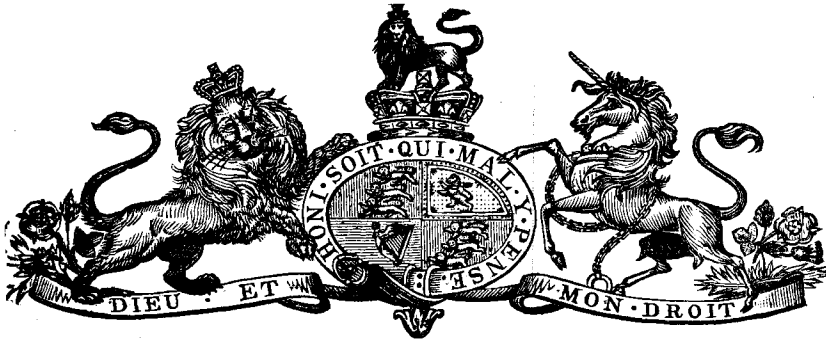


T A S M A N I A



1893.

ANNO QUINQUAGESIMO-SEPTIMO

VICTORIÆ REGINÆ,

No. 22.

***** Amended by 57 Vict. No. 16

AN ACT to amend "The Rabbits Destruction Act, 1889." A.D. 1893. [14 November, 1893.]

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 This Act may be cited as "The Rabbits Destruction Amendment Act, 1893." Short title.

2 This Act shall come into force and take effect on the First day of January, 1894. Date of Act.

3 In this Act, unless the context otherwise determines, "the said Act" means "The Rabbits Destruction Act, 1889." Interpretation. 53 Vict. No. 42.

4 Every Municipal District which has been, or may hereafter be constituted and declared to be a Municipality under any Act now in force, shall be deemed to be a District for the purposes of the said Act; and if the whole or any portion of any such Municipal District has been heretofore proclaimed a District under the said Act, such proclamation is hereby revoked so far as it relates to such Municipality. Municipalities to be Rabbit Districts.

5 The Municipal Council of every Municipality shall take such measures as it deems necessary to ensure the destruction of all Rabbits being in or upon any part of such Municipality, and generally to enforce the provisions of this and of the said Act. Municipal Council to carry out provisions of the said Act.

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Inspectors to be appointed.

6 Every Municipal Council shall appoint one or more Inspectors for the purposes of carrying out the provisions of the said Act and of this Act, and may make such Rules specifying the duties and conduct of such Inspectors as such Council thinks necessary; and may remove such Inspectors as such Council thinks fit, and appoint others in their place, and may direct to be paid to such Inspectors such wages, salaries, or allowances as such Municipal Council deem reasonable; and the same, and all other expenses incurred by the Municipal Council in the due execution of the said Act or of this Act, shall be paid out of the Fund hereinafter mentioned.

Powers of Inspectors.

7 Any Inspector appointed by any Municipal Council under the provisions of this Act shall have and may exercise all the functions, powers, and privileges vested in the Chief Inspector or any Inspector under the said Act, and shall have the same rights and remedies.

Councillor not capable of being an Inspector, &c.

8 No Member of a Municipal Council shall be capable of being or continuing an Inspector under such Council, or of entering into any contract with such Council for the destruction of Rabbits.

Municipal Council may levy "Rabbit Rate."

9 It shall be lawful for the Municipal Council of each Municipality to make and levy a separate Rate, to be called a "Rabbit Rate," upon the annual value of the property of such Municipality which is not situate within the boundaries of any proclaimed Town, for the purpose of carrying out the objects of the said Act and this Act; but such Rabbit Rate shall not exceed the sum of Three Pence in the Pound in any one year upon the annual value as shown in the Assessment Roll of the property upon which it is levied.

Rabbit Rate to be made and recovered in same manner as Municipal Rate. 29 Vict. No. 8.

10 Every Rabbit Rate shall be made and be recoverable in the same manner, and shall be payable by the same persons within such portion of the Municipality for which it is levied, as any Municipal Rate made by the Municipal Council under *The Rural Municipalities Act, 1865*.

The Municipal Council shall cause the moneys received from any "Rabbit Rate" to be carried to a separate Fund in the Books kept by the Council, and such moneys when so received shall be expended by the Council in carrying out the objects of the said Act and this Act.

Inspectors to furnish monthly reports to Warden, who shall forward copy to Chief Inspector.

11 Every Inspector appointed by any Municipal Council under this Act shall furnish to the Warden of the Municipality on or before the Seventh day of each month, a Report of the inspections made by him under the said Act during the preceding month, together with particulars of the various methods adopted for the Destruction of Rabbits in such Municipality; and the Warden shall cause a copy of every such Report to be forwarded to the Chief Inspector appointed by the Governor in Council under this Act, on or before the Fifteenth day of each such month.

Governor in Council to appoint Chief Inspector.

12 It shall be lawful for the Governor in Council from time to time to appoint a Chief Inspector and such other Inspectors or Officers as he sees fit for the purposes of this Act or of the said Act, and may from time to time remove any such Chief Inspector or other Inspectors or Officers as aforesaid. All powers and duties imposed by the said Act upon an Inspector may be exercised and carried out by any such Chief Inspector, Inspector, or Officer appointed by the Governor in Council

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as aforesaid; and any such Chief Inspector, Inspector, or Officer may from time to time, at all reasonable hours, enter upon the lands of any person within any Rural Municipality for the purpose of seeing whether there are Rabbits on such lands, and shall have free right of ingress and egress into, over, and across such lands for such purpose. A.D. 1893.

13 If the Municipal Council of any Municipality shall neglect or refuse to carry out the provisions of the said Act or this Act in such Municipality in an efficient manner, and the Chief Inspector shall report such negligence or refusal, in writing, to the Responsible Minister of the Crown administering the said Act, it shall be lawful for the Governor in Council from time to time to appoint such Inspector or Inspectors as he shall see fit to carry out the provisions of the said Act in such Municipality; and the expenses incurred by the Governor in Council in carrying out the provisions of the said Act in such Municipality shall be repaid by such Municipal Council as hereinafter provided. If Municipal Council neglects to carry out Act, the Governor in Council may appoint Inspectors.

14—(1.) For the purpose of obtaining payment of any expenses incurred by the Governor in Council in any year under the immediately preceding Section, the Governor may in the month of *January* in the succeeding year issue his precept to the Municipal Council of the Municipality in which such expenses have been incurred, requiring such Municipal Council to pay to the Treasurer of the Colony, within a time to be limited by the precept, the amount specified in such precept. Governor may issue precept to Municipal Council for payment of expenses out of Municipal Fund.

(2.) Such Municipal Council shall comply with the requisitions of such precept by paying the amount required in respect of such expenses out of the Municipal Fund of such Municipality.

15—(1.) If the amount required by any precept of the Governor to be paid by the Municipal Council of any Municipality to the Treasurer of the Colony is not paid in the manner required by the precept, and within the time therein specified for that purpose, the Governor may, by writing, with the seal of the Colony affixed thereto, appoint, at such salary as he thinks fit, a Receiver of the Rates of such Municipal Council; and may from time to time remove such Receiver; and on the death or removal of any Receiver may appoint some other person in his place. Remedy for non-payment of amount required by precept.

(2.) Any Receiver appointed under this Section shall be entitled to receive all Rates payable to such Municipal Council, and to make and levy Rates for the purpose of paying the amount due to the Treasurer under any precept, together with all costs; and for the purposes aforesaid the Receiver shall be deemed to be the Municipal Council, and may exercise all the powers thereof.

(3.) Such Receiver shall continue to act, subject to the Governor's power of removal, until payment has been made to the Treasurer of the amount in default, together with payment of costs and expenses, and the salary of the Receiver.

16 The word "Two" is hereby substituted for the word "Five" after the word "than" in the seventh line of the Eleventh Section of the said Act. Amendment in Section Eleven of 53 Vict. No. 42.

17 This Act and the said Act, save as amended or altered by this Act, shall be read and construed together as one and the same Act. Acts to be read together.

