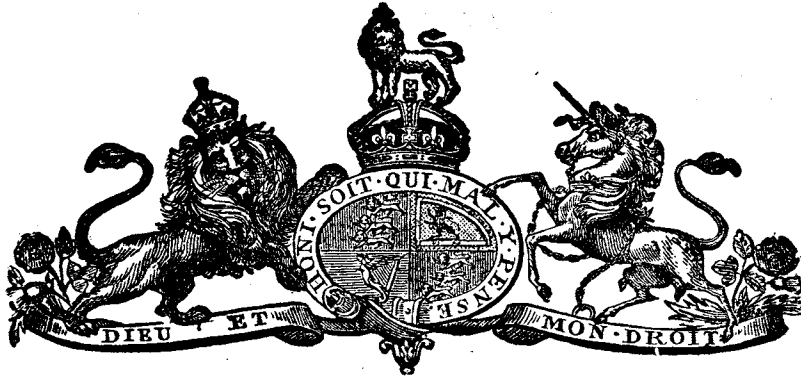


T A S M A N I A



1912.

ANNO TERTIO

GEORGI V. REGIS.

No. 22.

ANALYSIS.

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AN ACT for the Administration of the Mount Lyell Disaster Relief Fund.

A.D. 1912.

[17 December, 1912.]

WHEREAS certain moneys have been and are being subscribed and voted for the relief of the relatives of those who have unfortunately lost their lives through the recent sad disasters at the Mount Lyell and North Mount Lyell Mines :

PREAMBLE.

And whereas it is desirable to form a fund of such moneys, and to constitute a Board to administer it for the relief and benefit of such relatives :

Mount Lyell Relief Fund.

A.D. 1912.

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 Mount Lyell Relief Fund Act, 1912.”

Interpretation.

2 In this Act—

“Board.”

“Board” means the Mount Lyell Disaster Relief Board constituted by this Act :

“Fund.”

“Fund” means the Mount Lyell Disaster Relief Fund established by this Act :

“Minister.”

“Minister” means the responsible minister of the Crown for the time being administering this Act :

“This Act.”

“This Act” includes regulations to be made under the Act.

The Board.

Board constituted.

3 For the purpose of carrying out the provisions of this Act, a Board, to be called “The Mount Lyell Disaster Relief Board,” is hereby constituted.

Constitution of Board.

4—(1) The Board shall consist of—

- i. The Warden of Mines for the time being of the Western Mining Division :
- ii. The Superintendent of Police for the time being for the District of Macquarie :
- iii. The Warden for the time being of each of the Municipalities of—

Queenstown and
Gormanston.

Provided that the Municipal Council of either of the said Municipalities may from time to time appoint some other member of its Council in the place of the Warden to be a member of the Board, and any such person so appointed shall hold office for One year from the time of his appointment :

- iv. Two members, being residents of the Municipality of Queenstown or Gormanston, who shall be appointed by the Governor on the nomination of the Federated Mining Employees' Association of Australia.

(2) Members appointed under Paragraph iv. shall hold office during the pleasure of the Governor, and are referred to as the “appointed members.”

Governor to
appoint
Chairman.
Who to preside
at meetings.

5 The Chairman of the Board shall be appointed by the Governor. At every meeting of the Board the said Chairman, if present, shall preside, and in his absence a Chairman shall be chosen by the members present,

Mount Lyell Relief Fund.

- 6** The Governor may at any time remove the Chairman or any appointed member of the Board, and may appoint some other person thereto on such removal, or on the death or resignation of any member, upon the nomination of the authority who nominated such member. A.D 1912
Power to remove member of Board.
- The Governor may in the case of the absence or continued illness, or inability to perform his duties, of the Chairman or any member appoint some person to act as his substitute during such absence, illness, or inability.
- 7** Any Three members of the Board shall be a quorum, and shall have and may exercise all the powers and authority conferred upon the Board by this Act; and during a vacancy in the Board the continuing members may act as if no vacancy had occurred. Quorum.
- 8** Subject to the provisions of this Act, the Board may regulate its own procedure. Board may regulate its procedure.
- 9** The Board shall keep exact minutes of all its proceedings in fit books. Extracts from such books shall be *prima facie* evidence of the matters therein stated, and of the meetings to which the same relate having been duly and regularly convened and held. Minutes to be kept.
- 10** The Board is hereby empowered to accept and receive any moneys for payment into the fund, and the receipt in writing of the Chairman of the Board shall be a good and sufficient discharge for any moneys acknowledged to be received by him for payment into the fund. Receipts for payments into fund.
- 11**—(1) The Board may grant allowances in accordance with the schedule to this Act in the case of the death of any person caused by the recent disasters at the Mount Lyell and North Lyell Mines, and may from time to time vary the amount so granted, but so that such amount shall not exceed that specified in the schedule; and the Board may stop the payment of any such allowance. Grant of allowances.
- Any such allowance shall be in addition to any payment under the rules of any company or society, and in addition to any compensation or damages recoverable under any Act or otherwise; and the amount of any such payment, compensation, or damages shall not be affected by the grant or payment of an allowance under this Act.
- (2) The Board shall pay any such allowances so granted by it as aforesaid out of the fund. Payment of allowances.
- (3) Any disposition, transfer, or assignment of the whole or any part of any such allowance shall be null and void. Assignments of allowances void.
- (4) The Board may at any time, if satisfied that such a course is desirable under the special circumstances of any case, in lieu of granting or continuing the payment of a weekly allowance in accordance with the said schedule to any person, grant to such person out of the fund such lump sum as the Board shall deem equitable and proper in satisfaction of his or her claim to relief out of the fund. Board may grant lump sum.

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Allowances
granted for
benefit of
children.

12 Where any allowance granted under this Act and the schedule is payable to any person for or in respect of a child, the Board, if it considers that such allowance would not be or is not being properly expended or used by the said person for the benefit of the child, may pay such allowance to such other person as the Board may think fit.

Board to admin-
ister the fund.**13** The Board—

- i. Shall administer the fund and carry out the provisions of this Act :
- ii. May invest any moneys forming part of the fund not required for immediate distribution—
 - (a) On deposit with the State Treasurer, or in any bank ; or
 - (b) Upon Government securities of or guaranteed by the State.

The Fund.

The fund.

14—(1) There is hereby constituted a fund, which shall be vested in and shall be administered by the Board, to be called “The Mount Lyell Disaster Relief Fund.” Such fund shall consist of—

- i. Moneys from time to time appropriated by the Parliament of the Commonwealth, or by any State Parliament, or donated, subscribed, or contributed by any company, local body, local authority, or persons, for or towards the objects of this Act, and received by the Board :
 - ii. The income of any such moneys invested from time to time.
- (2) The funds shall be exempt from all taxation whatsoever.

*Audit of Accounts.*Audit of
accounts.

15 The accounts of the Board shall from time to time be audited by the Auditor-General, or some person duly authorised by him, at such times as the Auditor-General directs.

The Auditor-General shall have the power to demand any information he deems necessary for the purpose of the audit.

Such accounts, when audited and forwarded by the Board to the Minister, shall be laid before both Houses of Parliament.

Regulations.

Regulations.

16 The Governor is hereby empowered from time to time to make regulations—

- i. For the conduct of business at the meetings of the Board :
- ii. Prescribing the applications and inquiries to be made before allowances are granted, and regulating the procedure at such inquiries :
- iii. Regulating the payments into and out of the fund and prescribing the accounts to be kept by the Board :
- iv. Prescribing forms where necessary :
- v. Generally regulating all matters touching the objects of this Act not sufficiently provided for, and for the effectual carrying out of such objects.

Mount Lyell Relief Fund.

SCHEDULE.

A.D. 1912.

SCALE AND CONDITIONS OF ALLOWANCES.

The allowances under the Act shall be as follow :—

- i. If the deceased was married—
 - (a) A weekly sum of One Pound payable to the widow, if any, while unmarried ;
 - (b) A weekly sum of Eight Shillings in respect of each child, if any, of the deceased until such child attains the age of Fifteen years, or dies, payable to the widow, if any, during her life ; or, if there is no widow, or the widow dies while any such sum is payable, to the guardian or person having the care of such child ;
 - (c) A weekly sum of One Pound per week payable to the guardian of the motherless children of the deceased until no child is below the age of Fifteen years :
- ii. If the deceased was unmarried—
 - (a) A weekly sum of One Pound payable to the mother of the deceased during her life and while she is unmarried, if in the opinion of the Board she was at the time of his death dependent on the deceased for support ;
 - (b) A weekly sum of One Pound payable to the father of the deceased during his life, if in the opinion of the Board the father was at the time of his son's death dependent on the deceased for support. And where any such allowance has been granted to such father, and he dies, a weekly sum of One Pound payable to the mother of the deceased during her life, and while she is unmarried, if in the opinion of the Board she was at the time of the death of the father dependent upon him for support, and if the Board approves of such grant ;
 - (c) A weekly sum of Eight Shillings for each child of the father or of the mother of the deceased, or of the sister or sisters of the deceased, payable to the father or to the mother, or to the sister or sisters, as the case may be, until such child attains the age of Fifteen years, if in the opinion of the Board such father or mother, or such sister or sisters, was or were at the time of his death dependent upon the deceased for support.

