

son causing the commission of the offence, or by whose order or direction the offence was committed.

32—(1) Every penalty imposed upon any person by this Act or by any by-laws made thereunder shall be without prejudice to the right of the Council to recover from such person—

Recovery of penalty not to prejudice the right to take other proceedings.

- (a) any sum for damage sustained by it through his act or default;
- (b) the costs and expenses incurred by it in remedying any such damage; and
- (c) the value of any water wasted, misused, unduly consumed, illegally diverted or illegally taken by such person.

(2) The payment of any such penalty shall not bar or affect the right of the Council to bring any action, or take any proceedings, against such person, which the Council might, apart from this Act, bring against that person.

33—(1) In any proceedings for the recovery of penalties under this Act, or under any by-laws made thereunder, the complaint, where not to be required to be made on oath, may be laid and made in the name of the Council, and in any case may be laid and made by the Council clerk or some officer of the Council appointed generally or in respect of any special proceeding, or by any police officer.

Information, &c., in name of Council.

(2) The Council clerk or other officer shall be reimbursed out of the sewerage account any damages, costs, charges, or expenses to which he is put or with which he is chargeable by any reason of any thing contained in this section.

THE VAN DIEMEN'S LAND COMPANY'S WARATAH AND ZEEHAN RAILWAY.

No. 7 of 1948.

AN ACT to amend “The *Van Diemen's Land Company's Waratah and Zeehan Railway Act.*”
[14 April, 1948.]

WHEREAS the Emu Bay Railway Company Limited has become entitled* to all the rights, powers, privileges, benefits, concessions, and advantages conferred on the Van Diemen's Land Company by “The *Van Diemen's Land Company's Waratah and Zeehan Railway Act*†”:

PREAMBLE.

* See Preamble to 63 Vict. (Private).

† 59 Vict. (Private). Subsequently amended by 60 Vict. (Private), 62 Vict. No. 71, 63 Vict. (Private), and 1 Geo. VI. No. 37.

And whereas the said Emu Bay Railway Company Limited is unduly straitened by the limit proper to be imposed on its rates and tolls in the fifty-ninth year of the reign of Her late Majesty Queen Victoria:

And whereas other statutory provisions exist whereby such rates and tolls may be properly limited in accordance with the current value of money:

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:—

Short title.

1 This Act may be cited as the *Van Diemen's Land Company's Waratah and Zeehan Railway Act 1948*.

Amendment of section 51 of 59 Vict. (Private).

2 Section fifty-one* of "The *Van Diemen's Land Company's Waratah and Zeehan Railway Act*†" is amended by omitting all the words after the words "hereinafter mentioned" to and including the words "Three Shillings per ordinary truck per mile."

Acts to be read together and short title.

3 This Act, "The *Van Diemen's Land Company's Waratah and Zeehan Railway Act*†", "The *Van Diemen's Land Company's Waratah and Zeehan Railway Act, 1896*‡", "The *Waratah and Zeehan Railway Act Extension Act, 1899*§", "The *Van Diemen's Land Company's Waratah and Zeehan Railway Act 1899*||", the *Van Diemen's Land Company's Waratah and Zeehan Railway Act 1937*¶, and the *Burnie to Waratah Railway Act 1939*** shall be read and construed together as one Act, and may for all purposes be referred to as the *Emu Bay Railway Acts*.

* This section is also incorporated in the *Burnie to Waratah Railway Act 1939* (3 & 4 Geo. VI. No. 54, s. 4).

† 59 Vict. (Private).

‡ 60 Vict. (Private).

§ 62 Vict. No. 71.

|| 63 Vict. (Private).

¶ 1 Geo. VI. No. 37.

** 3 & 4 Geo. VI. No. 54.

EMERGENCY HOUSING ACCOMMODATION.

No. 8 of 1948.

AN ACT to amend the *Emergency Housing Accommodation Act 1946*. [14 April, 1948.]

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:—

Short title and citation.

1—(1) This Act may be cited as the *Emergency Housing Accommodation Act 1948*.