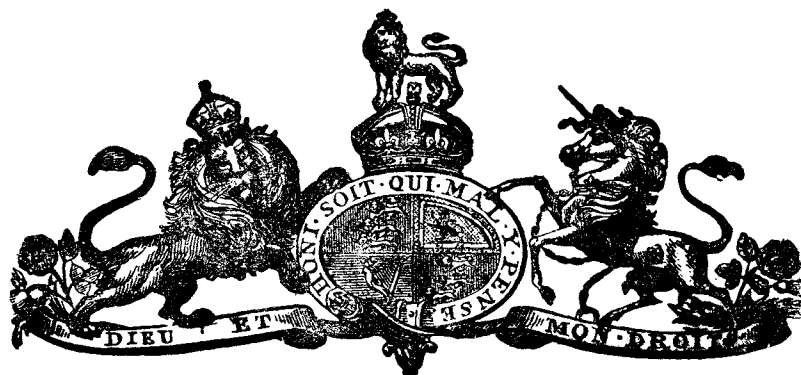


TASMANIA.



1934.

ANNO VICESIMO QUINTO

GEORGI V. REGIS.

No. 86.

ANALYSIS.

1. Short title.
2. Amendment of 25 Geo. V. No. 78.

AN ACT to amend the *Statute Law Revision Act 1934*. [4 January, 1935.]

A.D.
1934.

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 *Statute Law Revision Act* Short title. (No. 2) 1934.

2 The Principal Act is hereby amended as from the commencement thereof—

Amendment
of 25 Geo. V.
No. 78.

I. As to section five thereof—

(a) By deleting the words “to which this section is applicable” in the first and second lines thereof: and

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- (b) By inserting at the end of paragraph II. of subsection (3) the words "except in the *Acts Interpretation Act 1931*":

II. As to the second schedule thereof—

- (a) By inserting in the third column thereof the words and figure "and section 6," after "and 4," opposite 53 Vict. No. 28, and adding the following item immediately thereafter in the third and fourth columns, "Section 5—'with' to 'labour'":
- (b) By substituting "1907" for "1903" in the fourth column against section 14—(5) of 4 Geo. V. No. 38:
- (c) By inserting "The" before "Court" in the fourth column against section 8 of 11 Geo. V. No. 66:
- (d) By substituting "years and" for "years" in the fourth column, against section 280 of 11 Geo. V. No. 66, and deleting the word "is" before "punishable" against section 283 of that Act; and deleting the words and figures in the third and fourth columns "section 285" to "misdemeanour":
- (e) By inserting after "schedule," in the fourth column, against section 2 of 19 Geo. V. No. 49, the words "and 'and includes' to 'Registrar'": and

- III. By inserting in the first schedule thereto the repeals comprised in the first schedule to this Act, and by inserting in the second schedule thereto the amendments to the several Acts specified in the second schedule to this Act which are comprised in that schedule.
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THE FIRST SCHEDULE.

Regnal Year and Number.	Title of Act.	Extent of Repeal.
2 and 3 Wm. IV., c. 71	<i>The Prescription Act 1832</i>	The whole Act
12 Vict. No. 1	<i>The Savings Banks Act 1848</i>	Sections 19 and 40
21 Vict. No. 24	<i>An Act to enable the Funds of Savings Banks to be Invested in Government Debentures</i>	The whole Act
50 Vict. No. 15	<i>An Act to enable the Funds of Savings Banks to be placed out at Interest in other Banks</i>	The whole Act
52 Vict. No. 9	<i>An Act to remove Doubts as to the Position of Members of Parliament Acting as Coroners</i>	The whole Act
62 Vict. No. 20	<i>The First Offenders Probation Act 1898</i>	The whole Act
63 Vict. No. 36	<i>An Act to amend the Law relating to Double Costs and other matters, and to generalise and amend certain Statutory Provisions for the Protection of Persons acting in the execution of Statutory and other Public Duties</i>	The whole Act
5 Ed. VII. No. 3	<i>The Legitimation Act 1905</i>	Section 6
5 Ed. VII. No. 30	<i>The Police Act 1905</i>	Sections 9 to 11, 24 to 42, 121 to 133, and 152 to 193
7 Ed. VII. No. 6	<i>The Electoral Act 1907</i>	Sections 13, 57, and 186
8 Ed. VII. No. 12	<i>The Council Periodical Elections Regulation Act 1908</i>	The whole Act
5 Geo. V. No. 32	<i>The Public Works Committee Act 1914</i>	Sections 2 and 28
6 Geo. V. No. 3	<i>The Public Works Committee Act 1915</i>	The whole Act
8 Geo. V. No. 2	<i>The Public Works Committee Act 1917</i>	The whole Act
8 Geo. V. No. 59	<i>The Savings Banks Act 1917</i>	Sections 2, 5 to 13, and 15
10 Geo. V. No. 51	<i>The Public Works Committee Act 1919</i>	The whole Act

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A.D. 1934.

THE SECOND SCHEDULE.

Regnal Year and Number.	Title of Act Amended.	Part or Section Amended or Expunged.	How Amended.
12 Vict. No. 1	<i>The Savings Banks Act 1848</i>	<p>Preamble Section 1</p> <p>Section 2</p> <p>Section 3</p> <p>Section 4</p>	<p>By expunging, or by deleting the words (as the case may be)—</p> <p>The whole “Van” to “Dependencies” and substituting “this State”; “the justices” to “institution” and substituting “a judge, upon application as prescribed by Rules of Court”; “holding” to “session” and substituting “hearing”; and by inserting the figure “1” at the beginning of the section</p> <p>“and” to “that”; and by inserting after the word “aforesaid” in the first line the words “(hereinafter in this Act called a Savings Bank)”</p> <p>“Provided” to “that”; “is hereby” to “certify and”; “institution” (wherever occurring) and substituting “savings bank”</p> <p>“and” to “that”; “such institution” and substituting “savings bank”; “of the said Supreme Court”; “Managers” to “institution” (secondly occurring) and substituting “committee of such savings</p>

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Regnal Year and Number.	Title of Act Amended.	Part or Section Amended or Expunged.	How Amended.	A.D.1934.
12 Vict. No. 1	<i>The Savings Banks Act 1848</i>	Section 5	<p>By expunging, or by deleting the words (as the case may be)—</p> <p>bank at the expense of such bank"; "Lieutenant-Governor" to "Island" and substituting "Governor"; "of the said Court"; "institution" (wherever occurring) and substituting "savings bank"; "managers" and substituting "committee"</p> <p>"and" to "thereof" (secondly occurring) and substituting—</p> <p>"(1) Every savings bank shall be under the management of a general committee, consisting of not more than thirty nor less than ten members."</p> <p>"(2) The general committee shall be appointed by a judge as prescribed by Rules of Court"</p> <p>"Provided" to "aforesaid" and substituting "(3) No savings bank"; "managers" to "institution" and substituting "committee"; "managers" and substituting "members of the committee"; "an account or" and substituting "a"; and "account or"; "ac-</p>	<p>_____</p>

Statute Law Revision (No. 2).

Regnal Year and Number.	Title of Act Amended.	Part or Section Amended or Expunged.	How Amended.	A.D. 1934.
12 Vict. No. 1	<i>The Savings Banks Act 1848</i>	Section 12 Section 14 Section 15 Section 16 Section 17	By expunging, or by deleting the words (as the case may be)— “such” to “afore-said” and substituting “savings bank”; “that”; and “managers” and substituting “committee” “now” to “so” and substituting “shall” “and” to “that”; “such institution” and substituting “any unincorporated savings bank”; “institution” (wherever occurring) and substituting “bank” “and” to “that”; “manager” and substituting “member of the committee” “and” to “that”; “or her” (wherever occurring) “and” to “that”; and substituting “(1)”; “managers” and substituting “committee”; “or persons” (wherever occurring); “or trustees” (wherever occurring) “or depositors”; “or” to “themselves”; “or depositors”; “or her”; “or names” (wherever occurring); “managers” and substituting “committee”; “or receipts”; “or survivors”; “him her or”; “or sur-	

Statute Law Revision (No. 2).

A.D. 1934.	Regnal Year and Number.	Title of Act Amended.	Part or Section Amended or Expunged.	How Amended.
	12 Vict. No. 1	<i>The Savings Banks Act 1848</i>	Section 18	By expunging, or by deleting the words (as the case may be)— vivors" to "them"; "or receipts"; "said managers" (wherever occurring) and substituting "committee"; "Provided" to "that" and substituting "(2)"; "above provision" and substituting "the foregoing provisions of this section"; "such institution" and substituting "savings bank"; "and that" and substituting "but"; and "or" to "extend to" "and" to "that"; "managers" to "institution" and substituting "committee of any savings bank"; "managers" to "institution" and substituting "committee"; "institution" and substituting "bank"; "or her" (wherever occurring); and "herself"
			Section 20	"and" to "that"; "Van" to "Dependencies" and substituting "this State"; "managers" and substituting "Committee"
			Section 21	"and" to "that"; "institution" (secondly occurring) and substituting "savings bank"

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Regnal Year and Number.	Title of Act Amended.	Part or Section Amended or Expunged.	How Amended.	A.D. 1934.
12 Vict. No. 1	<i>The Savings Banks Act 1848</i>	Section 22	By expunging, or by deleting the words (as the case may be)—	
		Section 24	“and” to “that”; and substituting “(1)”; “Provided” to “construed to” and substituting “(2) This section shall not”; “and it is” to “that” and substituting “(3)”; “managers” to “institution”; and substituting “committee of any savings bank”	
		Section 25	“and” to “that”; “the funds” to “Act” and substituting “any savings bank”; “to the” and substituting “his”; “of” to “her”; “or her” (wherever occurring); “managers” to “institution” and substituting “committee of such bank”; “said managers” (wherever occurring) and substituting “committee”; “such managers” and substituting “the committee”; “managers” and substituting “committee”; and “or persons” (twice occurring in the last five lines) “Provided” to “that” and substituting “(1)”; “Provided” to “that” and substituting “(2)”; “or persons” (wherever occur-	

Statute Law Revision (No. 2).

A.D. 1934.	Regnal Year and Number.	Title of Act Amended.	Part or Section Amended or Expunged.	How Amended.
	12 Vict. No. 1	<i>The Savings Banks Act 1848</i>	Section 26	By expunging, or by deleting the words (as the case may be)— ring); “or person” to “administration” (wherever occurring) and inserting in each case “Supreme” before “Court”; “in such case”; “institution” (wherever occurring) and substituting “savings bank” in each case “and” to “that”; “such institution” and substituting “savings bank”; “or persons” (wherever occurring); “any” (before “Court”) and substituting “the”; “having” to “matters”; “or representatives” (wherever occurring); and “institution” to “managers” and substituting “savings bank or the committee” “and” to “that”; “colony” and substituting “State”; “managers” and substituting “committee”; “Lieutenant-Governor” and substituting “Governor”; and “or persons” (wherever occurring) “and” to “all and”; “persons and”; “such institution” and substituting “savings bank”; “managers” to “institution” and
			Section 27	
			Section 29	

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A.D. 1934.

Regnal Year and Number.	Title of Act Amended.	Part or Section Amended or Expunged.	How Amended.
12 Vict. No. 1	<i>The Savings Banks Act 1848</i>	Section 30	<p>By expunging, or by deleting the words (as the case may be) —</p> <p>substituting “members of the committee”; “managers thereof” and substituting “committee”; “her or their”; “or accounts”; “said” to “institution”; “managers” to “institution” and substituting “committee”; “such managers” to “institution” (twice occurring) and substituting in each case “the committee”; “for the time being”; “of Van” to “thereof”; “or judge” (wherever occurring); “shall and lawfully”; “shall and” (after “disobedience thereto”); and “or persons” (wherever occurring)</p> <p>“and” to “present to” and substituting—</p> <p>“(1) The committee of every savings bank shall hold a general meeting of the members of the committee once in every six months or once in every twelve months as the committee may determine, and five members shall form a quorum at any such meeting.</p>

Statute Law Revision (No. 2).

A.D. 1934.	Regnal Year and Number.	Title of Act Amended.	Part or Section Amended or Expunged.	How Amended.
	12 Vict. No. 1	<i>The Savings Banks Act 1848</i>	Section 31	<p>By expunging, or by deleting the words (as the case may be)—</p> <p>“(2) The committee at any such meeting may”; and by deleting “such institution” and substituting “the savings bank”; “it shall also” to “present to” and substituting “may”; “managers” and substituting “of their number”; and by inserting at the end thereof “(3) The interest accrued due on every deposit in any such bank shall be credited to the account of the depositor every six months”</p> <p>“and” to “aforesaid” and substituting “The committee of every savings bank”; “from” to “thereof” and substituting “after every such general meeting”; “such institution” (wherever occurring) and substituting in each case “savings bank”; “day of”; and “of” (last occurring) and substituting “on”</p> <p>“and” to “that” and substituting “(1)”; “half-yearly”; “managers” to “meeting” and substituting “committee”; “such institution”</p>
			Section 32	

Statute Law Revision (No. 2).

Regnal Year and Number.	Title of Act Amended.	Part or Section Amended or Expunged.	How Amended.	A.D.1934.
12 Vict. No. 1	<i>The Savings Bank Act 1848</i>	Section 33	<p>By expunging, or by deleting the words (as the case may be)—</p> <p>and substituting “the savings bank”; “half-year” and substituting “year or half-year as the case may be”; “institution” and substituting “savings bank”; “and it” to “managers to” and substituting “(2) The committee may”; “institution” and substituting “savings bank”; “half-year” and substituting “period”; “Provided” to “that” and substituting “(3)”; “institution” and substituting “savings bank”</p> <p>“and” to “that” and substituting “(1)”; “such” to “aforesaid” and substituting “savings bank”; “managers” and substituting “committee”; “or real” to “Land” and substituting “in this State”; “managers present” and substituting “committee”; “Provided” to “that” and substituting “(2)”; “or properties”; “managers” to “institution” and substituting “members”; “and” to</p>	

Statute Law Revision (No. 2).

A.D. 1934.	Regnal Year and Number.	Title of Act Amended.	Part or Section Amended or Expunged.	How Amended.
	12 Vict. No. 1	<i>The Savings Banks Act 1848</i>	Section 34	<p>By expunging, or by deleting the words (as the case may be)—</p> <p>“that” and substituting “(3)”; “names” to “institution” and substituting “name of the bank if incorporated or of the trustees if otherwise”; and “or sums”</p> <p>“and” to “that” and substituting “(1)”; “or” to “debts”; “institution” (wherever occurring) and substituting “savings bank”; “the trustees or”; “persons or”; “or mortgages”; “and their” to “heirs”; “or persons” (wherever occurring); “or public companies”; “or companies”; “they” and substituting “it”; “all and”; “trustees or”; “persons or”; “their”; “or” to “heirs”; “Provided” to “that” and substituting “(2)”; “managers” to “institution” and substituting “committee”; “of such managers” and substituting “members”</p> <p>“and” to “all and”; “persons or” (wherever occurring); “institution” to “Act” and substituting</p>
			Section 35	

Statute Law Revision (No. 2).

Regnal Year and Number.	Title of Act Amended.	Part or Section Amended or Expunged.	How Amended.	A.D. 1934.
12 Vict. No. 1	<i>The Savings Banks Act 1848</i>	Section 36	By expunging, or by deleting the words (as the case may be)— “savings bank”; “them”; “or her”; “actuary” to “institution” and substituting “manager”; “managers thereof” and substituting “members of the committee”; “their”; and “or” to “heirs”	
		Section 38	“and” to “that”; “such institution” and substituting “savings bank”; “or persons” (wherever occurring); “or names”; “or” to “securities”; “or have”; “or properties”; “institution” and substituting “savings bank”; “Provided” and substituting “if”	
		Section 39	“and” to “that”; “managers” and substituting “committee”; “taking” to “Act”; “then” to “case”; and “Lieutenant-Governor” to “island” and substituting “Governor”; and by inserting “any” before “depositor” in the fourth line “and” to “that”; “or to take” to “oath”; and “or affirmation”; “deemed” to “be”; and by substituting for the repealed section 40 the following new section:—	

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A.D.1934.	Regnal Year and Number.	Title of Act Amended.	Part or Section Amended or Expunged.	How Amended.
	12 Vict. No. 1	<i>The Savings Banks Act 1848</i>	New Section 40	By expunging, or by deleting the words (as the case may be)— “ 40. This Act may be cited as the <i>Savings Banks Act 1848</i> ”
	21 Vict. No. 52	<i>The Acts Custody Act 1858</i>	Section 1 Section 2	“ of this Colony ” (wherever occurring) “ the Colony ” and substituting “ Tasmania ”
	47 Vict. No. 17	<i>The Californian Thistle Act 1882</i>	Section 13	“ and all ” to “ Act ”
	53 Vict. No. 3	<i>The Contravention of Statutes Act 1889</i>	Preamble Section 1 Section 2	The whole “ the ” to “ Tasmania ” (secondly occurring) and substituting “ Statute shall include an Imperial Act in force in this State and a Commonwealth Act ” “ after ” to “ Act ”; “ either ” to “ assembled ”; “ not exceeding ” and substituting “ of ”; “ and ” to “ <i>Procedure Act</i> ”; “ Provided ” to “ justices ” and substituting “ but if the justices before whom any such person is charged ”; “ by ” to “ such ” and substituting “ upon indictment the ”
	3 Ed. VII. No. 40	<i>The Boundary Fences Act 1908</i>	Section 3 Section 47 (3) Section 49	“ for all purposes ” “ newspapers ” (lastly occurring) and substituting “ newspaper ” “ filed in the Supreme Court ”

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A.D. 1934.

Regnal Year and Number.	Title of Act Amended.	Part or Section Amended or Expunged.	How Amended.
5 Geo. V. No. 32	<i>The Public Works Committee Act 1914</i>	Section 3	By expunging, or by deleting the words (as the case may be)— “Provided” to “1915” (as inserted by 6 Geo. V. No. 3); “in” to “contained” (in subsection (4)) and substituting “of section four”; and by inserting after subsection (5) the following new subsection:— “ (6) The election of members of the Committee by the House of Assembly shall be conducted on the principle adopted with regard to the election of members of that House”
8 Geo. V. No. 59	<i>The Savings Banks Act 1917</i>	Title Section 4 (2) Section 1 Section 3 Section 14 New Section 12	“ In this ” to “ session ” (in the tenth to the thirteenth lines) “ Act ” (secondly occurring) to “ purposes ” and substituting “ Savings Banks Act 1848 ” “ I. ” and “ Paragraphs II. to IV. ” “ of the State ” (in paragraph II.) “ on ” to “ thereafter ”; and “ regulations ” (wherever occurring) and substituting “ by-laws ”; and by substituting for repealed section twelve the following new section— “ 12. Every incorporated savings bank and the trustees or general

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A.D. 1934.	Regnal Year and Number.	Title of Act Amended.	Part or Section Amended or Expunged.	How Amended.
	8 Geo. V. No. 59	<i>The Savings Banks Act 1917</i>		By expunging, or by deleting the words (as the case may be)— committee of an unincorporated savings bank may advance or lend the moneys deposited in such savings bank upon any security authorised by the <i>Trustee Act 1898</i> for the investment of trust moneys, but the total amount to be placed on fixed deposit by any such bank in other banks shall not at any time exceed thirty per centum of the moneys deposited in such savings bank."
	9 Geo. V. No. 15	<i>The Children's Act 1918</i>	Section 1	"Charter" and substituting "Act 1918"
	11 Geo. V. No. 32 ..	<i>The Chaff Act 1920</i>	Section 14	"to" (lastly occurring)
	18 Geo. V. No. 27 ..	<i>State Tourist Accommodation Houses Act 1927</i>	Section 2	The definitions of "Commissioner," "Minister," and "Schedule" and substituting "The Director" means the Director of the Tasmanian Government Tourist Bureau "
			Section 3	"Commissioner" and substituting "Director"; and "Provided" to "Department"
			Sections 4 to 10	"Commissioner" and substituting "Director" (wherever occurring)
			Section 12	"prescribing" to "expedient" and by inserting after sec-

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A.D. 1934.

Regnal Year and Number.	Title of Act Amended.	Part or Section Amended, or Expunged.	How Amended.
18 Geo. V. No. 27	<i>State Tourist Accommodation Houses Act 1927</i>	New Section 13	<p>By expunging, or by deleting the words (as the case may be) —</p> <p>tion 12 the following new section:—</p> <p>“ 13—(1) All contracts and agreements entered into by the Commissioner for Railways under and in pursuance of this Act or for the purposes of the Tourist Branch of the Railway Department in pursuance of the <i>Tourist Bureau Act 1917</i> and subsisting at the date of the commencement of this section shall be deemed to have been entered into by the Director and shall be enforceable by and against the Director in like manner as if he had been named therein in place of the Commissioner.</p> <p>“ (2) The Director shall pay and discharge all liabilities lawfully incurred by the said Commissioner under this Act and outstanding at the date aforesaid, and shall be entitled to recover and receive in his own name all moneys payable under this Act to the said Commissioner after the said date.</p>

Statute Law Revision (No. 2).

A.D. 1934. —	Regnal Year and Number.	Title of Act Amended.	Part or Sec- tion Amended. or Expunged.	How Amended.
	18 Geo. V. No. 27	<i>State Tourist Accom- modation Houses Act 1927</i>		By expunging, or by deleting the words (as the case may be)— “(3) The Treasurer may cause all such transfers and entries to be made in the books of the Treasury as he may consider necessary for giving effect to the taking over by the director of the business of the Tasmanian Government Tourist Bureau.”
	25 Geo. V. No. 28	<i>The Appropriation Act 1934-35</i>	Second Schedule	“20,000” (in the third column against item 9 of Division 19) and substituting: “4428 6 5”; “472,299 16 1” in the third column at the foot of page 92 and at the top of page 93, and substituting “456,728 2 6” in each case; “481,799 16 1” (in the third column against “total for Division 19”) and substituting: “466,228 2 6”; and by inserting after Division 19 the following new divisional heading: “Division 19A.— <i>Tasmanian Government Tourist Bureau</i> ” and the following items thereunder:

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Regnal Year and Number.	Title of Act Amended.	Part or Section Amended or Expunged.	How Amended.	A.D. 1934.
25 Geo. V. No. 28	<i>The Appropriation Act 1934-35</i>		By expunging, or by deleting the words (as the case may be)— “Tourist Office, Maintenance and Upkeep of Caves generally, Maintenance of Tourist Accommodation Houses, Contribution to Tourist Associations, £ for £ <i>pro rata</i> on conditions to be prescribed by the Chief Secretary (in the second column); and the figures “15,571 13 7” (in the third column) and (immediately following) “Total Division 19A—15,571 13 7”	
20 Geo. V. No. 77	<i>The Closer Settlement Act 1929</i>	Section 39 (2)	“devised” and substituting “demised”	
25 Geo. V. No. 32	<i>The Prescription Act 1934</i>	Section 8	“convenient” and substituting “ease-ment or”	
25 Geo. V. No. 49	<i>The Fruit Board Act 1934</i>	Section 29	“Board” (wherever occurring) and substituting “Director of Agriculture” and by inserting at the end of subsection (2) of section thirty-two (in continuation of the section, but not as part of a paragraph thereof) the words “and any such Board may pay to any permanent officer employed by it a retiring allowance of such amount not exceeding the sal-	

Statute Law Revision (No. 2).

A.D.1934.

Regnal Year and Number.	Title of Act Amended.	Part or Section Amended or Expunged.	How Amended.
25 Geo. V. No. 49	<i>The Fruit Board Act 1934</i>		By expunging, or by deleting the words (as the case may be)— any of such officer for three months, as the board may think commensurate with the length of service of such officer."
22 Geo. V. No. 59	<i>The Acts Interpretation Act 1931</i>	Section 23	And by inserting— "to" after "oath" in the fifth line
23 Geo. V. No. 39	<i>The Bookmakers Act 1932</i>	Section 9	"for galloping horse-racing or trotting horse-racing (or any other race-meeting if the committee so directs)" (after "meeting" in the first line of subsection (6))