



ANNO TERTIO

ELIZABETHAE II REGINAE

A.D. 1954

No. 42 of 1954

An Act to approve an agreement made between the Commonwealth and the State respecting the construction of a standard gauge railway between Leigh Creek North Coalfield and Marree.

[Assented to 16th December, 1954.]

BE IT ENACTED by the Governor of the State of South Australia, with the advice and consent of the Parliament thereof, as follows :

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| Short title. | 1. This Act may be cited as the " Leigh Creek North Coalfield to Marree Railway Agreement Act, 1954 ". |
| Interpretation. | 2. In this Act " the Agreement " means the agreement a copy of which is set out in the schedule to this Act. |
| Approval of agreement. | 3. The agreement is hereby approved. |
| Consent to construction of railway. | 4. The State hereby consents to the construction of the railway from Leigh Creek North Coalfield to Marree in accordance with the agreement. |
| Operation of agreement. | 5. The Government of the State shall perform or cause to be performed the obligations imposed on it by the agreement. |

In the name and on behalf of Her Majesty, I hereby assent to this Bill.

R. A. GEORGE, Governor.

THE SCHEDULE.

AGREEMENT made the 27th day of October, one thousand nine hundred and fifty-four BETWEEN the COMMONWEALTH OF AUSTRALIA (in this agreement referred to as "the Commonwealth") of the one part and the STATE OF SOUTH AUSTRALIA (in this agreement referred to as "the State") of the other part.

WHEREAS by the agreement dated the 20th day of October, 1949, the execution of which on behalf of the Commonwealth was authorized by the Railway Standardization (South Australia) Agreement Act, 1949, of the Commonwealth and which was approved by the State by the Railways Standardization Agreement Act, 1949, of the State the Commonwealth and the State agreed upon the carrying out and execution of various works and undertakings directed to the conversion to 4ft. 8½in. gauge (in this agreement referred to as "standard gauge") of the railways in the State of South Australia including the conversion to standard gauge of the 3ft. 6in. gauge lines of the Commonwealth Railways from Port Augusta to Alice Springs :

AND WHEREAS in pursuance of the agreement between the Commonwealth and the State dated the 7th day of July, 1954, the execution of which on behalf of the Commonwealth was authorized by the Brachina to Leigh Creek North Coalfield Railway Act, 1950 of the Commonwealth and on behalf of the State by the Brachina to Leigh Creek North Coalfield Railway Agreement Act, 1950 of the State, the Commonwealth is constructing a standard gauge railway beginning at Brachina and terminating at Leigh Creek North Coalfield which will be operated and maintained by the Commonwealth Railways Commissioner as an integral part of the Commonwealth Railways :

AND WHEREAS the Commonwealth proposes to proceed with and effect the conversion to standard gauge of the existing 3ft. 6in. gauge railway from Leigh Creek North Coalfield to Marree (in this agreement referred to as "the existing railway" and being portion of the said 3ft. 6in. gauge lines of the Commonwealth from Port Augusta to Alice Springs) but with such deviations, not exceeding five miles, on either side of the route of the existing railway as the Commonwealth Railways Commissioner may deem necessary or reasonable for the better conversion to standard gauge of the existing railway or for the working of the railway upon the altered gauge :

AND WHEREAS by reason of the said deviations or otherwise it is desirable for the purposes of the Constitution of the Commonwealth that the State should signify its consent to the conversion of the existing railway by the Commonwealth as aforesaid and the State has agreed to signify its consent accordingly :

AND WHEREAS the State has agreed to grant to the Commonwealth the rights conferred by this Agreement :

NOW THIS AGREEMENT WITNESSETH as follows :—

1. This agreement shall have no force or effect and shall not be binding upon either party unless and until it is approved by the Parliament of the Commonwealth and the Parliament of the State.
2. The State in so far as its consent thereto is necessary under the Constitution of the Commonwealth hereby consents to the conversion of the existing railway by the Commonwealth in the manner aforesaid.
3. The State will grant to the Commonwealth free of charge—
 - (a) any Crown lands and any leased lands of the Crown in respect of which the Commonwealth shall have acquired the rights of the lessees ; and
 - (b) any stone, soil and gravel, upon any Crown lands or leased lands of the Crown from which the State has a right to take the same,
 certified by the Commonwealth Railways Commissioner to be required by the Commonwealth in connection with the conversion of the existing railway as aforesaid or the maintenance or working of the railway upon the altered gauge.

IN WITNESS whereof the Commonwealth of Australia and the State of South Australia have executed these presents the day and year first above written.

SIGNED by the Prime Minister of the
Commonwealth of Australia for and on
behalf of the said Commonwealth in the
presence of—G. J. YEEND } (Sgd.) ROBERT MENZIES.

SIGNED by the Premier of the State of
South Australia for and on behalf of the
said State in the presence of— } (Sgd.) T. PLAYFORD.
L. KING.