

TASMANIA.



1944.

ANNO SEPTIMO ET OCTAVO
GEORGII VI. REGIS.

No. 73.

ANALYSIS

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AN ACT to provide for the Vesting and Control
of Road Construction Plant acquired by or on
behalf of the State and for the establishment of a
Road Construction Plant Account.

A.D.
1944

[27 April, 1944.]

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—(1) This Act may be cited as the *Road Construction Plant Act 1944*.

(2) This Act shall be incorporated with the *Transport Act 1938*.*

Short title
and incorpora-
tion.

* 2 and 3 Geo. VI. No. 70, as amended by 3 Geo. VI. No. 17 and 7 Geo. VI. No. 27.

Road Construction Plant.

A.D. 1944. **2** In this Act, unless the contrary intention appears—

Interpretation.

“plant” means plant for the construction, repair, or maintenance of roads, bridges, jetties, and aerodromes, and includes any land, workshop, building, fixtures, machine, implement, tool, or other equipment erected, purchased, or acquired for the purpose of the maintenance or construction of any plant, and any spare parts to be used in connection therewith;

“the Plant Account” means the Road Construction Plant Account established under this Act.

Vesting and control of road construction and other plant.

3—(1) All plant and other goods purchased or acquired before the commencement of this Act out of moneys forming part of—

- (a) the State Roads Construction Plant Suspense Account established under the *State Road Construction Plant Purchase Act 1926*;^{*}
- (b) the State Highways Trust Fund established under the *Roads and Jetties Act 1935*;[†] and
- (c) the Federal Aid Roads Trust Fund established under the *Federal Aid Roads and Works Act 1937*,[‡]

and out of any other moneys provided for the repair or renewal of bridges or jetties, or acquired by the Minister for Lands and Works or the Commission for the purpose of the construction, repair, or maintenance of any road, bridge, jetty, or aerodrome, shall be vested in the Commission, and, together with any plant or other goods acquired by the Commission for that purpose after the commencement of this Act, shall be held, and may be used, by it for the purposes of the *Transport Act 1938* and any Act incorporated therewith, or for the execution of any work authorised by Parliament.

(2) Any plant or other goods vested in the Commission pursuant to this Act or afterwards acquired by it under this Act, or under section seventeen of the *Roads and Jetties Act 1935*, may be hired or let to any local authority or person at such rates and subject to such conditions as the Commission thinks fit, or may be sold or otherwise disposed of in such manner and on such terms as the Commission thinks fit.

Road Construction Plant Account.

4—(1) There shall be kept in the books of the Commission an account to be called the “Road Construction Plant Account.”

(2) The amount standing in the books of the Treasury to the credit of the Public Works Plant Suspense Account and the Public Works Workshop Suspense Account shall be paid to the Commission and placed by it to the credit of the Plant Account.

^{*} 17 Geo. V. No. 19, as amended by 18 Geo. V. No. 21, 18 Geo. V. No. 37, 19 Geo. V. No. 31.

[†] 26 Geo. V. No. 82, as amended by 2 and 3 Geo. VI. No. 70, 4 Geo. VI. No. 51, 5 Geo. VI. No. 13, and by Statute Law Revision. (See Reprint of Statutes, Vol. I., page 461.)

[‡] 1 Geo. VI. No. 16, as amended by 4 Geo. VI. No. 44.

Road Construction Plant.

(3) There shall also be credited to the Plant Account— A.D. 1944.

(a) all amounts received by the Commission in respect of the use, hire, lease, sale, or disposal of any plant vested in it by this Act or afterwards acquired by the Commission under this Act or under section seventeen of the *Roads and Jetties Act 1935*; and

(b) such amounts as the Commission thinks reasonable in respect of the use by it of any plant (including provision for wages, stores, and transport) and of insurance, maintenance, depreciation, and other charges in connection with the use of plant, which shall be debited to the cost of the works on which the plant is used.

(4) There shall be debited to the Plant Account—

(a) all costs of maintenance and insurance of plant vested in the Commission by this Act or afterwards acquired by it under this Act, or under section seventeen of the *Roads and Jetties Act 1935*, which is let or hired to any person as provided by section three; and

(b) the cost of the purchase of plant by the Commission which the Commission directs shall be charged to the Plant Account.

(5) The balance to the credit or debit (as the case may be) of the Plant Account at the end of each financial year shall be transferred to and incorporated with the Road Fund kept in the books of the Commission.

5 Notwithstanding anything contained in any Act, the Commission may, out of moneys standing to the credit of the Plant Account, purchase or otherwise acquire any plant required for the purposes of the *Transport Act 1938* or any Act incorporated therewith. Power to purchase plant.

6 The Plant Account shall be deemed to be an account to which section thirty of the *Transport Act 1938* applies. Accounts and audit.

7 All acts done and all payments made in pursuance of the *State Road Construction Plant Purchase Act 1926* since the repeal of that Act by the *Statute Law Revision Act 1935** are hereby validated, and shall be of the same force and effect as if that Act had been in operation when those acts were done or the payments made. Validation of acts done under State Road Construction Plant Purchase Act 1926.

* 26 Geo. V. No. 99.

