

This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.

W. R. McCOURT,
Clerk of the Legislative Assembly.
Legislative Assembly Chamber,
Sydney, 14 March, 1940.

New South Wales.



ANNO QUARTO

GEORGII VI REGIS.

Act No. , 1940.

An Act to amend the Public Works Act, 1912, the Sandy Hollow, via Gulgong, to Maryvale Railway Act, 1927, the Sutherland to Cronulla Railway Act, 1936, and certain other Acts in certain respects; to validate certain matters; and for purposes connected therewith.

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of
5 the same, as follows:—

1. This Act may be cited as the "Public Works **Short title.**
(Amendment) Act, 1940."

Public Works (Amendment).

2. (1) The Sandy Hollow, via Gulgong, to Maryvale Railway Act, 1927, is amended by inserting next after section six the following new section:—

Amendment
of Act
No. 28, 1927.
New sec. 7.

5 7. For the purposes of this Act but not otherwise, the Public Works Act, 1912, as amended by subsequent Acts, shall be amended as follows, that is to say—

Amendment
of Act
No. 45, 1912,
s. 151.

10 (a) by omitting from subsection one of section one hundred and fifty-one the words "before commencing such work";

(b) by omitting from subsection five of the same section the words "forty days before" and by inserting in lieu thereof the words "either before or at any time after";

15 (c) by inserting at the end of the same section the following new subsection:—

20 (6) Where the Minister has on the recommendation of the Railway Commissioners for New South Wales as Constructing Authority directed that the construction of a railway shall be undertaken in parts or sections the provisions of subsections one to five both inclusive of this section shall apply to and in respect of the construction of each part or section of such railway as if it were a separate authorised work.

25 Publication of a map or plan and book of reference for a part or section of a railway shall be conclusive evidence that the same has been prepared and published pursuant to a direction of the Minister under this subsection.

30 (2) The Sutherland to Cronulla Railway Act, 1936, is amended by inserting next after section six the following new section:—

Amendment
of Act
No. 39, 1936.
New sec. 7.

7. For the purposes of this Act, but not otherwise, the Public Works Act, 1912, as amended by subsequent

Amendment
of Act
No. 45, 1912,
s. 151.

Public Works (Amendment).

subsequent Acts, shall be amended as follows, that is to say—

- 5 (a) by omitting from subsection one of section one hundred and fifty-one the words “before commencing such work”;
- (b) by omitting from subsection five of the same section the words “forty days before” and by inserting in lieu thereof the words “either before or at any time after.”
- 10 (3) (a) Subsection one of this section shall be deemed to have commenced on the seventh day of March, one thousand nine hundred and twenty-seven. Commencement of subsecs. (1) and (2).
- (b) Subsection two of this section shall be deemed to have commenced on the twenty-third day of 15 July, one thousand nine hundred and thirty-six.

3. (1) All acts, matters and things done or omitted by the Commissioner for Railways before the commencement of this Act in relation to or for the purpose of carrying out the works described in the Schedule to the 20 Sandy Hollow, via Gulgong, to Maryvale Railway Act, 1927, or in the Schedule to the Sutherland to Cronulla Railway Act, 1936, shall be deemed to have been validly done or omitted. Validation.

25 This subsection shall in no way affect or diminish the liability of the Commissioner at Common Law or under the Workers' Compensation Act to any person injured through the carrying out of the aforesaid works.

(2) Without prejudice to the generality of subsection one of this section any notice of intention to construct 30 the works or any part or section of the works described in the Schedule to the Sandy Hollow, via Gulgong, to Maryvale Railway Act, 1927, or in the Schedule to the Sutherland to Cronulla Railway Act, 1936, given or purporting to have been given under section one hundred 35 and fifty-one of the Public Works Act, 1912, as amended by subsequent Acts, at any time after the commencement of such works or of such part or section of such works shall be deemed to have been validly given.

Public Works (Amendment).

4. The Public Works Act, 1912, as amended by subsequent Acts, is amended—

Amendment
of Act
No. 45, 1912.

- (a) by inserting at the end of section thirty-nine the following proviso:—

Sec. 39.
(Taking of
lands for
authorised
works.)

5 Provided that where any authorised work is
a railway and the Commissioner for Railways
as Constructing Authority certifies to the Gov-
ernor that the land referred to in the certificate
will be required for the purposes of the author-
ised work and is available for purchase by pri-
vate treaty the Governor may authorise the
purchase of such land notwithstanding that the
map or plan and book of reference relating to
such railway may not have been made or con-
firmed.

- (b) (i) by omitting from subsection five of section
one hundred and fifty-one the words "forty
days";

Sec. 151.
(Map or
plan and
book of
reference.)

- (ii) by inserting at the end of the same subsec-
tion the following new paragraph:—

20 Any such advertisement which relates to
the commencing of a railway or tramway or
of any part or section thereof shall be pub-
lished on such day (not being earlier than
the fortieth nor later than the seventh)
before such commencement as the Minister
may direct.

- (iii) by inserting at the end of the same section
the following new subsection:—

30 (6) Where the Minister has on the recom-
mendation of the Commissioner for Rail-
ways as Constructing Authority directed
that the construction of a railway shall be
undertaken in parts or sections the pro-
visions of subsections one to five both in-
clusive of this section shall apply to and in
respect of the construction of each part or
section of such railway as if it were a sepa-
rate authorised work.

Publication

Public Works (Amendment).

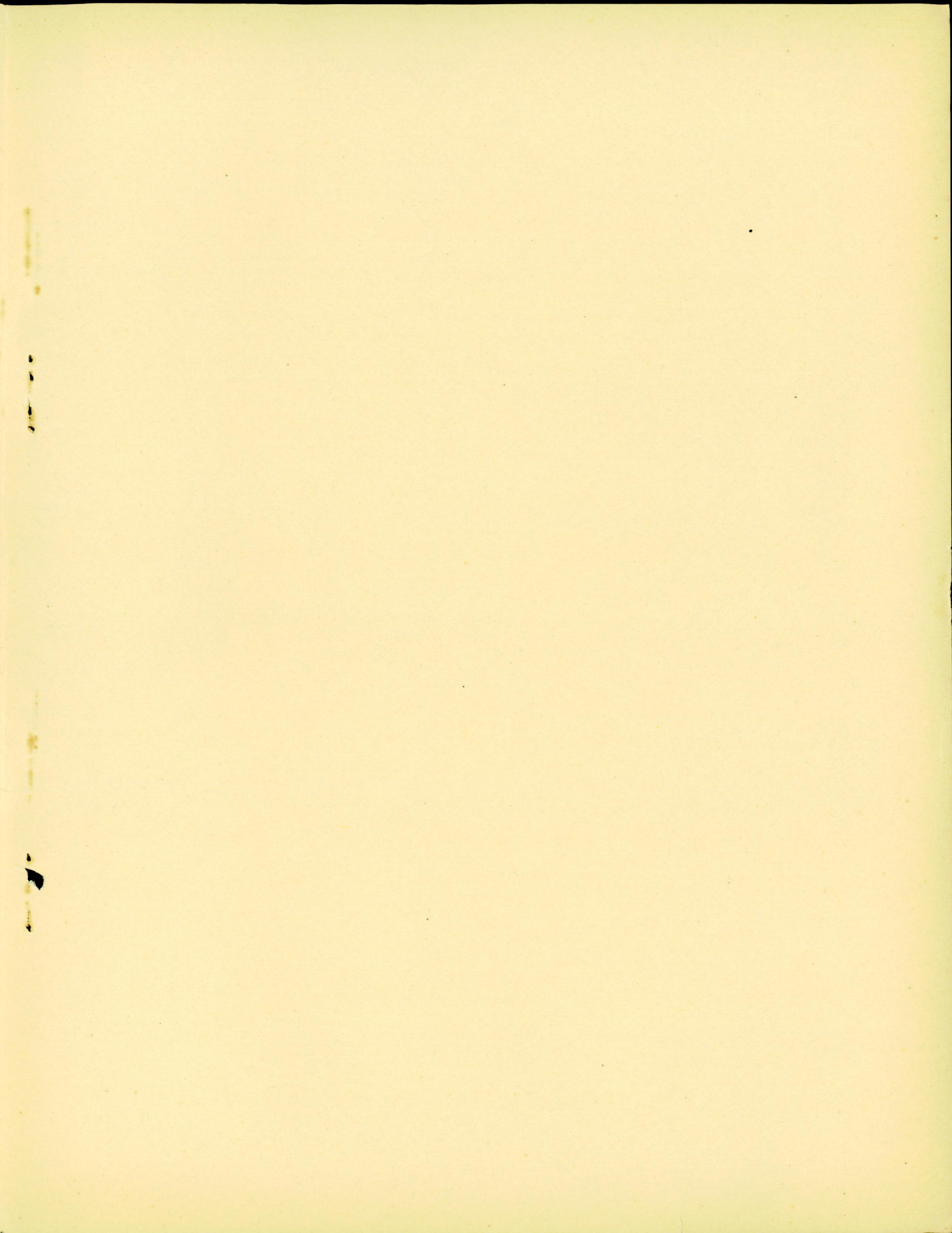
5

Publication of a map or plan and book of reference for a part or section of a railway shall be conclusive evidence that the same has been prepared and published pursuant to a direction of the Minister under this subsection.

[7d.]

Section 1 (continued)

Production of a map on page 10 of
the report for the year 1911. The
map is a plan of the land in the
vicinity of the station and shows
the location of the buildings and
the position of the tracks.



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No. , 1939.

A BILL

To amend the Public Works Act, 1912, the Sandy Hollow, via Gulgong, to Maryvale Railway Act, 1927, the Sutherland to Cronulla Railway Act, 1936, and certain other Acts in certain respects; to validate certain matters; and for purposes connected therewith.

[LIEUT.-COL. BRUXNER;—23 *August*, 1939.]

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the "Public Works (Amendment) Act, 1939." Short title.

Public Works (Amendment).

2. (1) The Sandy Hollow, via Gulgong, to Maryvale Railway Act, 1927, is amended by inserting next after section six the following new section:—

Amendment of Act No. 28, 1927. New sec. 7.

5 7. For the purposes of this Act but not otherwise, the Public Works Act, 1912, as amended by subsequent Acts, shall be amended as follows, that is to say—

Amendment of Act No. 45, 1912, s. 151.

10 (a) by omitting from subsection one of section one hundred and fifty-one the words “before commencing such work”;

(b) by omitting from subsection five of the same section the words “forty days before” and by inserting in lieu thereof the words “either before or at any time after”;

15 (c) by inserting at the end of the same section the following new subsection:—

20 (6) Where the Minister has on the recommendation of the Railway Commissioners for New South Wales as Constructing Authority directed that the construction of a railway shall be undertaken in parts or sections the provisions of subsections one to five both inclusive of this section shall apply to and in respect of the construction of each part or section of such railway as if it were a separate authorised work.

30 Publication of a map or plan and book of reference for a part or section of a railway shall be conclusive evidence that the same has been prepared and published pursuant to a direction of the Minister under this subsection.

35 (2) The Sutherland to Cronulla Railway Act, 1936, is amended by inserting next after section six the following new section:—

Amendment of Act No. 39, 1936. New sec. 7.

7. For the purposes of this Act, but not otherwise, the Public Works Act, 1912, as amended by subsequent

Amendment of Act No. 45, 1912, s. 151.

Public Works (Amendment).

subsequent Acts, shall be amended as follows, that is to say—

5 (a) by omitting from subsection one of section one hundred and fifty-one the words “before commencing such work”;

(b) by omitting from subsection five of the same section the words “forty days before” and by inserting in lieu thereof the words “either before or at any time after.”

10 (3) (a) Subsection one of this section shall be deemed to have commenced on the seventh day of March, one thousand nine hundred and twenty-seven. Commencement of subsecs. (1) and (2).

15 (b) Subsection two of this section shall be deemed to have commenced on the twenty-third day of July, one thousand nine hundred and thirty-six.

20 **3.** (1) All acts, matters and things done or omitted by the Commissioner for Railways before the commencement of this Act in relation to or for the purpose of carrying out the works described in the Schedule to the Sandy Hollow, via Gulgong, to Maryvale Railway Act, 1927, or in the Schedule to the Sutherland to Cronulla Railway Act, 1936, shall be deemed to have been validly done or omitted. Validation.

25 (2) Without prejudice to the generality of subsection one of this section any notice of intention to construct the works or any part or section of the works described in the Schedule to the Sandy Hollow, via Gulgong, to Maryvale Railway Act, 1927, or in the Schedule to the Sutherland to Cronulla Railway Act, 1936, given or pur-
30 porting to have been given under section one hundred and fifty-one of the Public Works Act, 1912, as amended by subsequent Acts, at any time after the commencement of such works or of such part or section of such works shall be deemed to have been validly given.

Public Works (Amendment).

4. The Public Works Act, 1912, as amended by subsequent Acts, is amended—

Amendment
of Act
No. 45, 1912.

(a) by inserting at the end of section thirty-nine the following proviso:—

Sec. 39.
(Taking of
lands for
authorised
works.)

5 Provided that where any authorised work is
a railway and the Commissioner for Railways
as Constructing Authority certifies to the Gov-
ernor that the land referred to in the certificate
will be required for the purposes of the author-
ised work and is available for purchase by pri-
vate treaty the Governor may authorise the
purchase of such land notwithstanding that the
map or plan and book of reference relating to
such railway may not have been made or con-
firmed.

(b) (i) by omitting from subsection five of section
one hundred and fifty-one the words "forty
days";

Sec. 151.
(Map or
plan and
book of
reference.)

(ii) by inserting at the end of the same subsec-
tion the following new paragraph:—

20 Any such advertisement which relates to
the commencing of a railway or tramway or
of any part or section thereof shall be pub-
lished on such day (not being earlier than
the fortieth nor later than the seventh)
before such commencement as the Minister
may direct.

(iii) by inserting at the end of the same section
the following new subsection:—

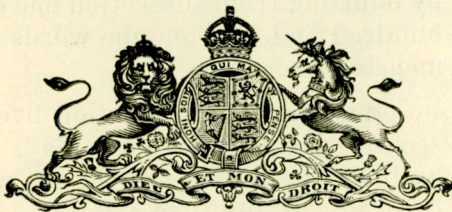
30 (6) Where the Minister has on the recom-
mendation of the Commissioner for Rail-
ways as Constructing Authority directed
that the construction of a railway shall be
undertaken in parts or sections the pro-
visions of subsections one to five both in-
clusive of this section shall apply to and in
respect of the construction of each part or
section of such railway as if it were a separ-
ate authorised work.

Public Works (Amendment).

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Publication of a map or plan and book of reference for a part or section of a railway shall be conclusive evidence that the same has been prepared and published pursuant to a direction of the Minister under this subsection.

New South Wales.



ANNO QUARTO

GEORGI VI REGIS.

Act No. 1, 1940.

An Act to amend the Public Works Act, 1912, the Sandy Hollow, via Gulgong, to Maryvale Railway Act, 1927, the Sutherland to Cronulla Railway Act, 1936, and certain other Acts in certain respects; to validate certain matters; and for purposes connected therewith. [Assented to, 16th April, 1940.]

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the "Public Works Short title.
(Amendment) Act, 1940,"

Public Works (Amendment).

Amendment
of Act
No. 28, 1927.
New sec. 7.

2. (1) The Sandy Hollow, via Gulgong, to Maryvale Railway Act, 1927, is amended by inserting next after section six the following new section:—

Amendment
of Act
No. 45, 1912,
s. 151.

7. For the purposes of this Act but not otherwise, the Public Works Act, 1912, as amended by subsequent Acts, shall be amended as follows, that is to say—

- (a) by omitting from subsection one of section one hundred and fifty-one the words “before commencing such work”;
- (b) by omitting from subsection five of the same section the words “forty days before” and by inserting in lieu thereof the words “either before or at any time after”;
- (c) by inserting at the end of the same section the following new subsection:—

(6) Where the Minister has on the recommendation of the Railway Commissioners for New South Wales as Constructing Authority directed that the construction of a railway shall be undertaken in parts or sections the provisions of subsections one to five both inclusive of this section shall apply to and in respect of the construction of each part or section of such railway as if it were a separate authorised work.

Publication of a map or plan and book of reference for a part or section of a railway shall be conclusive evidence that the same has been prepared and published pursuant to a direction of the Minister under this subsection.

Amendment
of Act
No. 39, 1936.
New sec. 7.

(2) The Sutherland to Cronulla Railway Act, 1936, is amended by inserting next after section six the following new section:—

Amendment
of Act
No. 45, 1912,
s. 151.

7. For the purposes of this Act, but not otherwise, the Public Works Act, 1912, as amended by subsequent

Public Works (Amendment).

subsequent Acts, shall be amended as follows, that is to say—

- (a) by omitting from subsection one of section one hundred and fifty-one the words “before commencing such work”;
- (b) by omitting from subsection five of the same section the words “forty days before” and by inserting in lieu thereof the words “either before or at any time after.”

(3) (a) Subsection one of this section shall be deemed to have commenced on the seventh day of March, one thousand nine hundred and twenty-seven.

Commencement of subsecs. (1) and (2).

(b) Subsection two of this section shall be deemed to have commenced on the twenty-third day of July, one thousand nine hundred and thirty-six.

3. (1) All acts, matters and things done or omitted by the Commissioner for Railways before the commencement of this Act in relation to or for the purpose of carrying out the works described in the Schedule to the Sandy Hollow, via Gulgong, to Maryvale Railway Act, 1927, or in the Schedule to the Sutherland to Cronulla Railway Act, 1936, shall be deemed to have been validly done or omitted.

Validation.

This subsection shall in no way affect or diminish the liability of the Commissioner at Common Law or under the Workers' Compensation Act to any person injured through the carrying out of the aforesaid works.

(2) Without prejudice to the generality of subsection one of this section any notice of intention to construct the works or any part or section of the works described in the Schedule to the Sandy Hollow, via Gulgong, to Maryvale Railway Act, 1927, or in the Schedule to the Sutherland to Cronulla Railway Act, 1936, given or purporting to have been given under section one hundred and fifty-one of the Public Works Act, 1912, as amended by subsequent Acts, at any time after the commencement of such works or of such part or section of such works shall be deemed to have been validly given.

Public Works (Amendment).

Amendment
of Act
No. 45, 1912.

4. The Public Works Act, 1912, as amended by subsequent Acts, is amended—

Sec. 39.
(Taking of
lands for
authorised
works.)

(a) by inserting at the end of section thirty-nine the following proviso:—

Provided that where any authorised work is a railway and the Commissioner for Railways as Constructing Authority certifies to the Governor that the land referred to in the certificate will be required for the purposes of the authorised work and is available for purchase by private treaty the Governor may authorise the purchase of such land notwithstanding that the map or plan and book of reference relating to such railway may not have been made or confirmed.

Sec. 151.
(Map or
plan and
book of
reference.)

(b) (i) by omitting from subsection five of section one hundred and fifty-one the words “forty days”;

(ii) by inserting at the end of the same subsection the following new paragraph:—

Any such advertisement which relates to the commencing of a railway or tramway or of any part or section thereof shall be published on such day (not being earlier than the fortieth nor later than the seventh) before such commencement as the Minister may direct.

(iii) by inserting at the end of the same section the following new subsection:—

(6) Where the Minister has on the recommendation of the Commissioner for Railways as Constructing Authority directed that the construction of a railway shall be undertaken in parts or sections the provisions of subsections one to five both inclusive of this section shall apply to and in respect of the construction of each part or section of such railway as if it were a separate authorised work.

Publication

Public Works (Amendment).

Publication of a map or plan and book of reference for a part or section of a railway shall be conclusive evidence that the same has been prepared and published pursuant to a direction of the Minister under this subsection.

By Authority:

THOMAS HENRY TENNANT, Government Printer, Sydney, 1940.

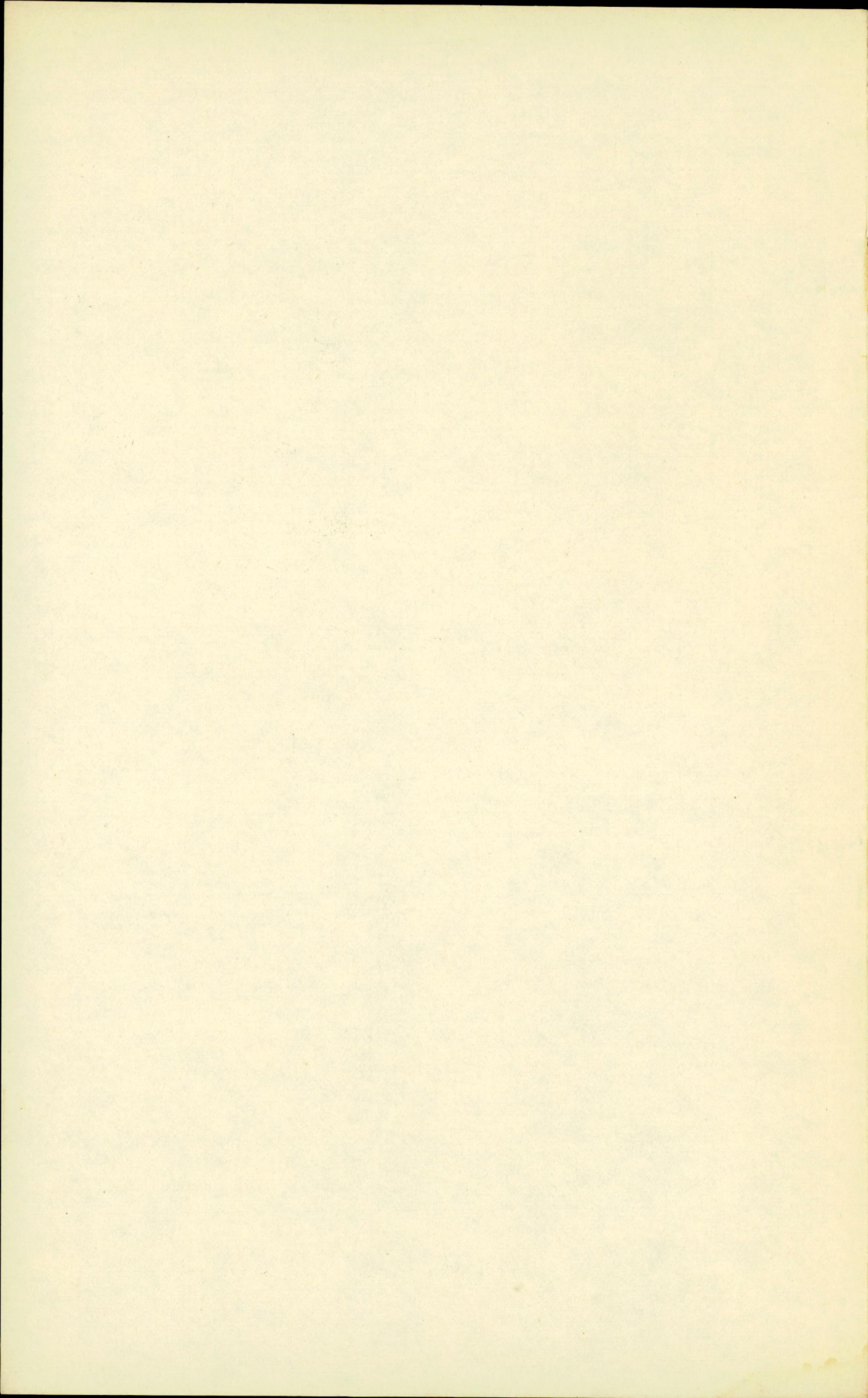
[3d.]

Public Works (Licensing)

Exhibition of a map or plan and book of reference for a part of section of a railway shall be considered sufficient that the same has been prepared and published pursuant to a direction of the Minister under this section.

By Authority

Printed and Published by the Government Printer, Ottawa, 1910.

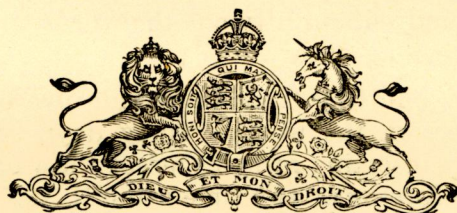


I certify that this PUBLIC BILL, which originated in the LEGISLATIVE ASSEMBLY, has finally passed the LEGISLATIVE COUNCIL and the LEGISLATIVE ASSEMBLY of NEW SOUTH WALES.

W. R. McCOURT,
Clerk of the Legislative Assembly.

*Legislative Assembly Chamber,
Sydney, 9 April, 1940.*

New South Wales.



ANNO QUARTO

GEORGI VI REGIS.

Act No. 1, 1940.

An Act to amend the Public Works Act, 1912, the Sandy Hollow, via Gulgong, to Maryvale Railway Act, 1927, the Sutherland to Cronulla Railway Act, 1936, and certain other Acts in certain respects; to validate certain matters; and for purposes connected therewith. [Assented to, 16th April, 1940.]

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the "Public Works Short title. (Amendment) Act, 1940."

2.

I have examined this Bill, and find it to correspond in all respects with the Bill as finally passed by both Houses.

W. W. HEDGES,
Chairman of Committees of the Legislative Assembly.

Public Works (Amendment).

Amendment of Act No. 28, 1927. New sec. 7. 2. (1) The Sandy Hollow, via Gulgong, to Maryvale Railway Act, 1927, is amended by inserting next after section six the following new section:—

Amendment of Act No. 45, 1912, s. 151.

7. For the purposes of this Act but not otherwise, the Public Works Act, 1912, as amended by subsequent Acts, shall be amended as follows, that is to say—

- (a) by omitting from subsection one of section one hundred and fifty-one the words “before commencing such work”;
- (b) by omitting from subsection five of the same section the words “forty days before” and by inserting in lieu thereof the words “either before or at any time after”;
- (c) by inserting at the end of the same section the following new subsection:—

(6) Where the Minister has on the recommendation of the Railway Commissioners for New South Wales as Constructing Authority directed that the construction of a railway shall be undertaken in parts or sections the provisions of subsections one to five both inclusive of this section shall apply to and in respect of the construction of each part or section of such railway as if it were a separate authorised work.

Publication of a map or plan and book of reference for a part or section of a railway shall be conclusive evidence that the same has been prepared and published pursuant to a direction of the Minister under this subsection.

Amendment of Act No. 39, 1936. New sec. 7. (2) The Sutherland to Cronulla Railway Act, 1936, is amended by inserting next after section six the following new section:—

Amendment of Act No. 45, 1912, s. 151.

7. For the purposes of this Act, but not otherwise, the Public Works Act, 1912, as amended by subsequent

Public Works (Amendment).

subsequent Acts, shall be amended as follows, that is to say—

- (a) by omitting from subsection one of section one hundred and fifty-one the words “before commencing such work”;
- (b) by omitting from subsection five of the same section the words “forty days before” and by inserting in lieu thereof the words “either before or at any time after.”

(3) (a) Subsection one of this section shall be deemed to have commenced on the seventh day of March, one thousand nine hundred and twenty-seven. Commencement of subsecs. (1) and (2).

(b) Subsection two of this section shall be deemed to have commenced on the twenty-third day of July, one thousand nine hundred and thirty-six.

3. (1) All acts, matters and things done or omitted by the Commissioner for Railways before the commencement of this Act in relation to or for the purpose of carrying out the works described in the Schedule to the Sandy Hollow, via Gulgong, to Maryvale Railway Act, 1927, or in the Schedule to the Sutherland to Cronulla Railway Act, 1936, shall be deemed to have been validly done or omitted. Validation.

This subsection shall in no way affect or diminish the liability of the Commissioner at Common Law or under the Workers' Compensation Act to any person injured through the carrying out of the aforesaid works.

(2) Without prejudice to the generality of subsection one of this section any notice of intention to construct the works or any part or section of the works described in the Schedule to the Sandy Hollow, via Gulgong, to Maryvale Railway Act, 1927, or in the Schedule to the Sutherland to Cronulla Railway Act, 1936, given or purporting to have been given under section one hundred and fifty-one of the Public Works Act, 1912, as amended by subsequent Acts, at any time after the commencement of such works or of such part or section of such works shall be deemed to have been validly given.

Public Works (Amendment).

Amendment of Act No. 45, 1912. **4.** The Public Works Act, 1912, as amended by subsequent Acts, is amended—

Sec. 39.
(Taking of lands for authorised works.)

- (a) by inserting at the end of section thirty-nine the following proviso:—

Provided that where any authorised work is a railway and the Commissioner for Railways as Constructing Authority certifies to the Governor that the land referred to in the certificate will be required for the purposes of the authorised work and is available for purchase by private treaty the Governor may authorise the purchase of such land notwithstanding that the map or plan and book of reference relating to such railway may not have been made or confirmed.

Sec. 151.
(Map or plan and book of reference.)

- (b) (i) by omitting from subsection five of section one hundred and fifty-one the words “forty days”;
- (ii) by inserting at the end of the same subsection the following new paragraph:—

Any such advertisement which relates to the commencing of a railway or tramway or of any part or section thereof shall be published on such day (not being earlier than the fortieth nor later than the seventh) before such commencement as the Minister may direct.

- (iii) by inserting at the end of the same section the following new subsection:—

(6) Where the Minister has on the recommendation of the Commissioner for Railways as Constructing Authority directed that the construction of a railway shall be undertaken in parts or sections the provisions of subsections one to five both inclusive of this section shall apply to and in respect of the construction of each part or section of such railway as if it were a separate authorised work.

Publication

Public Works (Amendment).

Publication of a map or plan and book of reference for a part or section of a railway shall be conclusive evidence that the same has been prepared and published pursuant to a direction of the Minister under this subsection.

*In the name and on behalf of His Majesty I assent to
this Act.*

WAKEHURST,
Governor.

*Government House,
Sydney, 16th April, 1940*

