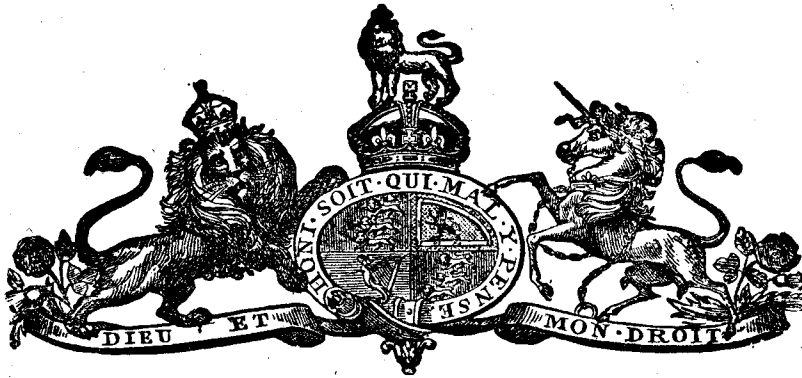


T A S M A N I A.



1920.

ANNO UNDECIMO

GEORGII V. REGIS.

No. 6.

ANALYSIS.

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| <p>1. Short title and incorporation with 6 Ed. VII, No. 31.</p> <p>2. Establishment of a ferry to place outside municipality.</p> <p>3. Establishment of ferry to be deemed a permanent work.</p> <p>4. Council may enter into contract for establishment of ferry.
Contract for maintenance of ferry.</p> <p>5. Separate local rate may be levied.</p> <p>6. Section 45 of 2 Geo. V. No. 65, not to apply to separate local rate under this Act.</p> | <p>7. Contents of notice of separate local rate.</p> <p>8. Poll to be taken if required by electors.</p> <p>9. Notice of poll.</p> <p>10. Warden to make necessary arrangements for poll.</p> <p>11. Scale of votes.</p> <p>12. Form.</p> <p>13. Separate local rate.</p> |
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A.D.

AN ACT to amend "The Local Government Act, 1906." [15 November, 1920] 1920.

WHEREAS doubts have arisen as to the power of the council of any municipality to establish a ferry between any place in such municipality and any other place in Tasmania outside such municipality :

PREAMBLE

And whereas it is expedient to remove such doubts :

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 :—

1 This Act may be cited as "The Local Government Amendment Act, 1920," and shall be deemed to be incorporated with and be construed as one with "The Local Government Act, 1906" (hereinafter called "the Principal Act), and every amendment thereof.

Short title and incorporation with 6 Ed. VII, No. 31.

Local Government Amendment.

A.D. 1920.

Establishment of a ferry to place outside municipality.

Establishment of ferry to be deemed a permanent work.

Council may enter into contract for establishment of ferry.

Contract for maintenance of ferry.

Separate local rate may be levied.

2 The council of any municipality may establish and maintain a ferry between any place in such municipality and any other place in Tasmania outside such municipality.

3 The establishment of any such ferry as is referred to in Section Two shall be deemed to be a permanent work or undertaking within the meaning of Part XII. of the Principal Act.

4—(1) The council of any municipality may, in lieu of itself establishing any such ferry as aforesaid, enter into a contract with any person for establishing such ferry.

(2) The council of any municipality may, in lieu of itself maintaining any such ferry as aforesaid, from time to time enter into a contract with any person for maintaining such ferry, and such contract may provide for either—

i. The payment by the council to any person maintaining such ferry of an annual subsidy in respect of the maintenance thereof: or

ii. A guarantee by the council to any such person of an annual sum for the purpose of indemnifying such person against any loss which may be sustained by such person in any year or years during the period of such contract by reason or in consequence of the maintenance of such ferry.

5—(1) The council of any municipality which has established a ferry under the authority of this Act may make and levy a separate local rate upon all rateable property within any defined portion of the municipality to which, in the judgment of the council, special advantages will accrue by the establishment of such ferry, for the purpose of defraying or providing for the payment of any one or more of the following:—

i. The cost of the establishment of such ferry:

ii. The interest upon the cost of the establishment thereof:

iii. The cost of the maintenance thereof:

iv. The amount of any annual subsidy payable by the council under any contract for the maintenance thereof:

v. The amount of any annual sum guaranteed by the council under any contract for the maintenance thereof.

(2) Any separate local rate made or levied under the authority of this Act shall not exceed an amount equal to the sum of One Shilling in the pound in any One year upon the annual value of the property within such defined portion.

(3) The provisions of the Principal Act with respect to the making, levying, recovery, and incidence of a separate local rate shall, subject as hereinafter provided, and except where inconsistent with any of the provisions of this Act, apply to the making, levying, recovery, and incidence of a separate local rate authorised by this Act.

Local Government Amendment.

6 Section Forty-five of "The Local Government Act, 1912," shall not apply to any separate local rate to be made under the authority of this Act or for the purposes mentioned in Section Five hereof, or any of them, but the provisions hereinafter contained shall apply to the making and levying of any such separate rate.

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Section 45 of 2
Geo. V. No. 65,
not to apply to
separate local
rate under this
Act.

7 When it is proposed by the council of any municipality to make such a separate local rate as is mentioned in Section Six of this Act, the notice referred to in Section Forty-four of "The Local Government Act, 1912," shall, in addition to containing any other matters required to be contained therein, state that in the event of a requisition in writing being presented to the warden of the municipality not less than Seven days before the time when such notice is to take effect, signed by not less than One-fourth of the electors within the portion of the municipality defined in the notice, requiring that a poll be taken of the electors within the said portion of the municipality for the purpose of determining whether the council shall make such separate local rate as aforesaid, such poll will be taken accordingly.

Contents of notice
of separate local
rate.

8 If a requisition in writing, signed as aforesaid, shall be presented to the warden not less than Seven days before the time when such notice is to take effect, requiring that a poll be taken of the electors within the said portion of the municipality for the purpose of determining whether the council shall make such separate local rate as aforesaid, the warden shall as soon as practicable after the receipt by him of such requisition cause a poll to be taken of the said electors for the purpose aforesaid.

Poll to be taken if
required by
electors.

9 Seven days before the day appointed for the taking of the poll the warden shall cause notice of such poll to be advertised, and a copy of such notice to be posted throughout the said portion of the municipality.

Notice of poll.

10 The warden shall be the returning officer, and shall make all such arrangements and provisions as are necessary to carry out the poll, and the proceedings generally shall, with any necessary changes, be the same as far as practicable as those provided or prescribed in the case of an election of councillors.

Warden to make
necessary arrange-
ments for poll.

11 Every elector qualified to vote at the poll shall have such a number of votes as is provided in the scale contained in Section Forty-five of the Principal Act in the case of an election of councillors.

Scale of votes.

12 The voting-papers to be used in the taking of the poll shall be according to the following form or to the like effect :—

Form.

Voting-paper.

If you are in favour of the council making a separate local rate for establishing and maintaining [*or* for establishing ; *or* for maintaining ;

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or for subsidising ; or for guaranteeing an annual sum in respect of maintaining ; or as the case may be] a ferry between [*place in municipality*] and [*place outside municipality*], you are to put a cross opposite the word "For."

If you are opposed to the making of such separate local rate, you are to put a cross opposite the word "Against."

For	
Against	

Separate local
rate.

13 If at the taking of the poll the number of votes recorded in favour of the making of the separate local rate shall amount to Three-fifths or more of the total number of valid votes recorded at such poll, then the council may proceed to make and levy such separate local rate, but otherwise the council shall not proceed to make or levy the same.