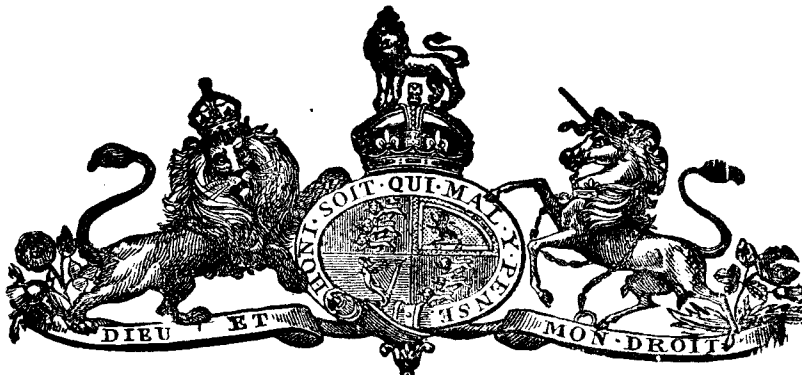


T A S M A N I A.



1927.

ANNO OCTAVO DECIMO

GEORGII V. REGIS.

No. 52.

ANALYSIS.

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| 1. Short title. | 7. Paying officer to be notified of payments made. |
| 2. Copy of judgment to be served on paying officer. | 8. Provision in case of excess payments. |
| 3. Paying officer to notify debtor. | 9. Provision in event of sequestration of debtor's estate. |
| 4. Paying officer may deduct certain moneys. | 10. Definition of "Paying Officer." |
| 5. Judgments to be satisfied in priority. | 11. Definition of "officer." |
| 6. Payment to be deemed made by Tasmanian Government. | |

AN ACT to provide for the Attachment of the Salaries of Tasmanian Government Officers.

A.D.
1927.

[2 December, 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 This Act may be cited as "The Tasmanian Government Officers' Salaries Attachment Act, 1927."

Tasmanian Government Officers' Salaries Attachment.

A. D. 1927.

Copy of judgment
to be served on
paying officer.

2 Where judgment has been given by any court against any officer of the Tasmanian Government service for the payment of any sum of money, the person in whose favour the judgment is given may serve on the paying officer of the department in which the officer is employed a copy of the judgment, certified under the hand of the registrar or other proper officer of the court in which the judgment is entered, and a statutory declaration stating that the judgment has not been satisfied by the judgment debtor, and setting out the amount due by the judgment debtor under the judgment.

Paying officer to
notify debtor.

3 Upon the service upon him of a copy of a judgment and a statutory declaration in pursuance of this Act, the paying officer shall, as soon as practicable, notify the judgment debtor in writing of the service of the copy judgment and statutory declaration, and require him to state in writing, within a time to be specified by the paying officer, whether the judgment has been satisfied, and, if so, to furnish evidence in support thereof, and, if the judgment has not been satisfied, to state the amount then due under the judgment.

Paying officer
may deduct
certain moneys.

4 If the officer fails to prove to the satisfaction of the paying officer, within the time specified by the paying officer, that the judgment has been satisfied, the paying officer shall from time to time deduct from any moneys due to the officer such sums as are in his opinion necessary to enable the judgment to be satisfied, and shall pay those sums to the judgment creditor: Provided that in no case shall a deduction be made which will reduce the amount to be received by the officer to less than Two Pounds per week, or to less than one third of the amount which would, but for the provisions of this section, be payable to the officer.

Judgments to be
satisfied in
priority.

5 Where more than one judgment and statutory declaration are served upon a paying officer in respect of one judgment debtor, the judgments shall be satisfied in the order in which copies of the judgments are served upon the paying officer.

Payment to be
deemed made by
Tasmanian Gov-
ernment.

6 A payment made to a judgment creditor in pursuance of this Act shall, as between the Tasmanian Government and the officer, be deemed to be a payment by the Tasmanian Government to the officer.

Paying officer to
be notified of
payments made.

7 A person to whom any payment has been made in pursuance of this Act shall notify the paying officer immediately a judgment debt in respect of which the payment was made is satisfied.

Penalty: Fifty Pounds or imprisonment for three months.

Provision in case
of excess pay-
ments.

8 If any payment made in pursuance of this Act exceeds the amount due under the judgment, the excess shall be repayable by the judgment creditor to the judgment debtor, and, in default of payment, may be recovered by the judgment debtor from the judgment creditor in any court of competent jurisdiction.

Tasmanian Government Officers' Salaries Attachment.

9 The foregoing provisions of this Act shall not apply in relation to any officer of the Tasmanian Government service whose estate the paying officer is satisfied has been sequestrated either voluntarily or compulsorily for the benefit of his creditors, and who has not yet obtained a certificate of discharge.

A.D. 1927.

Provision in event
of sequestration
of debtor's estate.

10 In this Act the "Paying Officer" means the officer of a department who pays to the officer, in relation to whom the expression is used, the salary or wages due to him by reason of his employment in the Tasmanian Government service.

Definition of
"Paying Officer."

11 "Officer" means any employee of the Tasmanian Government whether employed permanently or temporarily.

Definition of
officer.

