

New South Wales.



ANNO UNDECIMO

GEORGII VI REGIS.

\*\*\*\*\*

Act No. 29, 1947.

An Act to provide for the establishment, management and control of State Tileworks and the acquisition of lands for that purpose; to define the functions of the State Tileworks; to make provision for and in relation to the keeping of certain accounts in the Special Deposits Account in the Treasury for the purposes of the State Tileworks; and for purposes connected therewith. [Assented to, 9th December, 1947.]

*State Tileworks.*

**B**E 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:—

## PART I.

## PRELIMINARY.

1. (1) This Act may be cited as the "State Tileworks Act, 1947."

(2) This Act is divided into Parts as follows:—

PART I.—PRELIMINARY—s. 1.

PART II.—ADMINISTRATION—ss. 2, 3.

PART III.—FINANCE—ss. 4-7.

PART IV.—GENERAL—ss. 8-11.

## PART II.

## ADMINISTRATION.

2. The Minister may establish, manage, control and maintain State Tileworks. The functions of the State Tileworks shall include the production and manufacture of all classes of tiles from any material whatsoever and the distribution and sale of such tiles and the production, manufacture, distribution and sale of any other building materials and builders' requisites manufactured or prepared either wholly or in part of or from clay or shale and shall also include any work or activity which is incidental or supplementary to the performance of any of such functions.

3. (1) The Governor may, under and subject to the provisions of the Public Service Act, 1902, as amended by subsequent Acts, appoint and employ such officers and employees as may be necessary for the purposes of this Act.

(2) The officers and employees so appointed or employed shall be subject to the provisions of the Public Service Act, 1902, as amended by subsequent Acts, during their tenure of office or employment.

Short title and division into Parts.

Establishment of State Tileworks. cf. Act No. 16, 1946, s. 2.

Officers and employees. cf. Act No. 19, 1943, s. 6, Act No. 16, 1946, s. 3.

---

*State Tileworks.*

---

(3) The Minister may appoint, employ and dismiss such casual employees as are deemed necessary for the purposes of this Act and may fix wages and conditions of employment of such casual employees where such wages and conditions are not fixed in accordance with the provisions of any other Act.

The appointment of casual employees under this subsection shall not be subject to the provisions of the Public Service Act, 1902, or any Act amending that Act, and a casual employee so appointed or employed shall not be subject to the provisions of any such Act during the period of his employment.

(4) For the purposes of this Act the Minister may, with the approval of the Minister for the time being administering the department concerned, and on such terms as may be arranged, make use of the services of any of the officers or employees of any Government department.

---

**PART III.****FINANCE.**

4. (1) The capital cost of the State Tileworks shall be such amount as the Governor by proclamation published in the Gazette declares to be the capital cost. Such proclamation shall be published as soon as practicable after the establishment of the State Tileworks.

Capital  
cost.  
cf. Act No.  
16, 1945,  
s. 11,  
Act No. 16,  
1946, s. 4.

(2) The Minister shall, as soon as practicable after the thirty-first day of March immediately following the declaration of the capital cost pursuant to subsection one of this section, determine the amount by which the capital cost shall be increased or decreased by reason of expenditure or receipts during the period commencing on the date as at which the capital cost was declared and ending on the said thirty-first day of March. Thereafter the Minister shall as soon as practicable after the thirty-first day of March in each succeeding year, determine the amount by which the capital cost shall be increased

---

*State Tileworks.*


---

increased or decreased by reason of expenditure or receipts during the period of twelve months immediately preceding.

The Minister shall notify in the Gazette the amount of such increase or decrease. Upon publication of such notification, the capital cost shall be deemed to be altered accordingly, and such alteration shall take effect from the date specified in the notification.

Working  
Account.  
cf. Act No.  
16, 1945,  
s. 12,  
Act No. 19,  
1943, s. 8,  
Act No. 16,  
1946, s. 5.

5. (1) An account shall be kept in the Special Deposits Account in the Treasury to be called the "State Tileworks Working Account," in this Act referred to as the "Working Account."

(2) (a) There shall be credited to the Working Account all revenue, earnings and moneys received from all sources in the course of the conduct of the State Tileworks and such amounts as may from time to time be appropriated by Parliament for the purpose.

(b) There shall be debited to the Working Account the following charges, in the order set out hereunder:—

Firstly, all costs and expenses whatsoever of and incidental to the administration, management and conduct of the State Tileworks and also the costs of repair and minor renewal of buildings, plant and equipment.

Secondly, interest on the capital cost declared pursuant to section four of this Act for any year ending on the thirty-first day of March at a rate or rates to be determined by the Colonial Treasurer, but not exceeding the average rate payable during such year by the Government for loan moneys, and exchange at a rate or rates to be determined by the Colonial Treasurer, the amount of which interest and exchange shall be credited to the Consolidated Revenue Fund.

Thirdly, contributions to the Depreciation Reserve Account.

Fourthly, such contributions (if any) to a sinking fund as the Colonial Treasurer may direct.

(c)

*State Tileworks.*

(c) Any balance shall be applied in reduction of the capital cost or otherwise for any purpose connected with the administration, management, extension or conduct of the State Tileworks as the Minister may direct.

The Minister shall notify in the Gazette the amount of any such reduction in the capital cost. Upon publication of such notification, the capital cost shall be deemed to be altered accordingly and such alteration shall take effect as from the date specified in the notification.

6. (1) An account shall be kept in the Special Deposits Account in the Treasury to be called the "State Tileworks Depreciation Reserve Account," in this Act referred to as the "Depreciation Reserve Account."

Depreciation  
Reserve  
Account.  
cf. Act No.  
19, 1943,  
s. 9,  
Act No.  
16, 1946,  
s. 6.

(2) Contributions to the Depreciation Reserve Account shall be credited to that account as soon as practicable after the thirty-first day of March, one thousand nine hundred and forty-eight, and after the same day in each succeeding year. Each such contribution shall be calculated as prescribed and shall be so calculated by reference to the total amount expended or applied on or before the thirty-first day of March next preceding upon the capital assets of the State Tileworks after deducting therefrom the value of capital assets which have been disposed of.

(3) The Working Account shall be credited half yearly with interest on the uninvested daily credit balance of the Depreciation Reserve Account at such rate as the Colonial Treasurer may from time to time direct.

(4) The Minister may invest the whole or part of the balance at credit of the Depreciation Reserve Account in Commonwealth Government securities or on fixed deposit with the Colonial Treasurer and interest accruing from such investments or such deposit shall be regularly added to the Working Account.

---

*State Tileworks.*


---

(5) The Depreciation Reserve Account shall be drawn upon only for purposes of investment or reinvestment or for renewing or replacing capital assets of the State Tileworks:

Provided that the Minister may, with the approval of the Colonial Treasurer and subject to such conditions of repayment as the Colonial Treasurer may direct, authorise the expenditure of any balance at credit of the Depreciation Reserve Account (including any amounts invested or deposited pursuant to subsection four of this section) towards extending the State Tileworks or the trade or business thereof.

(6) If the Minister considers the amount at credit of the Working Account insufficient to meet the contribution referred to in subsection two of this section having regard to the charges referred to in subsection two of section five of this Act, such contribution or portion thereof may be allowed to remain a charge on the Working Account.

7. When in any year ending on the thirty-first day of March, the revenue, earnings and moneys received from all sources in the course of the conduct of the State Tileworks are insufficient to meet the charges referred to in subsection two of section five of this Act, the Colonial Treasurer may, out of moneys provided by Parliament, pay to the Working Account the amount of such deficiency.

Any moneys so paid to the Working Account shall, after payment of the charges referred to in subsection two of section five of this Act, be repaid to the Colonial Treasurer out of any balance remaining in the Working Account with interest at such rate (but not exceeding four per centum per annum) and at such times and by such instalments as the Colonial Treasurer may determine.

Payments  
by  
Colonial  
Treasurer.  
cf. Act No.  
19, 1943,  
s. 10,  
Act No. 16,  
1945, s. 14,  
Act No. 16,  
1946, s. 7.

---

*State Tileworks.*

---

## PART IV.

## GENERAL.

8. (1) For the purposes of this Act, the Governor may, under the Public Works Act, 1912, as amended by subsequent Acts, resume or appropriate any land and the Minister may, under the said Act as so amended, purchase any land.

Acquisition  
of land.  
cf. Act No.  
19, 1943,  
s 11,  
Act No. 16,  
1946, s. 8.

(2) For the purposes of the Public Works Act, 1912, as amended by subsequent Acts, any such resumption, appropriation or purchase shall be deemed to be for an authorised work, and the Minister shall be deemed to be the constructing authority:

Provided that sections thirty-four, thirty-five, thirty-six and thirty-seven of the Public Works Act, 1912, as amended by subsequent Acts, shall not apply to any such resumption, appropriation or purchase, but section thirty-eight of such Act shall, *mutatis mutandis*, apply to and in respect of any contracts relating to any such resumption, appropriation or purchase.

(3) Where any land upon which are situated any tileworks is resumed pursuant to this section, any plant, equipment or machinery in or upon such land at the date of such resumption used or capable of being used in the production or manufacture of tiles shall vest in the constructing authority.

The compensation payable in respect of any resumption pursuant to this section shall include the value, as at the date of resumption, of plant, equipment and machinery vested in the constructing authority pursuant to this section and of the goodwill (if any) of any tileworks on the land so resumed. Such value shall be the value agreed upon between the constructing authority and the owner and in default of agreement, the value as determined by the Land and Valuation Court.

The Land and Valuation Court shall have jurisdiction to hear and determine any matter under this subsection. The determination of the Land and Valuation Court shall be final and conclusive.

---

*State Tileworks.*


---

Annual report.  
cf. Act No. 19, 1943, s. 12, Act No. 16, 1946, s. 9.

**9.** The officer in charge of the State Tileworks shall furnish to the Minister as soon as practicable after the thirty-first day of March in each year, a full and particular report in writing on the operations and activities of the State Tileworks.

Accounts and audit.  
cf. Act No. 19, 1943, s. 13, Act No. 16, 1946, s. 10.

**10.** (1) The officer in charge of the State Tileworks shall cause to be kept proper books of account in relation to the State Tileworks and as soon as practicable but not later than the thirtieth day of June in each year shall prepare and submit to the Auditor-General statements of account and balance sheet setting forth a true statement of the financial position and transactions of the State Tileworks for the immediately preceding period of twelve months.

Such statements of account and balance sheet shall be in a form approved by the Auditor-General.

The Auditor-General shall examine and audit the said statements of account and balance sheet and if found to be correct he shall so certify and sign the said statements of account and balance sheet.

After such examination and audit the officer in charge of the State Tileworks shall forthwith transmit the said statements of account and balance sheet to the Minister and such audited statements of account and balance sheet shall, as soon as practicable, be laid before both Houses of Parliament.

(2) The Auditor-General shall have in respect of such audit all the powers conferred on the Auditor-General by any law now or hereafter to be in force relating to the audit of public accounts; and the Audit Act, 1902, and the Acts amending the same, shall apply to the officers and employees of the State Tileworks in the same manner as it applies to accounting officers of public departments.

Regulations.  
Act No. 16, 1946, s. 11.

**11.** (1) The Governor may make regulations not inconsistent with this Act prescribing all matters which by this Act are required or permitted to be prescribed or which are necessary or convenient to be prescribed for carrying out the provisions of this Act.

(2)



---

*State Tileworks.*

---

(2) In particular and without prejudice to the generality of subsection one of this section, the Governor may make regulations in respect of the following matters:—

- (a) The division of the capital assets of the State Tileworks into classifications for the purpose of calculating contributions to the Depreciation Reserve Account.
- (b) The determination of the amount expended or applied upon the capital assets of the State Tileworks contained in each classification as at the thirty-first day of March, one thousand nine hundred and forty-eight, or at any time thereafter.
- (c) The rate at which contributions to the Depreciation Reserve Account shall be calculated for each classification.

(3) The Regulations shall—

- (a) be published in the Gazette;
- (b) take effect from the date of such publication or from a later date to be specified in the regulations; and
- (c) be laid before both Houses of Parliament within fourteen sitting days after the publication thereof if Parliament is then in session, and if not, then within fourteen sitting days after the commencement of the next session.

(4) If either House of Parliament passes a resolution of which notice has been given at any time within fifteen sitting days after such regulations have been laid before such House disallowing any regulation or part thereof, such regulation or part shall thereupon cease to have effect.

---

By Authority:

THOMAS HENRY TENNANT, Government Printer, Sydney, 1948.

State Treasury

(1) In particular and without prejudice to the generality of subsection (a) of this section, the Government shall make regulations in respect of the following matters:

(a) The division of the capital assets of the State into classes for the purpose of allocating contributions to the Reserve Account.

(b) The determination of the amount expended or repaid upon the capital assets of the State. The amount contained in each classification as at the thirty-first day of March, one thousand nine hundred and forty-eight, or at any time thereafter.

(c) The rate at which contributions to the Reserve Account shall be calculated for each classification.

(4) The Regulations shall—

(a) be published in the Gazette;

(b) take effect from the date of such publication or from a later date to be specified in the Regulations; and

(c) be laid before both Houses of Parliament within fourteen sitting days after the publication thereof. If Parliament is then in session and is not then within fourteen sitting days after the commencement of the next session.

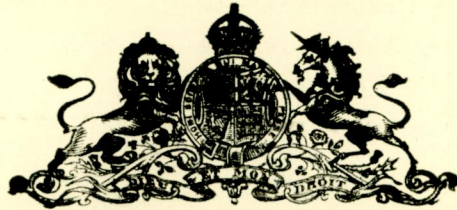
(5) If either House of Parliament passes a resolution of which notice has been given at any time within fifteen sitting days after such regulations have been laid before such House disallowing any regulation or part thereof, such regulation or part shall thenceforth cease to have effect.

By Authority  
Thomas Henry Trevelyan, Government Printer, Sydney, 1947

*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 November, 1947.*

## New South Wales.



ANNO UNDECIMO

## GEORGII VI REGIS.

\*\*\*\*\*

### Act No. 29, 1947.

An Act to provide for the establishment, management and control of State Tileworks and the acquisition of lands for that purpose; to define the functions of the State Tileworks; to make provision for and in relation to the keeping of certain accounts in the Special Deposits Account in the Treasury for the purposes of the State Tileworks; and for purposes connected therewith. [Assented to, 9th December, 1947.]

BE

*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.*

*State Tileworks.*

**B**E 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:—

## PART I.

## PRELIMINARY.

**1.** (1) This Act may be cited as the "State Tileworks Act, 1947."

(2) This Act is divided into Parts as follows:—

PART I.—PRELIMINARY—s. 1.

PART II.—ADMINISTRATION—ss. 2, 3.

PART III.—FINANCE—ss. 4-7.

PART IV.—GENERAL—ss. 8-11.

## PART II.

## ADMINISTRATION.

**2.** The Minister may establish, manage, control and maintain State Tileworks. The functions of the State Tileworks shall include the production and **manufacture** of all classes of tiles from any material whatsoever and the distribution and sale of such tiles and the production, manufacture, distribution and sale of any other building materials and builders' requisites manufactured or prepared either wholly or in part of or from clay or shale and shall also include any work or activity which is incidental or supplementary to the performance of any of such functions.

**3.** (1) The Governor may, under and subject to the provisions of the Public Service Act, 1902, as amended by subsequent Acts, appoint and employ such officers and employees as may be necessary for the purposes of this Act.

(2) The officers and employees so appointed or employed shall be subject to the provisions of the Public Service Act, 1902, as amended by subsequent Acts, during their tenure of office or employment.

(3)

Short  
title and  
division  
into  
Parts.

Establish-  
ment of  
State  
Tileworks.  
cf. Act No.  
16, 1946,  
s. 2.

Officers and  
employees.  
cf. Act No.  
19, 1943,  
s. 6,  
Act No. 16,  
1946, s. 3.

---

*State Tileworks.*

---

(3) The Minister may appoint, employ and dismiss such casual employees as are deemed necessary for the purposes of this Act and may fix wages and conditions of employment of such casual employees where such wages and conditions are not fixed in accordance with the provisions of any other Act.

The appointment of casual employees under this subsection shall not be subject to the provisions of the Public Service Act, 1902, or any Act amending that Act, and a casual employee so appointed or employed shall not be subject to the provisions of any such Act during the period of his employment.

(4) For the purposes of this Act the Minister may, with the approval of the Minister for the time being administering the department concerned, and on such terms as may be arranged, make use of the services of any of the officers or employees of any Government department.

---

PART III.

FINANCE.

4. (1) The capital cost of the State Tileworks shall be such amount as the Governor by proclamation published in the Gazette declares to be the capital cost. Such proclamation shall be published as soon as practicable after the establishment of the State Tileworks.

Capital  
cost.  
cf. Act No.  
16, 1945,  
s. 11,  
Act No. 16,  
1946, s. 4.

(2) The Minister shall, as soon as practicable after the thirty-first day of March immediately following the declaration of the capital cost pursuant to subsection one of this section, determine the amount by which the capital cost shall be increased or decreased by reason of expenditure or receipts during the period commencing on the date as at which the capital cost was declared and ending on the said thirty-first day of March. Thereafter the Minister shall as soon as practicable after the thirty-first day of March in each succeeding year, determine the amount by which the capital cost shall be increased

*State Tileworks.*

increased or decreased by reason of expenditure or receipts during the period of twelve months immediately preceding.

The Minister shall notify in the Gazette the amount of such increase or decrease. Upon publication of such notification, the capital cost shall be deemed to be altered accordingly, and such alteration shall take effect from the date specified in the notification.

Working  
Account.  
cf. Act No.  
16, 1945,  
s. 12,  
Act No. 19,  
1943, s. 8,  
Act No. 16,  
1946, s. 5.

**5.** (1) An account shall be kept in the Special Deposits Account in the Treasury to be called the "State Tileworks Working Account," in this Act referred to as the "Working Account."

(2) (a) There shall be credited to the Working Account all revenue, earnings and moneys received from all sources in the course of the conduct of the State Tileworks and such amounts as may from time to time be appropriated by Parliament for the purpose.

(b) There shall be debited to the Working Account the following charges, in the order set out hereunder:—

Firstly, all costs and expenses whatsoever of and incidental to the administration, management and conduct of the State Tileworks and also the costs of repair and minor renewal of buildings, plant and equipment.

Secondly, interest on the capital cost declared pursuant to section four of this Act for any year ending on the thirty-first day of March at a rate or rates to be determined by the Colonial Treasurer, but not exceeding the average rate payable during such year by the Government for loan moneys, and exchange at a rate or rates to be determined by the Colonial Treasurer, the amount of which interest and exchange shall be credited to the Consolidated Revenue Fund.

Thirdly, contributions to the Depreciation Reserve Account.

Fourthly, such contributions (if any) to a sinking fund as the Colonial Treasurer may direct.

(c)

---

*State Tileworks.*


---

(c) Any balance shall be applied in reduction of the capital cost or otherwise for any purpose connected with the administration, management, extension or conduct of the State Tileworks as the Minister may direct.

The Minister shall notify in the Gazette the amount of any such reduction in the capital cost. Upon publication of such notification, the capital cost shall be deemed to be altered accordingly and such alteration shall take effect as from the date specified in the notification.

6. (1) An account shall be kept in the Special Deposits Account in the Treasury to be called the "State Tileworks Depreciation Reserve Account," in this Act referred to as the "Depreciation Reserve Account."

Depreciation  
Reserve  
Account.  
cf. Act No.  
19, 1943,  
s. 9,  
Act No.  
16, 1946,  
s. 6.

(2) Contributions to the Depreciation Reserve Account shall be credited to that account as soon as practicable after the thirty-first day of March, one thousand nine hundred and forty-eight, and after the same day in each succeeding year. Each such contribution shall be calculated as prescribed and shall be so calculated by reference to the total amount expended or applied on or before the thirty-first day of March next preceding upon the capital assets of the State Tileworks after deducting therefrom the value of capital assets which have been disposed of.

(3) The Working Account shall be credited half yearly with interest on the uninvested daily credit balance of the Depreciation Reserve Account at such rate as the Colonial Treasurer may from time to time direct.

(4) The Minister may invest the whole or part of the balance at credit of the Depreciation Reserve Account in Commonwealth Government securities or on fixed deposit with the Colonial Treasurer and interest accruing from such investments or such deposit shall be regularly added to the Working Account.

(5)

---

*State Tileworks.*

---

(5) The Depreciation Reserve Account shall be drawn upon only for purposes of investment or reinvestment or for renewing or replacing capital assets of the State Tileworks:

Provided that the Minister may, with the approval of the Colonial Treasurer and subject to such conditions of repayment as the Colonial Treasurer may direct, authorise the expenditure of any balance at credit of the Depreciation Reserve Account (including any amounts invested or deposited pursuant to subsection four of this section) towards extending the State Tileworks or the trade or business thereof.

(6) If the Minister considers the amount at credit of the Working Account insufficient to meet the contribution referred to in subsection two of this section having regard to the charges referred to in subsection two of section five of this Act, such contribution or portion thereof may be allowed to remain a charge on the Working Account.

Payments  
by  
Colonial  
Treasurer.  
cf. Act No.  
19, 1943,  
s. 10,  
Act No. 16,  
1945, s. 14,  
Act No. 16,  
1946, s. 7.

7. When in any year ending on the thirty-first day of March, the revenue, earnings and moneys received from all sources in the course of the conduct of the State Tileworks are insufficient to meet the charges referred to in subsection two of section five of this Act, the Colonial Treasurer may, out of moneys provided by Parliament, pay to the Working Account the amount of such deficiency.

Any moneys so paid to the Working Account shall, after payment of the charges referred to in subsection two of section five of this Act, be repaid to the Colonial Treasurer out of any balance remaining in the Working Account with interest at such rate (but not exceeding four per centum per annum) and at such times and by such instalments as the Colonial Treasurer may determine.

---

**PART**



*State Tileworks.*

## PART IV.

## GENERAL.

8. (1) For the purposes of this Act, the Governor may, under the Public Works Act, 1912, as amended by subsequent Acts, resume or appropriate any land and the Minister may, under the said Act as so amended, purchase any land.

Acquisition  
of land.  
cf. Act No.  
19, 1943,  
s. 11,  
Act No. 16,  
1946, s. 8.

(2) For the purposes of the Public Works Act, 1912, as amended by subsequent Acts, any such resumption, appropriation or purchase shall be deemed to be for an authorised work, and the Minister shall be deemed to be the constructing authority:

Provided that sections thirty-four, thirty-five, thirty-six and thirty-seven of the Public Works Act, 1912, as amended by subsequent Acts, shall not apply to any such resumption, appropriation or purchase, but section thirty-eight of such Act shall, mutatis mutandis, apply to and in respect of any contracts relating to any such resumption, appropriation or purchase.

(3) Where any land upon which are situated any tileworks is resumed pursuant to this section, any plant, equipment or machinery in or upon such land at the date of such resumption used or capable of being used in the production or manufacture of tiles shall vest in the constructing authority.

The compensation payable in respect of any resumption pursuant to this section shall include the value, as at the date of resumption, of plant, equipment and machinery vested in the constructing authority pursuant to this section and of the goodwill (if any) of any tileworks on the land so resumed. Such value shall be the value agreed upon between the constructing authority and the owner and in default of agreement, the value as determined by the Land and Valuation Court.

The Land and Valuation Court shall have jurisdiction to hear and determine any matter under this subsection. The determination of the Land and Valuation Court shall be final and conclusive.

---

*State Tileworks.*


---

Annual  
report.  
cf. Act No.  
19, 1943,  
s. 12,  
Act No.  
16, 1946,  
s. 9.

**9.** The officer in charge of the State Tileworks shall furnish to the Minister as soon as practicable after the thirty-first day of March in each year, a full and particular report in writing on the operations and activities of the State Tileworks.

Accounts  
and audit.  
cf. Act No.  
19, 1943,  
s. 13,  
Act No. 16,  
1946, s. 10.

**10.** (1) The officer in charge of the State Tileworks shall cause to be kept proper books of account in relation to the State Tileworks and as soon as practicable but not later than the thirtieth day of June in each year shall prepare and submit to the Auditor-General statements of account and balance sheet setting forth a true statement of the financial position and transactions of the State Tileworks for the immediately preceding period of twelve months.

Such statements of account and balance sheet shall be in a form approved by the Auditor-General.

The Auditor-General shall examine and audit the said statements of account and balance sheet and if found to be correct he shall so certify and sign the said statements of account and balance sheet.

After such examination and audit the officer in charge of the State Tileworks shall forthwith transmit the said statements of account and balance sheet to the Minister and such audited statements of account and balance sheet shall, as soon as practicable, be laid before both Houses of Parliament.

(2) The Auditor-General shall have in respect of such audit all the powers conferred on the Auditor-General by any law now or hereafter to be in force relating to the audit of public accounts; and the Audit Act, 1902, and the Acts amending the same, shall apply to the officers and employees of the State Tileworks in the same manner as it applies to accounting officers of public departments.

Regula-  
tions.  
Act No. 16,  
1946, s. 11.

**11.** (1) The Governor may make regulations not inconsistent with this Act prescribing all matters which by this Act are required or permitted to be prescribed or which are necessary or convenient to be prescribed for carrying out the provisions of this Act.

(2)

---

*State Tileworks.*

---

(2) In particular and without prejudice to the generality of subsection one of this section, the Governor may make regulations in respect of the following matters:—

- (a) The division of the capital assets of the State Tileworks into classifications for the purpose of calculating contributions to the Depreciation Reserve Account.
- (b) The determination of the amount expended or applied upon the capital assets of the State Tileworks contained in each classification as at the thirty-first day of March, one thousand nine hundred and forty-eight, or at any time thereafter.
- (c) The rate at which contributions to the Depreciation Reserve Account shall be calculated for each classification.

(3) The Regulations shall—

- (a) be published in the Gazette;
- (b) take effect from the date of such publication or from a later date to be specified in the regulations; and
- (c) be laid before both Houses of Parliament within fourteen sitting days after the publication thereof if Parliament is then in session, and if not, then within fourteen sitting days after the commencement of the next session.

(4) If either House of Parliament passes a resolution of which notice has been given at any time within fifteen sitting days after such regulations have been laid before such House disallowing any regulation or part thereof, such regulation or part shall thereupon cease to have effect.

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

J. NORTHCOTT,  
*Governor.*

*Government House,  
Sydney, 9th December, 1947.*

Article V

(3) In particular and without limitation to the generality of subsection (a), the following matters shall be referred to the people:

(a) The initiative and referendum of the State. The initiative and referendum for the purpose of amending the Constitution of the State.

(b) The determination of the amount of public debt to be incurred by the State. The determination of the amount of public debt to be incurred by the State.

(c) The determination of the amount of public debt to be incurred by the State. The determination of the amount of public debt to be incurred by the State.

(4) The initiative and referendum shall be held on the same day as the general election.

(5) The initiative and referendum shall be held on the same day as the general election.

(6) The initiative and referendum shall be held on the same day as the general election. The initiative and referendum shall be held on the same day as the general election.

(7) The initiative and referendum shall be held on the same day as the general election. The initiative and referendum shall be held on the same day as the general election.

(8) The initiative and referendum shall be held on the same day as the general election. The initiative and referendum shall be held on the same day as the general election.

(9) The initiative and referendum shall be held on the same day as the general election. The initiative and referendum shall be held on the same day as the general election.

(10) The initiative and referendum shall be held on the same day as the general election. The initiative and referendum shall be held on the same day as the general election.

(11) The initiative and referendum shall be held on the same day as the general election. The initiative and referendum shall be held on the same day as the general election.

(12) The initiative and referendum shall be held on the same day as the general election. The initiative and referendum shall be held on the same day as the general election.

(13) The initiative and referendum shall be held on the same day as the general election. The initiative and referendum shall be held on the same day as the general election.

(14) The initiative and referendum shall be held on the same day as the general election. The initiative and referendum shall be held on the same day as the general election.

*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, 19 November, 1947.*

## New South Wales.



ANNO UNDECIMO

# GEORGII VI REGIS.

\*\*\*\*\*

Act No. , 1947.

An Act to provide for the establishment, management and control of State Tileworks and the acquisition of lands for that purpose; to define the functions of the State Tileworks; to make provision for and in relation to the keeping of certain accounts in the Special Deposits Account in the Treasury for the purposes of the State Tileworks; and for purposes connected therewith.

*State Tileworks.*

**B**E 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 :—

PART I.

PRELIMINARY.

**1.** (1) This Act may be cited as the "State Tileworks Act, 1947."

Short title and division into Parts.

10 (2) This Act is divided into Parts as follows :—

PART I.—PRELIMINARY—s. 1.

PART II.—ADMINISTRATION—ss. 2, 3.

PART III.—FINANCE—ss. 4-7.

PART IV.—GENERAL—ss. 8-11.

15

PART II.

ADMINISTRATION.

**2.** The Minister may establish, manage, control and maintain State Tileworks. The functions of the State Tileworks shall include the production and manufacture of all classes of tiles from any material whatsoever and the distribution and sale of such tiles and the production, manufacture, distribution and sale of any other building materials and builders' requisites manufactured or prepared either wholly or in part of or from clay or shale and shall also include any work or activity which is incidental or supplementary to the performance of any of such functions.

Establishment of State Tileworks. cf. Act No. 16, 1946, s. 2.

**3.** (1) The Governor may, under and subject to the provisions of the Public Service Act, 1902, as amended by subsequent Acts, appoint and employ such officers and employees as may be necessary for the purposes of this Act.

Officers and employees. cf. Act No. 19, 1943, s. 6, Act No. 16, 1946, s. 3.

(2) The officers and employees so appointed or employed shall be subject to the provisions of the Public Service Act, 1902, as amended by subsequent Acts, during their tenure of office or employment.

(3)

---

*State Tileworks.*

---

(3) The Minister may appoint, employ and dismiss such casual employees as are deemed necessary for the purposes of this Act and may fix wages and conditions of employment of such casual employees where  
5 such wages and conditions are not fixed in accordance with the provisions of any other Act.

The appointment of casual employees under this subsection shall not be subject to the provisions of the Public Service Act, 1902, or any Act amending that Act, and  
10 a casual employee so appointed or employed shall not be subject to the provisions of any such Act during the period of his employment.

(4) For the purposes of this Act the Minister may, with the approval of the Minister for the time being  
15 administering the department concerned, and on such terms as may be arranged, make use of the services of any of the officers or employees of any Government department.

---

PART III.

20

FINANCE.

4. (1) The capital cost of the State Tileworks shall be such amount as the Governor by proclamation published in the Gazette declares to be the capital cost. Such proclamation shall be published as soon as practicable  
25 after the establishment of the State Tileworks.

Capital  
cost.  
cf. Act No.  
16, 1945,  
s. 11,  
Act No. 16,  
1946, s. 4.

(2) The Minister shall, as soon as practicable after the thirty-first day of March immediately following the declaration of the capital cost pursuant to subsection one of this section, determine the amount by which the  
30 capital cost shall be increased or decreased by reason of expenditure or receipts during the period commencing on the date as at which the capital cost was declared and ending on the said thirty-first day of March. Thereafter the Minister shall as soon as practicable after the  
35 thirty-first day of March in each succeeding year, determine the amount by which the capital cost shall be increased

*State Tileworks.*

increased or decreased by reason of expenditure or receipts during the period of twelve months immediately preceding.

The Minister shall notify in the Gazette the amount of such increase or decrease. Upon publication of such notification, the capital cost shall be deemed to be altered accordingly, and such alteration shall take effect from the date specified in the notification.

5 **5.** (1) An account shall be kept in the Special Deposits Account in the Treasury to be called the "State Tileworks Working Account," in this Act referred to as the "Working Account."

Working  
Account.  
cf. Act No.  
16, 1945,  
s. 12,  
Act No. 19,  
1943, s. 8,  
Act No. 16,  
1946, s. 5.

10 (2) (a) There shall be credited to the Working Account all revenue, earnings and moneys received from all sources in the course of the conduct of the State Tileworks and such amounts as may from time to time be appropriated by Parliament for the purpose.

(b) There shall be debited to the Working Account the following charges, in the order set out here-  
20 under:—

25 Firstly, all costs and expenses whatsoever of and incidental to the administration, management and conduct of the State Tileworks and also the costs of repair and minor renewal of buildings, plant and equipment.

30 Secondly, interest on the capital cost declared pursuant to section four of this Act for any year ending on the thirty-first day of March at a rate or rates to be determined by the Colonial Treasurer, but not exceeding the average rate payable during such year by the Government for loan moneys, and exchange at a rate or rates to be determined by the Colonial Treasurer, the amount of which interest and exchange shall be credited to the Consolidated  
35 Revenue Fund.

Thirdly, contributions to the Depreciation Reserve Account.

Fourthly, such contributions (if any) to a sinking fund as the Colonial Treasurer may direct.

(c)



---

*State Tileworks.*

---

(c) Any balance shall be applied in reduction of the capital cost or otherwise for any purpose connected with the administration, management, extension or conduct of the State Tileworks as the Minister may  
5 direct.

The Minister shall notify in the Gazette the amount of any such reduction in the capital cost. Upon publication of such notification, the capital cost shall be deemed to be altered accordingly and such alteration shall take  
10 effect as from the date specified in the notification.

**6.** (1) An account shall be kept in the Special Deposits Account in the Treasury to be called the "State Tileworks Depreciation Reserve Account," in this Act referred to as the "Depreciation Reserve  
15 Account."

Depreciation Reserve Account. cf. Act No. 19, 1943, s. 9, Act No. 16, 1946, s. 6.

(2) Contributions to the Depreciation Reserve Account shall be credited to that account as soon as practicable after the thirty-first day of March, one thousand nine hundred and forty-eight, and after the  
20 same day in each succeeding year. Each such contribution shall be calculated as prescribed and shall be so calculated by reference to the total amount expended or applied on or before the thirty-first day of March next preceding upon the capital assets of the State Tileworks  
25 after deducting therefrom the value of capital assets which have been disposed of.

(3) The Working Account shall be credited half yearly with interest on the uninvested daily credit balance of the Depreciation Reserve Account at such  
30 rate as the Colonial Treasurer may from time to time direct.

(4) The Minister may invest the whole or part of the balance at credit of the Depreciation Reserve Account in Commonwealth Government securities or on  
35 fixed deposit with the Colonial Treasurer and interest accruing from such investments or such deposit shall be regularly added to the Working Account.

---

*State Tileworks.*


---

(5) The Depreciation Reserve Account shall be drawn upon only for purposes of investment or reinvestment or for renewing or replacing capital assets of the State Tileworks:

- 5 Provided that the Minister may, with the approval of the Colonial Treasurer and subject to such conditions of repayment as the Colonial Treasurer may direct, authorise the expenditure of any balance at credit of the Depreciation Reserve Account (including any amounts  
10 invested or deposited pursuant to subsection four of this section) towards extending the State Tileworks or the trade or business thereof.

- (6) If the Minister considers the amount at credit of the Working Account insufficient to meet the contribu-  
15 tion referred to in subsection two of this section having regard to the charges referred to in subsection two of section five of this Act, such contribution or portion thereof may be allowed to remain a charge on the Working Account.

- 20 7. When in any year ending on the thirty-first day of March, the revenue, earnings and moneys received from all sources in the course of the conduct of the State Tileworks are insufficient to meet the charges referred to in subsection two of section five of this Act, the  
25 Colonial Treasurer may, out of moneys provided by Parliament, pay to the Working Account the amount of such deficiency.

Payments  
by  
Colonial  
Treasurer.  
cf. Act No.  
19, 1943,  
s. 10,  
Act No. 16,  
1945, s. 14,  
Act No. 16,  
1946, s. 7.

- Any moneys so paid to the Working Account shall, after payment of the charges referred to in subsection  
30 two of section five of this Act, be repaid to the Colonial Treasurer out of any balance remaining in the Working Account with interest at such rate (but not exceeding four per centum per annum) and at such times and by such instalments as the Colonial Treasurer may  
35 determine.

---

PART

---

*State Tileworks.*

---

PART IV.

GENERAL.

8. (1) For the purposes of this Act, the Governor may, under the Public Works Act, 1912, as amended by  
5 subsequent Acts, resume or appropriate any land and the Minister may, under the said Act as so amended, purchase any land.

Acquisition  
of land.  
cf. Act No.  
19, 1943,  
s. 11,  
Act No. 16,  
1946, s. 8.

(2) For the purposes of the Public Works Act, 1912,  
as amended by subsequent Acts, any such resumption,  
10 appropriation or purchase shall be deemed to be for an authorised work, and the Minister shall be deemed to be the constructing authority:

15 Provided that sections thirty-four, thirty-five, thirty-six and thirty-seven of the Public Works Act, 1912, as amended by subsequent Acts, shall not apply to any such resumption, appropriation or purchase, but section thirty-eight of such Act shall, mutatis mutandis, apply to and in respect of any contracts relating to any such resumption, appropriation or purchase.

20 (3) Where any land upon which are situated any tileworks is resumed pursuant to this section, any plant, equipment or machinery in or upon such land at the date of such resumption used or capable of being used in the production or manufacture of tiles shall vest  
25 in the constructing authority.

The compensation payable in respect of any resumption pursuant to this section shall include the value, as at the date of resumption, of plant, equipment and machinery vested in the constructing authority pursuant  
30 to this section and of the goodwill (if any) of any tileworks on the land so resumed. Such value shall be the value agreed upon between the constructing authority and the owner and in default of agreement, the value as determined by the Land and Valuation Court.

35 The Land and Valuation Court shall have jurisdiction to hear and determine any matter under this subsection. The determination of the Land and Valuation Court shall be final and conclusive.

*State Tileworks.*

**9.** The officer in charge of the State Tileworks shall furnish to the Minister as soon as practicable after the thirty-first day of March in each year, a full and particular report in writing on the operations and activities of the State Tileworks.

Annual report.  
cf. Act No. 19, 1943, s. 12,  
Act No. 16, 1946, s. 9.

**10.** (1) The officer in charge of the State Tileworks shall cause to be kept proper books of account in relation to the State Tileworks and as soon as practicable but not later than the thirtieth day of June in each year shall prepare and submit to the Auditor-General statements of account and balance sheet setting forth a true statement of the financial position and transactions of the State Tileworks for the immediately preceding period of twelve months.

Accounts and audit.  
cf. Act No. 19, 1943, s. 13,  
Act No. 16, 1946, s. 10.

**15** Such statements of account and balance sheet shall be in a form approved by the Auditor-General.

The Auditor-General shall examine and audit the said statements of account and balance sheet and if found to be correct he shall so certify and sign the said statements of account and balance sheet.

After such examination and audit the officer in charge of the State Tileworks shall forthwith transmit the said statements of account and balance sheet to the Minister and such audited statements of account and balance sheet shall, as soon as practicable, be laid before both Houses of Parliament.

(2) The Auditor-General shall have in respect of such audit all the powers conferred on the Auditor-General by any law now or hereafter to be in force relating to the audit of public accounts; and the Audit Act, 1902, and the Acts amending the same, shall apply to the officers and employees of the State Tileworks in the same manner as it applies to accounting officers of public departments.

**35** **11.** (1) The Governor may make regulations not inconsistent with this Act prescribing all matters which by this Act are required or permitted to be prescribed or which are necessary or convenient to be prescribed for carrying out the provisions of this Act.

Regulations.  
Act No. 16, 1946, s. 11.

---

*State Tileworks.*

---

(2) In particular and without prejudice to the generality of subsection one of this section, the Governor may make regulations in respect of the following matters:—

- 5 (a) The division of the capital assets of the State Tileworks into classifications for the purpose of calculating contributions to the Depreciation Reserve Account.
- 10 (b) The determination of the amount expended or applied upon the capital assets of the State Tileworks contained in each classification as at the thirty-first day of March, one thousand nine hundred and forty-eight, or at any time thereafter.
- 15 (c) The rate at which contributions to the Depreciation Reserve Account shall be calculated for each classification.
- (3) The Regulations shall—
- 20 (a) be published in the Gazette;
- (b) take effect from the date of such publication or from a later date to be specified in the regulations; and
- 25 (c) be laid before both Houses of Parliament within fourteen sitting days after the publication thereof if Parliament is then in session, and if not, then within fourteen sitting days after the commencement of the next session.

(4) If either House of Parliament passes a resolution of which notice has been given at any time within fifteen sitting days after such regulations have been laid before such House disallowing any regulation or part thereof, such regulation or part shall thereupon cease to have effect.



No. . 1947.

---

---

## A BILL

To provide for the establishment, management and control of State Tileworks and the acquisition of lands for that purpose; to define the functions of the State Tileworks; to make provision for and in relation to the keeping of certain accounts in the Special Deposits Account in the Treasury for the purposes of the State Tileworks; and for purposes connected therewith.

[Mr. CAHILL;—14 *October*, 1947.]

---

---

*State Tileworks.*

**B**E 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 :—

PART I.

PRELIMINARY.

- 1. (1) This Act may be cited as the "State Tileworks Act, 1947."
- 10 (2) This Act is divided into Parts as follows :—
  - PART I.—PRELIMINARY—s. 1.
  - PART II.—ADMINISTRATION—ss. 2, 3.
  - PART III.—FINANCE—ss. 4-7.
  - PART IV.—GENERAL—ss. 8-11.

Short title and division into Parts.

PART II.

ADMINISTRATION.

- 2. The Minister may establish, manage, control and maintain State Tileworks. The functions of the State Tileworks shall include the production and manufacture of all classes of tiles from any material whatsoever and the distribution and sale of such tiles and the production, manufacture, distribution and sale of any other building materials and builders' requisites manufactured or prepared either wholly or in part of or from clay or shale and shall also include any work or activity which is incidental or supplementary to the performance of any of such functions.
- 3. (1) The Governor may, under and subject to the provisions of the Public Service Act, 1902, as amended by subsequent Acts, appoint and employ such officers and employees as may be necessary for the purposes of this Act.
- (2) The officers and employees so appointed or employed shall be subject to the provisions of the Public Service Act, 1902, as amended by subsequent Acts, during their tenure of office or employment.

Establishment of State Tileworks. cf. Act No. 16, 1946, s. 2.

Officers and employees. cf. Act No. 19, 1943, s. 6, Act No. 16, 1946, s. 3.

(3).



*State Tileworks.*

(3) The Minister may appoint, employ and dismiss such casual employees as are deemed necessary for the purposes of this Act and may fix wages and conditions of employment of such casual employees where  
 5 such wages and conditions are not fixed in accordance with the provisions of any other Act.

The appointment of casual employees under this subsection shall not be subject to the provisions of the Public Service Act, 1902, or any Act amending that Act, and  
 10 a casual employee so appointed or employed shall not be subject to the provisions of any such Act during the period of his employment.

(4) For the purposes of this Act the Minister may, with the approval of the Minister for the time being  
 15 administering the department concerned, and on such terms as may be arranged, make use of the services of any of the officers or employees of any Government department.

## PART III.

## FINANCE.

20

4. (1) The capital cost of the State Tileworks shall be such amount as the Governor by proclamation published in the Gazette declares to be the capital cost. Such  
 25 proclamation shall be published as soon as practicable after the establishment of the State Tileworks.

Capital  
 cost.  
 cf. Act No.  
 16, 1945,  
 s. 11,  
 Act No. 16,  
 1946, s. 4.

(2) The Minister shall, as soon as practicable after the thirty-first day of March immediately following the declaration of the capital cost pursuant to subsection one of this section, determine the amount by which the  
 30 capital cost shall be increased or decreased by reason of expenditure or receipts during the period commencing on the date as at which the capital cost was declared and ending on the said thirty-first day of March. Thereafter the Minister shall as soon as practicable after the  
 35 thirty-first day of March in each succeeding year, determine the amount by which the capital cost shall be  
 increased

*State Tileworks.*

increased or decreased by reason of expenditure or receipts during the period of twelve months immediately preceding.

The Minister shall notify in the Gazette the amount of  
5 such increase or decrease. Upon publication of such notification, the capital cost shall be deemed to be altered accordingly, and such alteration shall take effect from the date specified in the notification.

5. (1) An account shall be kept in the Special  
10 Deposits Account in the Treasury to be called the "State Tileworks Working Account," in this Act referred to as the "Working Account."

Working  
Account.  
cf. Act No.  
16, 1945,  
s. 12,  
Act No. 19,  
1943, s. 8,  
Act No. 16,  
1946, s. 5.

(2) (a) There shall be credited to the Working  
Account all revenue, earnings and moneys received from  
15 all sources in the course of the conduct of the State Tileworks and such amounts as may from time to time be appropriated by Parliament for the purpose.

(b) There shall be debited to the Working  
Account the following charges, in the order set out here-  
20 under:—

25 Firstly, all costs and expenses whatsoever of and incidental to the administration, management and conduct of the State Tileworks and also the costs of repair and minor renewal of buildings, plant and equipment.

30 Secondly, interest on the capital cost declared pursuant to section four of this Act for any year ending on the thirty-first day of March at a rate or rates to be determined by the Colonial Treasurer, but not exceeding the average rate payable during such year by the Government for loan moneys, and exchange at a rate or rates to be determined by the Colonial Treasurer, the amount of which interest and exchange shall be credited to the Consolidated  
35 Revenue Fund.

Thirdly, contributions to the Depreciation Reserve Account.

Fourthly, such contributions (if any) to a sinking fund as the Colonial Treasurer may direct.

(c)

*State Tileworks.*

(c) Any balance shall be applied in reduction of the capital cost or otherwise for any purpose connected with the administration, management, extension or conduct of the State Tileworks as the Minister may  
5 direct.

The Minister shall notify in the Gazette the amount of any such reduction in the capital cost. Upon publication of such notification, the capital cost shall be deemed to be altered accordingly and such alteration shall take  
10 effect as from the date specified in the notification.

6. (1) An account shall be kept in the Special Deposits Account in the Treasury to be called the "State Tileworks Depreciation Reserve Account," in this Act referred to as the "Depreciation Reserve  
15 Account."

Depreciation Reserve Account. cf. Act No. 19, 1943, s. 9, Act No. 16, 1946, s. 6.

(2) Contributions to the Depreciation Reserve Account shall be credited to that account as soon as practicable after the thirty-first day of March, one thousand nine hundred and forty-eight, and after the  
20 same day in each succeeding year. Each such contribution shall be calculated as prescribed and shall be so calculated by reference to the total amount expended or applied on or before the thirty-first day of March next preceding upon the capital assets of the State Tileworks  
25 after deducting therefrom the value of capital assets which have been disposed of.

(3) The Working Account shall be credited half yearly with interest on the uninvested daily credit balance of the Depreciation Reserve Account at such  
30 rate as the Colonial Treasurer may from time to time direct.

(4) The Minister may invest the whole or part of the balance at credit of the Depreciation Reserve Account in Commonwealth Government securities or on  
35 fixed deposit with the Colonial Treasurer and interest accruing from such investments or such deposit shall be regularly added to the Working Account.

(5)

---

*State Tileworks.*

---

(5) The Depreciation Reserve Account shall be drawn upon only for purposes of investment or reinvestment or for renewing or replacing capital assets of the State Tileworks :

- 5 Provided that the Minister may, with the approval of the Colonial Treasurer and subject to such conditions of repayment as the Colonial Treasurer may direct, authorise the expenditure of any balance at credit of the Depreciation Reserve Account (including any amounts  
10 invested or deposited pursuant to subsection four of this section) towards extending the State Tileworks or the trade or business thereof.

- (6) If the Minister considers the amount at credit of the Working Account insufficient to meet the contribu-  
15 tion referred to in subsection two of this section having regard to the charges referred to in subsection two of section five of this Act, such contribution or portion thereof may be allowed to remain a charge on the Working Account.

- 20 7. When in any year ending on the thirty-first day of March, the revenue, earnings and moneys received from all sources in the course of the conduct of the State Tileworks are insufficient to meet the charges referred to in subsection two of section five of this Act, the  
25 Colonial Treasurer may, out of moneys provided by Parliament, pay to the Working Account the amount of such deficiency.

Payments  
by  
Colonial  
Treasurer.  
cf. Act No.  
19, 1943,  
s. 10,  
Act No. 16,  
1945, s. 14,  
Act No. 16,  
1946, s. 7.

- Any moneys so paid to the Working Account shall, after payment of the charges referred to in subsection  
30 two of section five of this Act, be repaid to the Colonial Treasurer out of any balance remaining in the Working Account with interest at such rate (but not exceeding four per centum per annum) and at such times and by  
35 such instalments as the Colonial Treasurer may determine.

---

*State Tileworks.*

---

PART IV.

GENERAL.

8. (1) For the purposes of this Act, the Governor may, under the Public Works Act, 1912, as amended by subsequent Acts, resume or appropriate any land and the Minister may, under the said Act as so amended, purchase any land.

Acquisition of land. cf. Act No. 19, 1943, s. 11, Act No. 16, 1946, s. 8.

(2) For the purposes of the Public Works Act, 1912, as amended by subsequent Acts, any such resumption, appropriation or purchase shall be deemed to be for an authorised work, and the Minister shall be deemed to be the constructing authority:

Provided that sections thirty-four, thirty-five, thirty-six and thirty-seven of the Public Works Act, 1912, as amended by subsequent Acts, shall not apply to any such resumption, appropriation or purchase, but section thirty-eight of such Act shall, mutatis mutandis, apply to and in respect of any contracts relating to any such resumption, appropriation or purchase.

(3) Where any land upon which are situated any tileworks is resumed pursuant to this section, any plant, equipment or machinery in or upon such land at the date of such resumption used or capable of being used in the production or manufacture of tiles shall vest in the constructing authority.

The compensation payable in respect of any resumption pursuant to this section shall include the value, as at the date of resumption, of plant, equipment and machinery vested in the constructing authority pursuant to this section and of the goodwill (if any) of any tileworks on the land so resumed. Such value shall be the value agreed upon between the constructing authority and the owner and in default of agreement, the value as determined by the Land and Valuation Court.

The Land and Valuation Court shall have jurisdiction to hear and determine any matter under this subsection. The determination of the Land and Valuation Court shall be final and conclusive.

*State Tileworks.*

- 9.** The officer in charge of the State Tileworks shall furnish to the Minister as soon as practicable after the thirty-first day of March in each year, a full and particular report in writing on the operations and activities of the State Tileworks.
- 10.** (1) The officer in charge of the State Tileworks shall cause to be kept proper books of account in relation to the State Tileworks and as soon as practicable but not later than the thirtieth day of June in each year shall prepare and submit to the Auditor-General statements of account and balance sheet setting forth a true statement of the financial position and transactions of the State Tileworks for the immediately preceding period of twelve months.
- 15** Such statements of account and balance sheet shall be in a form approved by the Auditor-General.
- The Auditor-General shall examine and audit the said statements of account and balance sheet and if found to be correct he shall so certify and sign the said statements of account and balance sheet.
- After such examination and audit the officer in charge of the State Tileworks shall forthwith transmit the said statements of account and balance sheet to the Minister and such audited statements of account and balance sheet shall, as soon as practicable, be laid before both Houses of Parliament.
- (2) The Auditor-General shall have in respect of such audit all the powers conferred on the Auditor-General by any law now or hereafter to be in force relating to the audit of public accounts; and the Audit Act, 1902, and the Acts amending the same, shall apply to the officers and employees of the State Tileworks in the same manner as it applies to accounting officers of public departments.
- 35** **11.** (1) The Governor may make regulations not inconsistent with this Act prescribing all matters which by this Act are required or permitted to be prescribed or which are necessary or convenient to be prescribed for carrying out the provisions of this Act.

Annual report.  
cf. Act No. 19, 1943, s. 12, Act No. 16, 1946, s. 9.

Accounts and audit.  
cf. Act No. 19, 1943, s. 13, Act No. 16, 1946, s. 10.

Regulations.  
Act No. 16, 1946, s. 11.

---

*State Tileworks.*

---

(2) In particular and without prejudice to the generality of subsection one of this section, the Governor may make regulations in respect of the following matters:—

- 5 (a) The division of the capital assets of the State Tileworks into classifications for the purpose of calculating contributions to the Depreciation Reserve Account.
- 10 (b) The determination of the amount expended or applied upon the capital assets of the State Tileworks contained in each classification as at the thirty-first day of March, one thousand nine hundred and forty-eight, or at any time thereafter.
- 15 (c) The rate at which contributions to the Depreciation Reserve Account shall be calculated for each classification.
- (3) The Regulations shall—
- 20 (a) be published in the Gazette;
- (b) take effect from the date of such publication or from a later date to be specified in the regulations; and
- 25 (c) be laid before both Houses of Parliament within fourteen sitting days after the publication thereof if Parliament is then in session, and if not, then within fourteen sitting days after the commencement of the next session.
- 30 (4) If either House of Parliament passes a resolution of which notice has been given at any time within fifteen sitting days after such regulations have been laid before such House disallowing any regulation or part thereof, such regulation or part shall thereupon cease to have effect.

Sydney: Thomas Henry Tennant, Government Printer—1947.

[10d.]

