



1939.

ANNO TERTIO ET QUARTO
GEORGII VI. REGIS.

No. 62.

ANALYSIS.

1. Short title.
2. Power to Council to transfer certain moneys to municipal fund.



A.D.
1939

AN ACT to authorise the Council of the Municipality of Kingborough to transfer and appropriate in aid of its Municipal Fund certain Moneys standing to the credit of its Lighting Account.

[21 December, 1939.]

Preamb .

WHEREAS by agreement made the eleventh day of December, one thousand nine hundred and twenty-nine, between *Harry Arthur Curtis*, as the General Manager of the Hydro-Electric Department of the one part, and the Corporation of the Municipality of Kingborough of the other part, the Council transferred to the Department the whole of its light undertaking:

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And whereas, under and in pursuance of the said agreement, the Council retained the sum of eight hundred and ten pounds then standing to the credit of its lighting depreciation reserve account, and the said sum has accumulated at interest and now amounts to one thousand and seventeen pounds fifteen shillings and seven pence:

And whereas the High Court of Australia recently gave judgment in certain legal proceedings against the Council for the sum of one thousand three hundred and ninety-seven pounds:

And whereas the said moneys are not now required for lighting purposes, and it is desirable that the Council should be empowered to appropriate the same in aid of its municipal fund, and to apply the said moneys in or towards the satisfaction of the said judgment:

Be it therefore 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 *Kingborough Council Enabling Act 1939*.

Power to Council to transfer certain moneys to municipal fund.

2 It shall be lawful for the Council of the Municipality of Kingborough to transfer and appropriate in aid of its municipal fund, without the taking of a poll of electors for that purpose as provided by section one hundred and nine of the *Local Government Act 1906*, the moneys mentioned in the preamble and now standing, as aforesaid, to the credit of the lighting depreciation reserve account of the Municipality, and to apply the same in or towards the satisfaction of the judgment mentioned in the preamble.