



ANNO PRIMO

GEORGII V REGIS.

A.D. 1910.

No. 1016.

An Act to further amend "The Gawler to Angaston Railway Act, 1907."

[Assented to, December 7th, 1910.]

BE it Enacted by the Governor of the State of South Australia, with the advice and consent of the Parliament thereof, as follows :

1. This Act may be cited alone as "The Gawler to Angaston Railway Act Amendment Act, 1910"; and "The Gawler to Angaston Railway Act, 1907" (hereinafter called "the principal Act"), "The Gawler to Angaston Railway Act Amendment Act, 1909," and this Act may be cited together as "The Gawler to Angaston Railway Acts, 1907 to 1910."

Short title.

No. 942 of 1907.

No. 984 of 1909.

2. This Act is incorporated with the principal Act and all Acts incorporated therewith; and the Acts mentioned in section 1 and this Act shall be read together as one Act.

Incorporation with other Acts.

3. All earnings after the passing of this Act in respect of the railway or of any part thereof, and not only the moneys received in respect of goods carried thereon, shall be carried to "The Angaston Railway District Fund," and shall be treated as receipts in respect of the railway in the accounts by the principal Act required to be kept of the receipts and working expenses in respect of the railway.

All earnings of the railway to be credited for guarantee purposes.

Cf. principal Act ss. 16 and 18.

4. When, after the passing of this Act, in the course of the same journey, goods, stock, minerals, parcels, mails, or passengers are carried partly on the railway and partly on another or other rail-

Half of all earnings of traffic partly on other lines to be so credited.

ways Cf. *ibid.* s. 17.

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ways in the said State, one-half of the earnings on account of such carriage on such other railway or railways (in addition to the whole of the earnings on account of such carriage on the railway) shall be carried to the said fund, and shall be treated as receipts in respect of the railway in the said accounts.

What deemed working expenses for purposes of the guarantee.

5. For the purposes of determining what expenses are to be paid out of the said fund, and of keeping the said accounts, the working expenses of or in respect of the railway shall be the following:—

- i. The expenses of and incidental to the carriage, loading, and unloading of goods, stock, minerals, parcels, mails, and passengers on the railway;
- ii. The expenses of maintaining the railway, and the works and conveniences connected therewith or for the purposes thereof; and
- iii. Such proportion of the expenses of maintaining, and (subject to subdivision (b) hereof) of repairing and replacing the rolling-stock used for working the railway, as the Commissioner considers fairly attributable to the working of the railway;

but shall not include—

- (a) Amounts paid in respect of personal injuries suffered by passengers, employes of the Commissioner, or other persons on the railway, whether whilst travelling or not;
- (b) The expenses of repairing or replacing rolling-stock damaged or destroyed on the railway otherwise than by ordinary wear and tear; or
- (c) Amounts paid in respect of damages to property through fires caused by running trains on the railway:

Provided that in all cases the decision of the Commissioner of Public Works upon the question whether any item is or is not a working expense of or in respect of the railway shall be final and conclusive for the purposes of the principal Act and this Act.

Foregoing provisions not to be retrospective.

6. Nothing in this Act shall affect the validity of any payment out of the said fund, or of any entry in the said accounts, made before the passing of this Act; nor shall the foregoing provisions of this Act apply to any payment to be made out of the said fund, or to any entry to be made in the said accounts, in respect of anything which happened before the passing of this Act.

Accounts under the Act are merely for purposes of guarantee provisions.

7. The said accounts are required merely for the purposes of the special financial provisions of the principal Act (as amended by this Act); and it shall not be deemed necessary for such accounts to in any way interfere with or affect any other accounts usually kept by the Commissioner, or which he is required to keep, for any other purpose:

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purpose: Provided that nothing in this section shall affect the validity of any accounts which have been kept or may hereafter be kept.

8. If the total of the receipts shown in the said accounts for any period of ten consecutive years is not less than the total of the working expenses shown in the said accounts for the same period and interest at the rate of four per centum per annum on the cost of the railway for the same period, the Commissioner shall, as soon as practicable after the termination of such period, by notice published in the *Gazette*, declare that the Angaston Railway District Fund is closed; and thereupon—

Provision for terminating the guarantee.

- (a) The Treasurer shall transfer the amount standing to the credit of the said fund to the credit of the revenue of the South Australian Railways generally; and
- (b) The provisions of sections 16 to 34, both inclusive, of the principal Act and the provisions of this Act shall cease to apply to, and shall not again come into force with respect to, the railway and the Railway District.

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

DAY H. BOSANQUET, Governor.