No. XX.

An Act to declare and enact that certain contracts and agreements shall be and be deemed to have been excepted from the provisions of sections 33 and 38 of the Municipalities Act of 1867; and for other purposes. [11*th June*, 1895.]

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows :—

Contracts exempted from the provisions of sections 33 and 38 of Municipalities Act of 1867.

1. The following contracts and agreements shall be and be deemed to have been excepted from the provisions of sections thirty-three and thirty-eight of the Municipalities Act of 1867 :—that is to say, contracts and agreements between the Council of a Municipality and any person—

(*a*) for the supply by the Council of water, gas, or electricity to premises ;

(*b*)

(*b*) for the performance by the Council of any work or services in connection with the paving or asphalting of footways or the kerbing or guttering of roads, the removal of night-soil, or the carrying out by the Council of other sanitary measures within the Municipality ;

(*c*) for the payment of money by any person for permission granted to him by the Council to occupy footways in the Municipality during the erection of buildings ;

(*d*) for the payment of a deposit of money as security for any damage to footways within the Municipality ;

(*e*) relating to any lease already granted of any land belonging to or under the control of the Council.

And no costs shall be awarded to or recoverable by a plaintiff or complainant in any proceedings, commenced before the day when this Act takes effect, for the recovery of any penalty incurred or moneys forfeited under, nor shall any penalty be recoverable for, nor any disqualification result from the breach of any of the provisions of the Municipalities Act of 1867 in respect of a contract or agreement excepted as aforesaid.