



**ALICE SPRINGS TO DARWIN RAILWAY (FINANCIAL
COMMITMENT) AMENDMENT ACT 1999**

No. 76 of 1999

SUMMARY OF PROVISIONS

1. Short title
2. Commencement
3. Amendment of s. 3—Definitions
4. Substitution of s. 6
 6. Extent of financial commitment
5. Insertion of ss. 8 and 9
 8. Facilitation of authorised project
 9. Building and development work regarded as complying



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ELIZABETHAE II REGINAE

A.D. 1999

No. 76 of 1999

An Act to amend the Alice Springs to Darwin Railway Act 1997.

[Assented to 2 December 1999]

The Parliament of South Australia enacts as follows:

Short title

1. (1) This Act may be cited as the *Alice Springs to Darwin Railway (Financial Commitment) Amendment Act 1999*.

(2) The *Alice Springs to Darwin Railway Act 1997* is referred to in this Act as "the principal Act".

Commencement

2. This Act will come into operation on a day to be fixed by proclamation.

Amendment of s. 3—Definitions

3. Section 3 of the principal Act is amended by inserting after the definition of "authorised project" the following definitions:

"GST" means the tax payable under the GST law;

"GST law" means—

- (a) *A New Tax System (Goods and Services Tax) Act 1999* of the Commonwealth; and
- (b) the related legislation of the Commonwealth dealing with the imposition of a tax on the supply of goods and services;.

Substitution of s. 6

4. Section 6 of the principal Act is repealed and the following section is substituted:

Extent of financial commitment

6. The Minister is authorised, on behalf of the State (and despite anything previously contained in the preliminary agreement)—

- (a) to make funds available for the performance of certain works in connection with the authorised project at times determined by the Minister up to a total amount of \$125 million plus the amount of any GST that may be payable in relation to the payment of those funds; and
- (b) to give a guarantee or guarantees of any debt incurred in connection with the authorised project up to a principal amount of \$25 million plus the amount of any GST, interest or costs that may be payable in respect of such debt and the giving of such a guarantee or guarantees; and
- (c) to give a guarantee or guarantees in connection with the performance by the AustralAsia Railway Corporation of its obligations under any contract entered into by it in connection with the authorised project; and
- (d) to enter into other contractual obligations for the implementation of the authorised project; and
- (e) to pay or contribute to other costs and expenses incurred in connection with the activities of the AustralAsia Railway Corporation or the authorised project,

and the money required for these purposes, and for any other purposes associated with the legally enforceable agreement referred to in section 5, and for any other legal obligation that may arise out of a matter referred to in a paragraph appearing above, is to be paid out of the Consolidated Account (which is appropriated to the necessary extent).

Insertion of ss. 8 and 9

5. The following sections are inserted after section 7 of the principal Act:

Facilitation of authorised project

8. The Minister and other instrumentalities and agencies of the State are authorised and required to do anything reasonably necessary to facilitate implementation of the authorised project and, despite any other Act or law, no other statutory inquiry, authorisation or report need be conducted, obtained or provided before money can be applied by the Minister for the purposes of the authorised project.

Building and development work regarded as complying

9. All building and development work carried out on the railway between Tarcoola and the Northern Territory border—

- (a) before the commencement of this section; or

(b) after the commencement of this section if carried out by or on behalf of the Commonwealth,

will be regarded as complying with the statutory and regulatory requirements applicable at the time of the work.

In the name and on behalf of Her Majesty, I hereby assent to this Bill.

E. J. NEAL Governor