

**RAILWAY MANAGEMENT.**


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No. 30 of 1952.

AN ACT to amend the *Railway Management Act* 1935. [17 October, 1952.]

**B**E 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:—

Short title and citation.

**1**—(1) This Act may be cited as the *Railway Management Act* 1952.

(2) *The Railway Management Act* 1935, as subsequently amended, is in this Act referred to as the Principal Act.

Limit of damages for personal injury.

**2** Section seventy-seven of the Principal Act is repealed.

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**FLINDERS MARINE BOARD LOAN.**

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No. 31 of 1952.

AN ACT to authorise the Marine Board of Flinders to borrow a certain sum of money for the purpose of meeting the cost of the construction of certain works in connection with port development on Flinders Island and for purposes connected therewith, to authorise the Governor to guarantee the payment of interest on any moneys so borrowed, and to provide for matters incidental thereto.

[17 October, 1952.]

**B**E 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:—

Short title and incorporation.

**1**—(1) This Act may be cited as the *Flinders Marine Board Loan Act* 1952.

(2) This Act shall be incorporated and read as one with the *Marine Act* 1921, in this Act referred to as the Principal Act.

**2** In this Act, the expression "the Board" means the Marine Board of Flinders.

Interpretation.  
Cf. No. 64. of  
1951, s. 2.

**3**—(1) The Board may borrow, in accordance with the provisions of Part IX. of the Principal Act, any sum or sums of money, not exceeding in the aggregate the sum of ten thousand pounds, upon such terms and conditions as may be approved by the Governor.

Borrowing  
powers.  
*Ibid.*, s. 3.

(2) The power conferred on the Board by subsection (1) of this section may be exercised by the issue of debentures in the manner provided by paragraph III. of section eighty-four of the Principal Act, notwithstanding that the interest for any year on any sum to be so borrowed exceeds one-third of the ordinary net revenue of the Board, calculated as provided by that paragraph.

**4** The money<sup>s</sup> borrowed by the Board under the authority of this Act shall be applied for the purposes of—

Application of  
borrowed  
moneys.  
*Ibid.*, s. 4.

- (a) the construction or reconstruction of wharves within its jurisdiction;
- (b) generally carrying out, undertaking, or constructing any other works which the Board may consider necessary within its jurisdiction; and
- (c) the purchase or hire of all necessary equipment, plant, and tools to enable the Board to carry out any works under this section.

**5**—(1) The Governor may guarantee the repayment of any moneys borrowed by the Board under the authority of this Act and the payment of the interest payable by the Board in respect of any moneys so borrowed.

Power of  
Governor to  
guarantee  
payment of  
interest.  
*Ibid.*, s. 5.

(2) Debentures or other instruments issued or executed by the Board in respect of any moneys borrowed by it under the authority of this Act shall be exempt from payment of stamp duty under the *Stamp Duties Act 1931*.

**6**—(1) Where default has been made in payment by the Board, to any person who is entitled to receive it, of any interest the payment of which has been guaranteed by the Governor under this Act, the Treasurer shall, upon demand by that person and without any authority other than this Act, pay out of the Consolidated Revenue to that person the amount of the interest so guaranteed in respect of which default has been made.

Provisions  
relating to the  
payment of  
interest  
payable under  
a guarantee.  
*Ibid.*, s. 6.

(2) The Board shall, upon demand being made on it by the Treasurer therefor, pay to the Treasurer the amount of any interest paid by him in accordance with this section, together with interest thereon at the rate of four pounds per cent per annum calculated from the date of payment by the Treasurer until repayment to him by the Board.

(3) All moneys received by the Treasurer from the Board under subsection (2) of this section shall be paid by him into the Consolidated Revenue.

Provisions relating to moneys owing by the Board to the Treasurer.

*Ibid.*, s. 7.

**7**—(1) All moneys owing by the Board to the Treasurer on account of any payments made by him under section six shall be a charge upon the real and personal property and assets of the Board until they have been fully paid.

(2) The Treasurer may, at any time, give to the Board one month's notice in writing of his intention to enforce payment of any moneys owing to him by the Board, and if at the expiration of the notice those moneys remain, or any part thereof remains, unpaid, the Governor may appoint a receiver of the revenues and other income of the Board.

(3) The provisions of sections twenty-one, twenty-two, and twenty-three of the *State Loans to Local Bodies Act 1929*, so far as they are applicable, shall apply to and in respect of a receiver appointed under this section and to and in respect of any moneys owing by the Board to the Treasurer as if the receiver had been appointed under that Act in respect of a local body as therein defined, and as if the moneys were moneys overdue and unpaid by the Board to the Treasurer in respect of a loan granted to the Board under that Act.

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## ALUMINIUM INDUSTRY AGREEMENT.

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No. 32 of 1952.

AN ACT to amend the *Aluminium Industry Agreement Act 1944*. [17 October, 1952.]

**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:—

Short title, citation, and commencement.

**1**—(1) This Act may be cited as the *Aluminium Industry Agreement Act 1952*.

(2) The *Aluminium Industry Agreement Act 1944*, is in this Act referred to as the Principal Act.