

that, by reason of the operation of the *Constitution (State Employees) Act 1944*, this does not disqualify me from being elected if I cease to hold that office forthwith on my election and I propose, if elected, to cease to hold that office accordingly.”.

PRIMARY PRODUCERS' RELIEF.

No. 27 of 1971.

AN ACT to provide for the giving of financial assistance to orchardists who have suffered loss as the result of hail occurring during a certain period and to make provision for matters incidental thereto. [29 April 1971.]

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 *Primary Producers' Relief Act* Short title. 1971.

Interpre-
tation.

2 In this Act, unless the contrary intention appears—

“Board” means the Board of Management of the Agricultural Bank of Tasmania;

“eligible person” means a person—

(a) who was on the first day of January 1971 engaged in growing apples or pears, or both, and whose sole or principal source of income is derived therefrom;

(b) who has suffered financial loss because of damage to, or reduction of, his fruit crop by hail occurring during the relevant period, and is in consequence thereof in need of financial assistance; and

(c) who is unable to borrow money on terms that, in the opinion of the Board, are reasonable in the circumstances from a bank or other person or body engaged, wholly or principally, in the business of lending money, for the purpose of maintaining his commercial fruit growing;

“relevant period” means the period beginning on the first day of January 1971 and ending on the fifteenth day of March 1971 (both days inclusive).

Power of
Board to
make loans.

3 The Board may, in its absolute discretion, make loans to eligible persons out of the moneys provided under section thirteen.

Terms and
conditions
of loans.

4—(1) Subject to subsection (2) of this section, a loan under this Act—

(a) is repayable within six years after the day on which it is made;

(b) shall be made subject to the payment by the person to whom it is made of interest at such rate as the Board may determine, being not less than three per cent per annum; and

(c) shall be made on and subject to such other terms and conditions as the Board may determine.

(2) Where a loan is made to a person under this Act, the Board, in its absolute discretion, may permit that person, during the whole or any part of the first two years after the day on which the loan is made, to defer payment of any sum payable by way of interest or on account of the repayment of principal, but any payment that is so deferred shall be made during the remainder of the term of the loan in such manner as the Board may determine.

Applications
for loans.

5—(1) An application for a loan under this Act shall be made in such form as the Board may determine and shall be accompanied by such evidence in support of the application as the Board may require.

(2) The Board may require such further evidence as it thinks necessary in support of an application for a loan under this Act and may require the applicant to attend and give evidence before it.

6—(1) The Board may take and require such security for the repayment of loans under this Act as in each case it thinks the best that can reasonably be obtained in the circumstances. Security.

(2) A loan under this Act may be made as if it were an advance under the *State Advances Act 1935*, and in that case the provisions of that Act appropriate to the nature of the loan apply as nearly as possible.

7 Where a person has applied for a loan under this Act the Board may require that person— Power of Board to obtain information.

(a) to give the Board authority to obtain from any other person information available to him; and

(b) to produce to the Board such books, papers, documents, and accounts relating to his financial affairs as the Board may require.

8 An instrument made by the Board for the purposes of this Act is exempt from stamp duty and may be filed, recorded, or registered without payment of any fee. Exemption from fees and stamp duty.

9 The expenses incurred in the administration of this Act shall be defrayed out of moneys to be provided by Parliament for that purpose. Costs of administration.

10 All moneys received by the Board in repayment of loans and payment of interest thereon shall be paid into the Treasury and shall be applied in such manner as the Treasurer may direct. Repayment of loans.

11 The Board shall keep such accounts of its transactions under this Act as the Treasurer may direct and in such form as the Treasurer may direct. Accounts.

12 As soon as practicable after the close of each financial year until all loans under this Act have been repaid the Minister shall cause to be laid on the table of each House of Parliament— Annual report.

(a) an account in such form as the Treasurer requires in respect of the Board's operations under this Act in that financial year; and

(b) a report of the Board's administration of this Act during that year.

13 For the purposes of this Act, the Treasurer may, on such terms and conditions as he may think fit, make advances to the Board out of moneys available in the Loan Fund for those purposes. Advances from the Loan Fund.

14—(1) The Board may, at the time of making a loan or paying an instalment of a loan under this Act, specify the purpose for which it is to be applied. Power of Board in certain events to refuse to pay instalments of loans and to call in moneys already lent.

(2) The Board may, if it is satisfied that any money lent under this Act has not been applied for the purpose for which it was lent, or for some other purpose approved by the Board, or that it has been expended in a careless or wasteful manner—

- (a) refuse to pay to the borrower any further instalment on account of the loan; and
- (b) call in the money already lent.

(3) Where pursuant to paragraph (b) of subsection (2) of this section the Board calls in any money lent to a borrower, that borrower shall forthwith repay the money to the Board, together with all interest due or accruing due thereon.

Offences.

15 No person shall—

- (a) in an application for a loan under this Act, in evidence in support of such an application, or for the purposes of section seven, make a statement that, to his knowledge, is false in a material particular; or
- (b) having received a loan under this Act, use it or any part thereof contrary to the terms and conditions on which it was made.

Penalty: Five hundred dollars or six months' imprisonment.

Regulations.

16 The Governor may make regulations for the purposes of this Act and may prescribe a penalty, not exceeding fifty dollars, for an offence against the regulations.

APPROPRIATION (CATTLE COMPENSATION).

No. 28 of 1971.

AN ACT to grant and appropriate a certain sum
out of the Consolidated Revenue. [5 May 1971]

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 *Appropriation (Cattle Compensation) Act 1971*.

Appropriation of \$506.10.

2 The Treasurer may issue out of the Consolidated Revenue and pay to *Charles William Poke*, of Scotchtown Road, Smithton, farmer, the sum of five hundred and six dollars ten cents to recompense him for the loss of a shorthorn cow, tattooed WKA 802 and destroyed at King's Meadows Quarantine Station, Launceston.