

2 Section thirty-seven of the Principal Act is amended by inserting after subsection (8) the following subsection:— Charges for conveyance.

“(8AAA) Subsection (8) of this section does not apply where if—

- (a) that subsection had not been enacted; and
- (b) the charge for a person’s conveyance had been recovered by a board or the council of a participating municipal district,

that person could recover the amount thereof from—

- (c) his employer under section eight A of the *Workers’ Compensation Act 1927*; or
- (d) if all conditions precedent to his entering judgment under Part VII of the *Traffic Act 1925* against an insurer as defined in that Part were fulfilled, from such an insurer.”.

APPLE AND PEAR CROP INSURANCE.

No. 34 of 1971.

AN ACT to amend the *Apple and Pear Crop Insurance Act 1967*. [24 August 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—(1) This Act may be cited as the *Apple and Pear Crop Insurance Act 1971*.

Short title, citation, and commencement.

(2) The *Apple and Pear Crop Insurance Act 1967* is in this Act referred to as the Principal Act.

(3) This Act commences on the commencement of the *Tasmanian Government Insurance Act 1971*.

Interpretation.

2 Section two of the Principal Act is amended—

(a) by omitting the definition of “Board” and substituting therefor the following definition:—

“ ‘Board’ means the Tasmanian Government Insurance Board; ”; and

(b) by omitting the definition of “General Manager”.

3 After section two of the Principal Act the following section is inserted:—

Delegation of functions.

“2A. Section eight of the *Tasmanian Government Insurance Act 1919* has effect in relation to the functions of the Board under this Act (other than those under subsection (1), subsection (2), or subsection (3) of section five) as it has effect in relation to the functions of the Board under that Act.”.

4 Section five of the Principal Act is repealed and the following section is substituted therefor:—

Fixing of premium rates and compensation rate.

“5—(1) For each year the Board shall for the purposes of this Act fix the premium rates and the compensation rate as specified sums related to specified quantities of fruit after considering any recommendation made by the advisory committee mentioned in subsection (5) of this section.

“(2) The Board may fix different premium rates for orchards in different parts of the State.

“(3) In fixing the premium rates the Board shall endeavour to ensure that, taking one year with another, the income of the Fund from premiums received under fruit crop insurance policies is sufficient to meet the sums required to be paid out of the Fund, but is not substantially greater than that necessary for that purpose.

“(4) The Board shall, not later than the first day of August in any year, cause to be published in the *Gazette*, and in such other manner as it thinks necessary to bring it to the attention of holders of licences, a notice of the premium rates and the compensation rate fixed under this section for that year.

“(5) For the purposes of this section there shall be an advisory committee consisting of—

(a) two members of the Board appointed by the Treasurer on the recommendation of the Board;

(b) a person appointed by the Minister for Agriculture; and

(c) a fruitgrowers’ representative.

“(6) Subject to this section, the fruitgrowers’ representative shall be a person appointed by the Treasurer from among three persons whose names are submitted to him by the State Fruit Board as being the names of the persons recommended by it as being suitable for appointment as the fruitgrowers’ representative.

“(7) If, when it becomes necessary to appoint a fruitgrowers’ representative, the State Fruit Board, within one month after being requested by the Treasurer so to do, fails to submit to him a list of the names of three persons whom it recommends as suitable for appointment as the fruitgrowers’ representative, the Treasurer may appoint, as fruitgrowers’ representative, any suitable person whom he considers will sufficiently represent on the Board the interests of fruitgrowers.

“(8) Subject to subsection (9) of this section, the members of the advisory committee hold office for a period of five consecutive years, but where one dies or ceases to hold office otherwise than by the effluxion of time, the person appointed to fill the vacancy holds office only for the unexpired portion of the term of office of the person in whose place he was appointed.

“(9) The Treasurer may remove a member of the committee from his office if he thinks it necessary or desirable to do so on the grounds of misconduct or incapacity.

“(10) Three members of the committee constitute a quorum at any meeting of the advisory committee.

“(11) The advisory committee may choose its chairman and may regulate its own proceedings.”.

5 The schedule to the Principal Act is repealed.

The schedule.

6—(1) The provisions of the Principal Act specified in the schedule are amended by omitting the words “General Manager” (wherever occurring) and substituting therefor, in each case, the word “Board”. Consequential amendments.

(2) Section four of the Principal Act is amended—

(a) by omitting from subsection (3) the word “him” and substituting therefor the word “it”; and

(b) by omitting from that subsection the word “he” and substituting therefor the word “it”.

(3) Section eight of the Principal Act is amended by omitting from subsection (5) the words “The General Manager, or a person authorized by him in that behalf,” and substituting therefor the words “A person authorized in that behalf by the Board”.

7 Notwithstanding anything in this Act any rates fixed under section five of the Principal Act before the commencement of this Act continue to have effect as the rates fixed under that section for the year for which they were so fixed. Saving for existing rates.

THE SCHEDULE.

(Section 6 (1).)
Sections amended.

Section three;
Section four;
Section six; and
Subsections (1) and (2) of section eight.

TASMANIAN GOVERNMENT INSURANCE.

No. 35 of 1971.

AN ACT to amend the *Tasmanian Government Insurance Act 1919* and certain other enactments affecting the Tasmanian Government Insurance Office. [24 August 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,
citation,
and com-
mencement.

1—(1) This Act may be cited as the *Tasmanian Government Insurance Act 1971*.

(2) The *Tasmanian Government Insurance Act 1919*, as subsequently amended, is in this Act referred to as the Principal Act.

(3) This Act shall commence on a date to be fixed by proclamation.