



TASMAN BRIDGE RESTORATION (No. 2)

No. 54 of 1975

ANALYSIS

1. Short title and interpretation.
2. Approval of Supplementary Agreement.
3. Effect of Supplementary Agreement.

AN ACT to approve and give effect to an agreement between the Government of the Commonwealth of Australia and the Government of the State with respect to the modification of the Tasman Bridge concurrently with its restoration.

[19 November 1975]

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 *Tasman Bridge Restoration Act (No. 2) 1975*. Short title and interpretation.

(2) The *Tasman Bridge Restoration Act 1975* is in this Act referred to as the Principal Act and the Agreement approved by that Act is in this Act referred to as the Principal Agreement.

Approval of
Supplementary
Agreement.

2 The Supplementary Joint Tasman Bridge Restoration Agreement (in this Act referred to as the "Supplementary Agreement") set forth in the Schedule is approved.

Effect of
Supplementary
Agreement.

3 On the approval of the Supplementary Agreement as provided in clause 2 thereof, the Principal Act, except in so far as it provides for the approval of the Principal Agreement, applies and has effect in relation to the Principal Agreement and the Supplementary Agreement as it previously applied and had effect in relation to the Principal Agreement.

SCHEDULE

(Section 2)

AN AGREEMENT (to be called the "Supplementary Joint Tasman Bridge Restoration Agreement") made this seventh day of August One thousand nine hundred and seventy-five BETWEEN THE GOVERNMENT OF THE COMMONWEALTH OF AUSTRALIA of the one part AND THE GOVERNMENT OF THE STATE OF TASMANIA of the other part WHEREAS it is the determination of both the Australian and Tasmanian Governments that the Tasman Bridge on the Derwent River at Hobart shall be structurally modified to accommodate five lanes of traffic throughout its length concurrently with the restoration of the Bridge to a fully operational condition AND WHEREAS the two Governments are in agreement that this work could most appropriately be undertaken by the Joint Tasman Bridge Restoration Commission NOW IT IS HEREBY AGREED as follows:—

1. (1) IN the Agreement, unless the contrary intention appears—
 - 'Australia' means the Commonwealth of Australia, and 'Australian' is used in a corresponding sense;
 - 'Clause' means clause of this agreement;
 - 'Party' means a party to this Agreement and 'Parties' means both of these parties;
 - 'Tasmania' means the State of Tasmania and 'Tasmanian' is used in a corresponding sense;
 - 'the Bridge' means the Tasman Bridge on the Derwent River at Hobart;
 - 'The Commission' means the Joint Tasman Bridge Restoration Commission and includes any corporation that may succeed that Commission.
2. THE provisions of this Agreement other than this Clause and Clauses 1 and 3 hereof shall have no force or effect and shall not be binding on either of the parties unless and until it is approved by the respective Parliaments of Australia and Tasmania but upon being so approved by those Parliaments the Agreement shall be of full force and effect and fully binding upon the parties.

3. (1) THIS clause shall come into operation on the date of this Agreement.
 (2) The Australian and Tasmanian Governments will submit this Agreement for approval to the Australian and Tasmanian Parliaments respectively.
 (3) Each party will submit any legislation and take any administrative action that may be necessary from time to time to give effect to this Agreement.
4. THE Commission shall, by way of addition to its present functions be empowered to exercise and may perform all or any of the functions (hereinafter referred to as 'the additional functions') of superintending, co-ordinating, directing, managing and executing the planning and performance of any work associated with the structural modification of the Bridge throughout its length to accommodate five lanes of vehicular traffic.
5. (1) THE Commission shall have all powers necessary and incidental to the performance of the additional functions which powers shall be exercisable subject to the same conditions and duties to which the exercise of the powers given to the Commission by the Tasman Bridge Restoration Act 1975 of Tasmania is subject.
 (2) Without prejudice to the generality of sub-clause (1) of this clause, the powers and capacities of the Commission shall include power, authority and capacity to enter into, as principal or agent, contracts or other agreements for work to be performed or services to be provided which the Commission deems to be necessary for or conducive to the performance of the additional functions.
6. IT is the intention of the parties that the cost of the structural modification of the Bridge throughout its length to accommodate five lanes of traffic shall be met by Australia, and that the Australian Government will in due course seek the approval of the Australian Parliament to the appropriation of monies necessary to give effect to this intention.

IN WITNESS whereof this Agreement has been signed for and on behalf of the parties hereto respectively as at the day and year first above written.

SIGNED by the HONOURABLE EDWARD GOUGH }
 WHITLAM, PRIME MINISTER OF AUSTRALIA } E. G. WHITLAM
 in the presence of: }
 G. A. SINDEL.

SIGNED by the HONOURABLE WILLIAM }
 ARTHUR NEILSON, PREMIER OF TASMANIA, } W. A. NEILSON
 in the presence of: }
 S. FROST.