

TASMANIA.



1938.

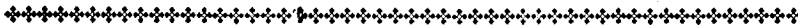
ANNO SECUNDO

GEORGII VI. REGIS.

No. 46.

ANALYSIS.

- 1. Short title.
- 2. Amendment of 53 Vict. No. 32.  
     Repeal of section 25.  
     New section 25.



AN ACT to amend the *Formby Water Act 1889*. A.D. 1938.  
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 [13 December, 1938.]

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 *Formby Water Act 1938*. Short title.
- 2 The Principal Act is hereby amended—
  - I. By repealing section twenty-five thereof and substituting therefor the following new section twenty-five—
    - “25—(1) The Council shall at the request of the owner or occupier of any property within the

Amendment  
of 53 Vict.  
No. 32.  
Repeal of  
section 25.  
  
New section  
25.

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*Formby Water.*

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A.D. 1938.

Town of Devonport, the outer boundary of which is within sixty feet of any main or other water-pipe laid down by the Council, furnish to such owner or occupier a sufficient supply of water for domestic purposes including a supply for any private water-closet and fixed bath in any dwelling-house on such property ; but all pipes and other apparatus required for conveying such water from the outer boundary of such property to the places thereon where such water shall be used, shall be provided, laid down, and maintained by and at the cost of such owner or occupier.

(2) The communication pipe between the main or other pipe of the Council and the outer boundary of any property shall be provided, laid down, and maintained by and at the expense of the Council, and shall be the property of the Council.

(3) It shall be lawful for the Council to remit or excuse the payment of the whole or any part of the cost incurred by the Council in furnishing a supply of water from the main or other pipe of the Council to the boundary of any property under the provisions of repealed section twenty-five, and to refund to the person who was the owner of such property at the time such supply of water was furnished, or to his personal representative, the whole or any part of any money paid to the Council for furnishing such supply between the main or other pipe of the Council and the boundary of the property : Provided that no such remission or claim for such refund shall be made by or to the Council of any cost incurred or of any payment made prior to the first day of January, one thousand nine hundred and thirty-six, or unless such claim be made in writing to the Council before the first day of January, one thousand nine hundred and forty.

(4) The Council may, at the request of any owner or occupier of any property within the Town of Devonport, the outer boundary of which is more than sixty feet from the main or

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*Formby Water.*

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other water-pipe laid down by the Council, furnish to such owner or occupier a sufficient supply of water for domestic purposes, as provided in subsection (1) of this section, except that the cost of furnishing and maintaining such supply of water beyond the distance of sixty feet from such main or other pipe laid down by the Council shall be borne by such owner or occupier, as the case may be":

A.D. 1938.

- II. By deleting from section twenty-six thereof the words "and the" in the fourth line to the end of the section, and substituting therefor the words "but the rate or charge for such supply shall in no case be less than the amount paid by way of water-rate or charge, whichever is the greater, for water supplied by the Council within the town":
- III. By adding after the word "provided" at the end of section twenty-eight thereof the words "or until any defect therein is remedied":
- IV. By deleting the word "fifty" in section thirty-nine thereof and substituting the word "sixty".

