to the said fund.

(3) For the purposes of this section the net amount of the motor taxes for any financial year means the total amount of such taxes collected and paid into the Treasury in that financial year, after deducting therefrom any repayments made by the Treasurer on account of motor taxes in such financial year.”