

SYDNEY HARBOUR BRIDGE (ADMINISTRATION) ACT.

Act No. 2, 1932.

George V.
No. 2, 1932. An Act to provide for the administration of the Sydney Harbour Bridge; to amend the Sydney Harbour Bridge Act, 1922, and certain other Acts; and for purposes connected therewith. [Assented to, 14th March, 1932.]

BE it enacted by the King'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:—

Short title.

1. (1) This Act may be cited as the "Sydney Harbour Bridge (Administration) Act, 1932."

(2) This Act shall be read and construed with the Sydney Harbour Bridge Act, 1922, in this Act referred to as the Principal Act.

**Interpreta-
tion.**

2. In this Act, and in the regulations made thereunder, unless the context or subject-matter otherwise indicates or requires—

"Board" means the State Transport (Co-ordination) Board.

"Bridge" means the works authorised by or constructed under the authority of the Principal Act.

"Commissioners" means the Railway Commissioners for New South Wales.

"Crown"

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“Crown” shall not include the Commissioners or the Trust.

“Prescribed” means prescribed by regulations under this Act.

“Treasurer” means the Colonial Treasurer.

“Trust” means the Metropolitan Transport Trust.

3. Subject to the provisions of this Act, the administration, control, and management of the Bridge is hereby vested in the Board.

4. The Principal Act is amended—

(a) by omitting sections eight, twelve, and thirteen;

(b) by inserting in subsection one of section nine, after the word “thereafter,” the words “up to and including the year one thousand nine hundred and thirty-nine.”

5. The Board may levy tolls and charges in respect of all traffic or of any class or classes of traffic, other than pedestrian traffic, upon or across the Bridge; the amount of the tolls and charges, and the method of collection shall be as prescribed.

6. (1) The Commissioners and the Trust shall each pay to the Board in respect of each paying passenger carried upon or across the Bridge by the Commissioners or by the Trust, as the case may be, the respective amounts determined from time to time by the Minister.

(2) Such payments shall be made by instalments or otherwise as the Minister shall direct.

The regulations may prescribe who shall be deemed to be paying passengers carried, the method of calculating the number of such passengers carried, and the payments to be made, in respect of persons holding periodical tickets or passes.

7. (1) The Treasurer shall cause to be opened in the Treasury an account which shall be known as the “Sydney Harbour Bridge Account.”

(2) There shall be paid into the account—

(i) all moneys received under the provisions of this Act, except the proceeds of any sale of property acquired for the purpose of the construction of the Bridge;

(ii) all moneys received from any source for the purpose of defraying any costs and expenses whatsoever

whatsoever by the Crown in connection with the Bridge, other than the costs and expenses of construction ;

- (iii) the unexpended balance of money standing to the credit of the special account referred to in the Principal Act at the date of completion of the Bridge, and all moneys paid after such date by the Municipal Council of Sydney or the Council of a Municipality or Shire referred to in the First Schedule to the Principal Act in pursuance of that Act.
- (3) There shall be paid out of the account—
 - (i) the costs of collection of tolls and charges ;
 - (ii) the costs of administration, maintenance, and lighting of the Bridge ;
 - (iii) the payments in respect of interest, sinking fund, and other charges provided by section eight of this Act ;
 - (iv) contributions to the Sydney Harbour Bridge Reserve Account provided by section nine of this Act ;
 - (v) all other costs and expenses whatsoever incurred by the Crown in connection with the Bridge, other than costs and expenses of construction.

Interest,
sinking fund,
&c.

8. (1) In respect of such portion of the capital cost of the Bridge as the Treasurer shall certify to have been defrayed from loan moneys provided by the Treasury, there shall be paid out of the Sydney Harbour Bridge Account such a proportion of the interest, sinking fund, and other charges payable by the State in respect of the public debt of the State (including its renewals and conversions) as the portion of the capital cost so certified bears to the cash equivalent of the outstanding public debt at the date of the certificate.

(2) Payments in respect of such proportion of the interest shall be made to the Treasurer in quarterly instalments, based on the amount of interest in respect of such proportion of the capital cost charged in the public accounts of the year immediately preceding.

Any adjustment of underpayments or overpayments shall be made after the close of the financial year for which the interest is payable.

(3)

(3) Payments in respect of such proportion of sinking fund and other charges shall be made in such instalments and at such dates as the Treasurer directs.

(4) The Sydney Harbour Bridge Account shall enjoy a proportionate share of the benefits, and shall bear a proportionate share of the burdens borne by the State under the financial agreement entered into between the Commonwealth of Australia and the States in pursuance of the provisions of the Financial Agreement Ratification Act, 1928, in all respects as if the Sydney Harbour Bridge Account formed part of the Consolidated Revenue Fund.

9. Such amounts as may be determined from time to time by the Minister on the recommendation of the Board shall be carried to an Account in the Treasury to be opened by the Treasurer and known as the Sydney Harbour Bridge Reserve Account.

Such account shall be kept in the Special Deposits Account division in the Public Accounts, and shall be credited with interest at such rates and under such conditions as the Treasurer may determine.

Moneys at credit of such account may be used for the purpose of meeting any deficiency in revenue, the cost of renewals, and such other liabilities properly incurred in relation to the Bridge, as may be determined by the Minister on the recommendation of the Board, but for no other purpose, and upon such a determination the required amount may be issued under the authority of the Treasurer.

10. (1) For the purposes of this Act there shall be vesting. vested in the Board all lands which immediately before the commencement of this Act were vested in the Minister for Public Works, and which were acquired by or on behalf of His Majesty under the provisions of the Public Works Act, 1912, for the purposes of the Sydney Harbour Bridge Act, 1922, whether such lands were acquired by appropriation, resumption, purchase or otherwise.

(2) Any lands which may be so acquired subsequently to the commencement of this Act shall, upon notification in that behalf by the Governor by proclamation published in the Gazette, vest in the Board.

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Power of
Board to
dedicate, sell,
or lease.

11. (1) Subject to the provisions of this section the powers of dedication, sale, and leasing conferred upon a constructing authority by the Public Works Act, 1912, as amended by subsequent Acts, are hereby conferred upon the Board in respect of the lands vested in the Board in accordance with subsections one or two of section ten.

(2) Notwithstanding the provisions of any Act, but subject to this section, no part of the said lands shall become vested in the Railway Commissioners for New South Wales, the Metropolitan Transport Trust, the Municipal Council of Sydney, the Municipal Council of North Sydney, or in any body or person other than the Board.

(3) The Governor may, by proclamation published in the Gazette, on the recommendation of the Board, concurred in by the Minister, vest in any of the bodies mentioned in subsection two of this section any part of the said lands for such estate and subject to such trusts and for such purposes as are specified in the proclamation; but no part of the said lands shall be so vested or dedicated for park or recreation purposes until a proposal therefor has been approved by resolutions passed by both Houses of Parliament.

Mainten-
ance, &c., of
works.

12. (1) The Commissioners shall maintain in good order and condition, and, when necessary, renew the railway tracks, electrical and signalling equipment, and all material, works and structures in or upon the Bridge, which are used exclusively for railway purposes.

(2) The Trust shall maintain in good order and condition, and, when necessary, renew the tramway tracks, electrical and signalling equipment, and all material, works and structures in or upon the Bridge, which are used exclusively for tramway purposes.

(3) The maintenance and renewal of such material, works and structures as are jointly used by the Commissioners and the Trust shall be carried out by such authority or person and the cost thereof borne by the Commissioners or the Trust in such proportions as the Minister may direct.

(4) Any difference arising out of the construction of this section shall be determined by the Minister.

13.

13. (1) The Governor may make regulations not inconsistent with this Act, prescribing all matters which by this Act are required or permitted to be prescribed, or which are necessary or convenient to be prescribed to carry this Act into effect, or to give effect to any power, function, duty, or authority conferred by this Act, and, without limiting the generality of the foregoing power, the Governor may make regulations in respect of—

- (a) the amounts payable as tolls and charges and the classes of traffic in respect of which such tolls and charges shall be payable;
- (b) the limitation of loads and speed of vehicles upon the Bridge or upon any particular section thereof;
- (c) the apprehension and removal of persons causing annoyance or inconvenience to the public on the Bridge or committing thereon any breach of the regulations;
- (d) the regulation or prohibition of the painting and affixing of notices on the Bridge, and the defacement of the Bridge;
- (e) the prohibition of climbing or loitering upon the Bridge;
- (f) the regulation or prohibition of traffic upon the Bridge or on any particular section thereof;
- (g) the regulation of the use of the Bridge or any particular section thereof by the public;
- (h) the regulation or prohibition of the sale of goods upon the Bridge;
- (i) the preservation of order and of public safety upon the Bridge;
- (j) the payment of fees for any service or permission.

(2) Any regulation may impose a penalty not exceeding fifty pounds for any breach thereof.

(3) A regulation may confer on the Board or on any member of the police force or on any officer of the Board or of the Public Service or of the Commissioners or of the Trust any powers or authority required or convenient for the carrying into effect of all or any of the provisions of that or any other regulation or of this Act.

(4)

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(4) The regulations shall—
(i) be published in the Gazette;
(ii) take effect from the date of such publication or from a later date to be specified in the regulations;
(iii) be laid before both Houses of Parliament within fourteen sitting days after publication if Parliament is in session, and if not, then within fourteen sitting days after the commencement of the next session.

If either House of Parliament passes a resolution of which notice has been given at any time within fifteen sitting days after the regulations have been laid before such House disallowing any regulation or part thereof, such regulation or part shall thereupon cease to have effect.
