New South Wales.

ANNO QUARTO DECIMO

GEORGII VI REGIS.

* *

Act No. 13, 1950.

An Act to amend the Main Roads Act, 1924-1949, and the Transport Act, 1930-1949, and certain other Acts in certain respects; to validate certain matters; and for purposes connected therewith. [Assented to, 3rd May, 1950.]

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. (1) This Act may be cited as the "Main Roads and Transport (Amendment) Act, 1950". **Short title and citation.**

(2) The Main Roads Act, 1924, as amended by subsequent Acts and by this Act, may be cited as the Main Roads Act, 1924-1950.

(3) The Transport Act, 1930, as amended by subsequent Acts and by this Act, may be cited as the Transport Act, 1930-1950.

Amendment of Act No. 24, 1924.

2. The Main Roads Act, 1924-1949, is amended—

Sec. 15. (Who to execute works.)

(a) by omitting from subparagraph (i) of paragraph (d) of subsection six of section fifteen the words "not exceeding five years";

New sec. 38A.

(b) by inserting next after section thirty-eight the following new section:—

Works for other Government Departments and statutory bodies.

38A. The Commissioner shall have power and shall be deemed always to have had power to carry out works at the request of any Department of the Government of the Commonwealth or of the State or of any body corporate constituted by any statute of the Commonwealth or of the State subject to such Department or body corporate paying the cost thereof.

In this section "works" include road, bridge, and ferry construction and maintenance works and any works in connection with which the machinery, plant and equipment of the Commissioner may be appropriately utilised.

New sec. 49A.

(c) by inserting next after section forty-nine the following new section:—

Buildings.

49A. The Commissioner shall have power and shall be deemed always to have had power to construct or provide on land acquired under the provisions of this Act buildings for the accommodation of officers and employees and of persons whose residences or places of business have been or will be demolished or substantially altered

altered by the carrying out by the Commissioner of any works in connection with the construction or maintenance of roads under this Act.

The Commissioner may sell or lease any such land and buildings.

(d) by inserting next after section sixty-five the following new section:— New sec. 66.

66. (1) The Commissioner shall have power and shall be deemed always to have had power— Border roads, bridges and ferries.

(a) to enter into agreements with the proper authorities in any Territory of the Commonwealth of Australia or State adjoining New South Wales for the construction, reconstruction, maintenance and repair of roads, bridges and ferries at the boundaries of New South Wales and such Territory or other State;

(b) to do or perform all such acts, matters and things as may be necessary or required to be done or performed under or in pursuance of any such agreement; and

(c) to use the appropriate fund under this Act for carrying any such agreement into effect.

(2) The provisions of any ordinance made under the Local Government Act, 1919 (whether or not so made in pursuance of this Act), relating to roads, bridges or ferries may be extended by the Governor by proclamation published in the Gazette to any road, bridge, or ferry the subject of any agreement referred to in subsection one of this section.

Amendment of Act No. 18, 1930.

Sec. 204. (Public Vehicles Fund.)

3. (1) The Transport Act, 1930-1949, is amended—

(a) by inserting at the end of paragraph (a) of subsection one of section two hundred and four the words "or any Act imposing taxes upon motor vehicles in lieu of the taxes upon motor vehicles imposed by such Act";

(b) by omitting paragraph (a) of subsection three of the same section and by inserting in lieu thereof the following paragraph:—

(a) So far as the same is derived from the tax collected in respect of motor omnibuses registered by a Trust in payment by the Commissioner to the councils of the several municipalities and shires (within or outside the district of that Trust) in whose areas such motor omnibuses operate and to such other authorities as the Commissioner shall determine who maintain wholly or partly from their own funds roads (within or outside the district of that Trust) on which such motor omnibuses operate in such shares as the Commissioner may determine.

The share to be paid to each such council or authority shall be determined in respect of each authorised omnibus route wholly or partly in the area of that council or authority and shall as nearly as practicable be calculated having regard to——

(i) the mileage travelled by such motor omnibuses on roads, on such route, which are maintained wholly at the expense of the council or authority;

(i)

(ii) one half of the mileage travelled by such motor omnibuses on roads, on such route, which are maintained partly at the expense of the council or authority; and

(iii) the average weight of such motor omnibuses operating on such route.

Amounts paid to councils of municipalities and shires and authorities under this paragraph shall be expended by them on the reconstruction, renewal, repair and maintenance of the public roads which are used by registered motor omnibuses.

Payments by the Commissioner shall be made not less frequently than once in twelve months.

In this paragraph "authorised omnibus route" includes such roads on which registered motor omnibuses are used for purposes incidental to their operation on an authorised omnibus route as the Commissioner may from time to time determine.

(2) Subsection one of this section shall commence on the first day of July, one thousand nine hundred and fifty.

By Authority:
A. H. PETTIFER, Government Printer, Sydney, 1950.
[3*d*.]

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.

H. ROBBINS,
Clerk of the Legislative Assembly.

Legislative Assembly Chamber,
Sydney, 26 *April,* 1950.

New South Wales.

ANNO QUARTO DECIMO

GEORGII VI REGIS.

* *

Act No. 13, 1950.

An Act to amend the Main Roads Act, 1924-1949, and the Transport Act, 1930-1949, and certain other Acts in certain respects; to validate certain matters; and for purposes connected therewith. [Assented to, 3rd May, 1950.]

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. (1) This Act may be cited as the "Main Roads and Transport (Amendment) Act, 1950". Short title and citation

(2)

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

G. BOOTH,
Chairman of Committees of the Legislative Assembly.

(2) The Main Roads Act, 1924, as amended by subsequent Acts and by this Act, may be cited as the Main Roads Act, 1924-1950.

(3) The Transport Act, 1930, as amended by subsequent Acts and by this Act, may be cited as the Transport Act, 1930-1950.

Amendment of Act No. 24, 1924.

2. The Main Roads Act, 1924-1949, is amended—

Sec. 15. (Who to execute works.)

(a) by omitting from subparagraph (i) of paragraph (d) of subsection six of section fifteen the words "not exceeding five years";

New sec. 38A.

(b) by inserting next after section thirty-eight the following new section:—

Works for other Government Departments and statutory bodies.

38A. The Commissioner shall have power and shall be deemed always to have had power to carry out works at the request of any Department of the Government of the Commonwealth or of the State or of any body corporate constituted by any statute of the Commonwealth or of the State subject to such Department or body corporate paying the cost thereof.

In this section "works" include road, bridge, and ferry construction and maintenance works and any works in connection with which the machinery, plant and equipment of the Commissioner may be appropriately utilised.

New sec. 49A.

(c) by inserting next after section forty-nine the following new section:—

Buildings.

49A. The Commissioner shall have power and shall be deemed always to have had power to construct or provide on land acquired under the provisions of this Act buildings for the accommodation of officers and employees and of persons whose residences or places of business have been or will be demolished or substantially altered

altered by the carrying out by the Commissioner of any works in connection with the construction or maintenance of roads under this Act.

The Commissioner may sell or lease any such land and buildings.

(d) by inserting next after section sixty-five the following new section:— New sec. 66.

66. (1) The Commissioner shall have power and shall be deemed always to have had power— Border roads, bridges and ferries.

(a) to enter into agreements with the proper authorities in any Territory of the Commonwealth of Australia or State adjoining New South Wales for the construction, reconstruction, maintenance and repair of roads, bridges and ferries at the boundaries of New South Wales and such Territory or other State;

(b) to do or perform all such acts, matters and things as may be necessary or required to be done or performed under or in pursuance of any such agreement; and

(c) to use the appropriate fund under this Act for carrying any such agreement into effect.

(2) The provisions of any ordinance made under the Local Government Act, 1919 (whether or not so made in pursuance of this Act), relating to roads, bridges or ferries may be extended by the Governor by proclamation published in the Gazette to any road, bridge, or ferry the subject of any agreement referred to in subsection one of this section.

Amendment of Act No. 18, 1930.

Sec. 204. (Public Vehicles Fund.)

3. (1) The Transport Act, 1930-1949, is amended—

(a) by inserting at the end of paragraph (a) of subsection one of section two hundred and four the words "or any Act imposing taxes upon motor vehicles in lieu of the taxes upon motor vehicles imposed by such Act";

(b) by omitting paragraph (a) of subsection three of the same section and by inserting in lieu thereof the following paragraph:—

(a) So far as the same is derived from the tax collected in respect of motor omnibuses registered by a Trust in payment by the Commissioner to the councils of the several municipalities and shires (within or outside the district of that Trust) in whose areas such motor omnibuses operate and to such other authorities as the Commissioner shall determine who maintain wholly or partly from their own funds roads (within or outside the district of that Trust) on which such motor omnibuses operate in such shares as the Commissioner may determine.

The share to be paid to each such council or authority shall be determined in respect of each authorised omnibus route wholly or partly in the area of that council or authority and shall as nearly as practicable be calculated having regard to——

(i) the mileage travelled by such motor omnibuses on roads, on such route, which are maintained wholly at the expense of the council or authority;

(ii)

(ii) one half of the mileage travelled by such motor omnibuses on roads, on such route, which are maintained partly at the expense of the council or authority; and

(iii) the average weight of such motor omnibuses operating on such route.

Amounts paid to councils of municipalities and shires and authorities under this paragraph shall be expended by them on the reconstruction, renewal, repair and maintenance of the public roads which are used by registered motor omnibuses.

Payments by the Commissioner shall be made not less frequently than once in twelve months.

In this paragraph "authorised omnibus route" includes such roads on which registered motor omnibuses are used for purposes incidental to their operation on an authorised omnibus route as the Commissioner may from time to time determine.

(2) Subsection one of this section shall commence on the first day of July, one thousand nine hundred and fifty.

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

J. NORTHCOTT,
Governor.

Government House,
Sydney, 3rd May, 1950.

MAIN ROADS AND TRANSPORT (AMENDMENT) BILL.

Schedule of Amendments referred to in Legislative Council's Message of 20th April, 1950.

No. 1.—Page 4, clause 3, line 17. *After* "operate" *insert* **"and to such other authorities as the Commissioner shall determine who maintain wholly or partly from their own funds roads (within or outside the district of that Trust) on which such motor omnibuses operate"**

No. 2.—Page 4, clause 3, line 26. *After* "council" *insert* **"or authority"**

No. 3.—Page 4, clause 3, line 29. *After* "council" *insert* **"or authority"**

No. 4.—Page 4, clause 3, line 36. *After* "council" *insert* **"or authority"**

No. 5.—Page 5, clause 3, line 5. *After* "council" *insert* **"or authority"**

No. 6.—Page 5, clause 3, line 11. *After* "shires" *insert* **"and authorities"**

No. 7.—Page 5, clause 3. *After* line 19 *insert*:—**"In this paragraph 'authorised omnibus route' includes such roads on which registered motor omnibuses are used for purposes incidental to their operation on an authorised omnibus route as the Commissioner may from time to time determine."**

36413 490—

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.*

H. ROBBINS,
Clerk of the Legislative Assembly.

Legislative Assembly Chamber,
Sydney, 28 *March,* 1950.

The LEGISLATIVE COUNCIL *has this day agreed to this Bill with Amendments.*

Clerk of the Parliaments.

Legislative Council Chamber,
Sydney, April, 1950.

New South Wales.

ANNO QUARTO DECIMO

GEORGII VI REGIS.

* *

Act No. , 1950.

An Act to amend the Main Roads Act, 1924-1949, and the Transport Act, 1930-1949, 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 the same, as follows :—

1. (1) This Act may be cited as the "Main Roads and Transport (Amendment) Act, 1950". Short title and citation

NOTE.—The words to be *inserted* are printed in **black letter.**

(2) The Main Roads Act, 1924, as amended by subsequent Acts and by this Act, may be cited as the Main Roads Act, 1924-1950.

(3) The Transport Act, 1930, as amended by subsequent Acts and by this Act, may be cited as the Transport Act, 1930-1950.

2. The Main Roads Act, 1924-1949, is amended— Amendment of Act No. 24, 1924.

(a) by omitting from subparagraph (i) of paragraph (d) of subsection six of section fifteen the words "not exceeding five years"; Sec. 15. (Who to execute works.)

(b) by inserting next after section thirty-eight the following new section:— New sec. 38A.

38A. The Commissioner shall have power and shall be deemed always to have had power to carry out works at the request of any Department of the Government of the Commonwealth or of the State or of any body corporate constituted by any statute of the Commonwealth or of the State subject to such Department or body corporate paying the cost thereof. Works for other Government Departments and statutory bodies.

In this section "works" include road, bridge, and ferry construction and maintenance works and any works in connection with which the machinery, plant and equipment of the Commissioner may be appropriately utilised.

(c) by inserting next after section forty-nine the following new section:— New sec. 49A.

49A. The Commissioner shall have power and shall be deemed always to have had power to construct or provide on land acquired under the provisions of this Act buildings for the accommodation of officers and employees and of persons whose residences or places of business have been or will be demolished or substantially altered Buildings.

altered by the carrying out by the Commissioner of any works in connection with the construction or maintenance of roads under this Act.

The Commissioner may sell or lease any such land and buildings.

(d) by inserting next after section sixty-five the following new section:— New sec. 66.

66. (1) The Commissioner shall have power and shall be deemed always to have had power— Border roads, bridges and ferries.

(a) to enter into agreements with the proper authorities in any Territory of the Commonwealth of Australia or State adjoining New South Wales for the construction, reconstruction, maintenance and repair of roads, bridges and ferries at the boundaries of New South Wales and such Territory or other State;

(b) to do or perform all such acts, matters and things as may be necessary or required to be done or performed under or in pursuance of any such agreement; and

(c) to use the appropriate fund under this Act for carrying any such agreement into effect.

(2) The provisions of any ordinance made under the Local Government Act, 1919 (whether or not so made in pursuance of this Act), relating to roads, bridges or ferries may be extended by the Governor by proclamation published in the Gazette to any road, bridge, or ferry the subject of any agreement referred to in subsection one of this section.

3. (1) The Transport Act, 1930-1949, is amended— Amendment of Act No. 18, 1930.

(a) by inserting at the end of paragraph (a) of subsection one of section two hundred and four the words "or any Act imposing taxes upon motor vehicles in lieu of the taxes upon motor vehicles imposed by such Act"; Sec. 204. (Public Vehicles Fund.)

(b) by omitting paragraph (a) of subsection three of the same section and by inserting in lieu thereof the following paragraph:—

(a) So far as the same is derived from the tax collected in respect of motor omnibuses registered by a Trust in payment by the Commissioner to the councils of the several municipalities and shires (within or outside the district of that Trust) in whose areas such motor omnibuses operate **and to such other authorities as the Commissioner is satisfied maintain wholly or partly from their own funds roads (within or outside the district of that Trust) on which such motor omnibuses operate** in such shares as the Commissioner may determine.

The share to be paid to each such council **or authority** shall be determined in respect of each authorised omnibus route wholly or partly in the area of that council **or authority** and shall as nearly as practicable be calculated having regard to——

(i) the mileage travelled by such motor omnibuses on roads, on such route, which are maintained wholly at the expense of the council **or authority;**

(ii)

(ii) one half of the mileage travelled by such motor omnibuses on roads, on such route, which are maintained partly at the expense of the council **or authority**; and

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Amounts paid to councils of municipalities and shires **and authorities** under this paragraph shall be expended by them on the reconstruction, renewal, repair and maintenance of the public roads which are used by registered motor omnibuses.

Payments by the Commissioner shall be made not less frequently than once in twelve months.

In this paragraph "authorised omnibus route" includes roads on which registered motor omnibuses are used for purposes incidental to their operation on an authorised omnibus route.

(2) Subsection one of this section shall commence on the first day of July, one thousand nine hundred and fifty.

Sydney: Alfred Henry Pettifer, Government Printer—1950

No. , 1950.

A BILL

To amend the Main Roads Act, 1924-1949, and the Transport Act, 1930-1949, and certain other Acts in certain respects; to validate certain matters; and for purposes connected therewith.

[Mr. O'Sullivan;—9 *March*, 1950.]

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. (1) This Act may be cited as the "Main Roads and Transport (Amendment) Act, 1950". Short title and citation.

(2) The Main Roads Act, 1924, as amended by subsequent Acts and by this Act, may be cited as the Main Roads Act, 1924-1950.

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2. The Main Roads Act, 1924-1949, is amended—

Amendment of Act No. 24, 1924.

(a) by omitting from subparagraph (i) of paragraph (d) of subsection six of section fifteen the words "not exceeding five years";

Sec. 15. (Who to execute works.)

(b) by inserting next after section thirty-eight the following new section:—

New sec. 38A.

38A. The Commissioner shall have power and shall be deemed always to have had power to carry out works at the request of any Department of the Government of the Commonwealth or of the State or of any body corporate constituted by any statute of the Commonwealth or of the State subject to such Department or body corporate paying the cost thereof.

Works for other Government Departments and statutory bodies.

In this section "works" include road, bridge, and ferry construction and maintenance works and any works in connection with which the machinery, plant and equipment of the Commissioner may be appropriately utilised.

(c) by inserting next after section forty-nine the following new section:—

New sec. 49A.

49A. The Commissioner shall have power and shall be deemed always to have had power to construct or provide on land acquired under the provisions of this Act buildings for the accommodation of officers and employees and of persons whose residences or places of business have been or will be demolished or substantially altered

Buildings.

altered by the carrying out by the Commissioner of any works in connection with the construction or maintenance of roads under this Act.

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(a) to enter into agreements with the proper authorities in any Territory of the Commonwealth of Australia or State adjoining New South Wales for the construction, reconstruction, maintenance and repair of roads, bridges and ferries at the boundaries of New South Wales and such Territory or other State;

(b) to do or perform all such acts, matters and things as may be necessary or required to be done or performed under or in pursuance of any such agreement; and

(c) to use the appropriate fund under this Act for carrying any such agreement into effect.

(2) The provisions of any ordinance made under the Local Government Act, 1919 (whether or not so made in pursuance of this Act), relating to roads, bridges or ferries may be extended by the Governor by proclamation published in the Gazette to any road, bridge, or ferry the subject of any agreement referred to in subsection one of this section.

3. (1) The Transport Act, 1930-1949, is amended— Amendment of Act No. 18, 1930.

(a) by inserting at the end of paragraph (a) of subsection one of section two hundred and four the words "or any Act imposing taxes upon motor vehicles in lieu of the taxes upon motor vehicles imposed by such Act"; Sec. 204. (Public Vehicles Fund.)

(b) by omitting paragraph (a) of subsection three of the same section and by inserting in lieu thereof the following paragraph:—

(a) So far as the same is derived from the tax collected in respect of motor omnibuses registered by a Trust in payment by the Commissioner to the councils of the several municipalities and shires (within or outside the district of that Trust) in whose areas such motor omnibuses operate in such shares as the Commissioner may determine.

The share to be paid to each such council shall be determined in respect of each authorised omnibus route wholly or partly in the area of that council and shall as nearly as practicable be calculated having regard to—

(i) the mileage travelled by such motor omnibuses on roads, on such route, which are maintained wholly at the expense of the council;

(ii) one half of the mileage travelled by such motor omnibuses on roads, on such route, which are maintained partly at the expense of the council; and

(iii)

(iii) the average weight of such motor omnibuses operating on such route.

Amounts paid to councils of municipalities and shires under this paragraph shall be expended by them on the reconstruction, renewal, repair and maintenance of the public roads which are used by registered motor omnibuses.

Payments by the Commissioner shall be made not less frequently than once in twelve months.

(2) Subsection one of this section shall commence on the first day of July, one thousand nine hundred and fifty.

Sydney: Alfred Henry Pettifer, Government Printer—1950

[7d.]