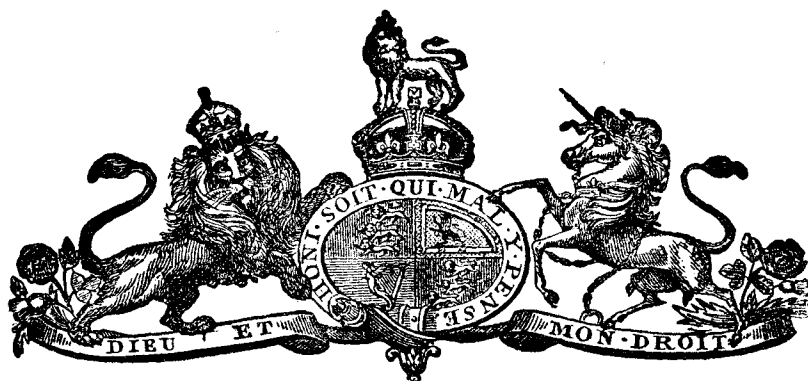


T A S M A N I A.



1929.

ANNO VICESIMO
GEORGII V. REGIS.
No. 19.

ANALYSIS.

1. Short title.
2. Repeal of 1 Ed. VII. No. 6, 9 Geo. V. No. 6, and of Section 8 of 4 Geo. V. No. 51.
3. Vesting of Tramway in Minister for Railways.
4. Vesting of branch line and jetty in Smithton Harbour Trust.
5. Conditions affecting branch line and jetty.
6. Tramway to be held and worked on special conditions.
7. Adjustment of value and cost of Tramway.

AN ACT to amend the Marrawah Tramway Purchase Act, 1913, and to vest the said Tramway in the Minister for Railways, and to provide for certain Payments to a Sinking Fund for the Redemption of certain Moneys expended in relation thereto.

A.D.

1929.

[25 July, 1929.]

WHEREAS by the Marrawah Tramway Purchase Act, 1913, the Governor was authorised and empowered to purchase the Marrawah Tramway as defined by the said Act:

PREAMBLE.

And whereas in pursuance of the said Act and in exercise of the powers thereby conferred the Governor, on behalf of the State, duly purchased and took over the said Tramway on the third day of March, one thousand nine hundred and fourteen, and the same is now the property of the State, and is under the control of the Minister for Lands and Works for the time being:

4d.]

Marrawah Tramway Purchase.

A D. 1929.

And whereas the Minister for Lands and Works has caused to be constructed a branch line connecting the Tramway with the waterfront at Pelican Point, near Smithton, and a jetty to be erected at that Point to be used in connection therewith :

And whereas it is desirable to vest the said Tramway in the Minister for Railways, subject to, and in accordance with, the provisions of the Railway Management Act, 1891, and to vest the branch line and jetty, with the appurtenances, in the Smithton Harbour Trust, subject to certain conditions; and to provide for the redemption of the sum of Eighty-five thousand five hundred and ninety Pounds Nineteen Shillings and Sixpence portion of the expenditure incurred in relation thereto :

Be it therefore 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.

1 This Act may be cited as “The Marrawah Tramway Purchase Act, 1929.”

Repeal of 1 Ed.
VII. No. 6, 9 Geo.
V. No. 6, and of
Section 8 of 4
Geo. V. No. 51.

Vesting of Tram-
way in Minister
for Railways.

4 Geo. V. No. 51.
55 Vict. No. 40

Vesting of branch
line and jetty in
Smithton Har-
bour Trust.

11 Geo. V. No. 60.

Conditions affect-
ing branch line
and jetty.

2 The West Coast Tramways Act, 1901, and the Government Tramways Leasing Act, 1918, and Section Eight of the Marrawah Tramway Purchase Act, 1913, are hereby repealed.

3 The Tramway as defined by the Marrawah Tramway Purchase Act, 1913, and as purchased on behalf of the State under the provisions thereof, is hereby vested in the Minister for Railways for the time being, and the same shall be held by him under and subject to the provisions of the Railway Management Act, 1891.

4 The Pelican Point jetty abovementioned, together with the timber trestle bridge approach to the same and the branch line of tramway extending thereto for a distance of one mile thirty-seven chains from the point on the main Tramway distant one mile twenty-six chains fifteen links north-west from Smithton station (all and every of which are hereinafter called “the said works”), are hereby vested in the Smithton Harbour Trust, and the same shall be held by the said Harbour Trust under and subject to the provisions of the Marine Act, 1920, and subject to the conditions hereinafter provided.

5—(1) The said Harbour Trust shall maintain and keep in repair at all times, to the satisfaction of the Commissioner of Railways, the said works, and shall not allow the same or any part thereof to fall into disrepair or become unfit for use.

(2) The said Harbour Trust shall allow and facilitate the use at all times by the Commissioner of Railways of the said works for the purposes of all such running powers and transport thereon and thereover as the said Commissioner may think necessary, at such rates, fares, and charges as the said Commissioner may think fit.

Marrawah Tramway Purchase.

(3) No rent or charge shall be charged or made by the said Harbour Trust or payable by the said Commissioner in respect of any such use as aforesaid of the said works or any part thereof, and all moneys received by the said Commissioner in respect thereof shall be retained by him as such Commissioner. A.D. 1929.

(4) If at any time the said Harbour Trust shall fail or neglect to repair or maintain the said works, or any of them, after receiving notice from the said Commissioner of any defect or want of repair therein, it shall be lawful for the said Commissioner to repair and make good any such defect or want, and all costs incurred by him in respect thereof shall be payable by the said Harbour Trust, and may be recovered by the said Commissioner accordingly.

6—(1) Subject to the provisions of Subsection (2) hereof, the scales of fares, rates, and charges prescribed under the Railway Management Act, 1891, shall not apply in respect of the Tramway, and the Commissioner from time to time may fix, alter, or revoke such special scales of fares, rates, and charges in respect thereof, as he may think necessary, and may charge and levy the same accordingly. Tramway to be held and worked on special conditions.

(2) The Governor, by proclamation at any time, on the recommendation of the Commissioner, may declare that the provisions of Subsection (1) hereof shall cease to have effect, either wholly or for such limited period as may be specified in such proclamation.

7—(1) For the purposes of the Railway Management Act, 1891, and the accounts of the Commissioner of Railways thereunder, the Tramway as hereby vested in the Minister for Railways is hereby declared to be of the capital value of Five thousand Pounds. Adjustment of value and cost of Tramway.

(2) An amount of Eighty-five thousand five hundred and ninety Pounds Nineteen Shillings and Sixpence (being the balance of the moneys appropriated and applied in respect of the Tramway as shown in the schedule hereto) shall be transferred in the books of the Treasury to a suspense account to be called "The Marrawah Tramway Capital Loss Suspense Account."

(3) The amount of Two thousand four hundred and thirty-two Pounds Five Shillings and Tenpence standing in the books of the Treasury to the credit of the Marrawah Tramway Depreciation and Replacement Fund shall be applied on the passing of this Act towards defrayment of the capital moneys expended in relation to the Tramway.

(4) There shall be payable and paid by the Treasurer annually out of the Consolidated Revenue, commencing from the first day of July, one thousand nine hundred and twenty-nine, to the Commissioners of the Public Debts Sinking Fund a sum equal to Two Pounds per centum of the said amount so transferred as aforesaid to the said suspense account and the same shall be applied by the said Commissioners by way of sinking fund for the redemption of the said amount

Marrawah Tramway Purchase.

A.D. 1929.

SCHEDULE.

	£	s.	d.	£	s.	d.
Total Expenditure			93,023	5	4
Less—						
Capital Value of Tramway, as provided by this Act.....	5,000	0	0			
Amount standing to the credit of the Marrawah Tramway Depreciation and Replacement Fund	2,432	5	10			
				<hr/>	7,432	5 10
Balance			<hr/>	£85,590	19 6