

## TASMANIA.



1937.

ANNO PRIMO

GEORGH VI. REGIS.

No. 16.

## ANALYSIS.

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AN ACT to make provision for the carrying out of the Agreement made between the Commonwealth and the State with respect to the Construction, Reconstruction, Maintenance and Repair of Roads, and other Works connected with Transport.

[15 November, 1937.]

BE it enacted by His Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows :—

1 This Act may be cited as the *Federal Aid Roads and Works Act 1937*. Short title.

*Federal Aid Roads and Works.*

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**2** The *Federal Aid Roads Execution Act 1932* is hereby repealed.

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7.

Interpreta-  
tion.

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No.

**3** In this Act, unless the con rary intention appears—

“The Agreement” means the Agreement between the Commonwealth and the State approved by the *Federal Aid Roads and Works Agreement Act 1937*.

“Federal Aid Road Works” means any works in connection with the construction, reconstruction, maintenance, or repair of roads which are authorised by Parliament to be carried out under the Agreement; and “Federal Aid Road” means a road constructed or reconstructed under any Act providing for the execution of Federal Aid Road Works:

“Federal Aid Works” means any works connected with transport which are authorised by Parliament to be carried out under the Agreement.

Provision for  
execution of  
works.

**4** Where by any Act the execution of any Federal Aid Road Works or any Federal Aid Works is authorised, those works may be executed and carried out in accordance with the provisions of this Act at such cost respectively (together with the cost of supervision) as may be specified in the Act authorising the execution thereof.

Cost of  
works, how  
defrayed.

**5** The cost of executing and carrying out Federal Aid Road Works or Federal Aid Works shall be defrayed out of moneys to be provided by the Commonwealth in accordance with the Agreement.

Federal Aid  
Roads Trust  
Fund.

**6** All moneys received by the Treasurer from the Commonwealth in accordance with the Agreement shall be placed to the credit of the account kept in the books of the Treasurer called the “Federal Aid Roads Trust Fund,” and all expenditure under any Act authorising the execution of any Federal Aid Road Works or Federal Aid Works shall be debited to that account.

Maintenance  
of Federal  
Aid Roads.

**7—(1)** All Federal Aid Roads which have been constructed, or reconstructed, as the case may be, shall be adequately and continuously maintained in good repair and condition—

*Federal Aid Roads and Works.*

- i. By the Minister in accordance with Part II. of the *Roads and Jetties Act 1935*, in the case of a road which is a State Highway : or
- ii. In any other case—
- (a) By and at the expense of the municipality within which the road is situated : or
- (b) If the road forms the boundary between adjoining municipalities, by and at the joint expense of those municipalities.

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26 Geo. V.  
No. 82.

(2) If at any time a municipality makes default in maintaining any Federal Aid Road in accordance with this section, the Minister may cause the necessary maintenance work to be carried out, and the cost thereof may be recovered from that municipality under the *Crown Remedies Act 1891*, as a debt due to His Majesty.

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25.

(3) This section shall apply to Federal Aid Roads constructed or reconstructed under any Act passed before the commencement of this Act relating to the execution of Federal Aid Road Works.

**8** If the moneys received from the Commonwealth, in accordance with the Agreement, in respect of any financial year shall be insufficient to provide for the cost of the Federal Aid Road Works or Federal Aid Works authorised for that year, the Minister may reduce all or any of the amounts specified as the cost of the works so authorised, or for supervision thereof, in such manner as he thinks fit, or may refrain from carrying out any of the works so authorised, in order to bring the amount to be expended within the total of the moneys received or to be received from the Commonwealth in respect of that financial year.

Variation of  
programme  
of works in  
certain cases.

**9** If the cost of executing and carrying out any Federal Aid Road Works or Federal Aid Works authorised by any Act does not equal the amount specified in that Act as the cost thereof, the Minister may expend the whole or any portion of any unexpended balance which does not exceed ten pounds upon any other Federal Aid Road Work or Federal Aid Work.

Application  
of unex-  
pended  
balances.

