

MAIN ROADS (AMENDMENT) ACT.

Act No. 42, 1939.

George VI.
No. 42, 1939.

An Act to amend the Main Roads Act, 1924-1938, and the Motor Traffic Act, 1909-1937, in certain respects; and for purposes connected therewith. [Assented to, 13th November, 1939.]

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 and
citation.

1. (1) This Act may be cited as the “Main Roads (Amendment) Act, 1939.”

(2) The Main Roads Act, 1924-1938, as amended by this Act, may be cited as the Main Roads Act, 1924-1939.

Amendment
of Act No.
24, 1924.

2. The Main Roads Act, 1924-1938, is amended—

Sec. 10.
(County of
Cumberland
Main Roads
Fund.)

(a) by inserting at the end of paragraph (a) of subsection one of section ten the following words:—

For the purposes of this paragraph the proceeds of the taxes collected under the Motor Vehicles (Taxation) Act, 1924, as amended by subsequent Acts, on the vehicles referred to in this paragraph shall be deemed not to include so much of the proceeds of the taxes collected under

under that Act as so amended and under the Motor Vehicles (Taxation) Act, 1939, on such vehicles, as is attributable to the increase in the taxes upon vehicles imposed by the Motor Vehicles (Taxation) Act, 1939. No. 42, 1939.

- (b) by inserting next after subsection (4B) of section thirteen the following new subsection:— Sec. 13.
(Financial
adjust-
ments.)

(4c) In addition to the payments required to be made by subsections three, four, (4A) and (4B) of this section the Commissioner shall, in respect of that part of the financial year ending on the thirtieth day of June, one thousand nine hundred and forty, which commences on the day appointed and notified pursuant to section two of the Motor Vehicles (Taxation) Act, 1939, and in respect of each succeeding financial year, pay to the Treasurer from the County of Cumberland Main Roads Fund for the credit of the Consolidated Revenue Fund such sums as may be required to provide for interest, sinking fund and other loan charges on loans which were appropriated for metropolitan main roads after the first day of July, one thousand nine hundred and twenty-eight, and before the day so appointed and notified, and which were not required by the Treasurer to be repaid.

The rates, terms and conditions of payments in accordance with this subsection shall be as agreed upon by the Commissioner and the Treasurer.

- (c) by inserting at the end of paragraph (a) of subsection one of section twenty the following words:— Sec. 20.
(Country
Main Roads
Fund.)

For the purposes of this paragraph the proceeds of the taxes collected under the Motor Vehicles (Taxation) Act, 1924, as amended by subsequent Acts, on the vehicles referred to in this paragraph shall be deemed not to include so much of the proceeds of the taxes collected under that Act, as so amended, and under the Motor Vehicles (Taxation) Act, 1939, on such vehicles, as is attributable to the increase in the taxes upon vehicles imposed by the Motor Vehicles (Taxation) Act, 1939. (d)

No. 42, 1939.

Sec. 21.

(Expenditure.)

- (d) by inserting next after subsection (3A) of section twenty-one the following new subsection:—

(3B) In addition to the payments required to be made by subsections two, three and (3A) of this section the Commissioner shall, in respect of that part of the financial year ending on the thirtieth day of June, one thousand nine hundred and forty, which commences on the day appointed and notified pursuant to section two of the Motor Vehicles (Taxation) Act, 1939, and in respect of each succeeding financial year, pay to the Treasurer from the Country Main Roads Fund for the credit of the Consolidated Revenue Fund such sums as may be required to provide for interest, sinking fund and other loan charges on loans which were appropriated for country main roads after the first day of July, one thousand nine hundred and twenty-eight, and before the day so appointed and notified, and which were not required by the Treasurer to be repaid.

The rates, terms and conditions of payments in accordance with this subsection shall be as agreed upon by the Commissioner and the Treasurer.

Sec. 29.
(Developmental
Roads
Fund.)

- (e) (i) by inserting at the end of subsection one of section twenty-nine the following new paragraph:—

(e) so much of the proceeds of the taxes collected under the Motor Vehicles (Taxation) Act, 1924, as amended by subsequent Acts, and under the Motor Vehicles (Taxation) Act, 1939, as is attributable to the increase in the taxes upon vehicles imposed by the Motor Vehicles (Taxation) Act, 1939.

- (ii) by inserting at the end of the same section the following new subsections:—

(4) The Commissioner shall, in respect of that part of the financial year ending on the thirtieth day of June, one thousand nine hundred and forty, which commences on the day appointed and notified pursuant to section

section two of the Motor Vehicles (Taxation) Act, 1939, and in respect of each succeeding financial year, pay to the Treasurer from the Developmental Roads Fund for the credit of the Consolidated Revenue Fund such sums as may be required to provide for interest, sinking fund and other loan charges on loans appropriated for developmental roads and developmental works after the thirty-first day of December, one thousand nine hundred and twenty-four, and before the day so appointed and notified, and on loans which are appropriated for developmental roads and developmental works after the day so appointed and notified and which are required by the Treasurer to be repaid. No. 42, 1939.

The rates, terms and conditions of payments in accordance with this subsection shall be as agreed upon between the Commissioner and the Treasurer.

(5) There shall be provided from the Developmental Roads Fund and paid into the County of Cumberland Main Roads Fund—

- (a) in respect of that part of the financial year ending on the thirtieth day of June, one thousand nine hundred and forty, which commences on the day appointed and notified pursuant to section two of the Motor Vehicles (Taxation) Act, 1939, a sum which bears the same proportion to the sum of five thousand pounds as such part of that financial year bears to the whole of that financial year;
- (b) in respect of the financial year ending on the thirtieth day of June, one thousand nine hundred and forty-one, and each succeeding financial year, the sum of five thousand pounds.

(6)

(6) There shall be provided from the Developmental Roads Fund and paid into the Country Main Roads Fund—

- (a) in respect of that part of the financial year ending on the thirtieth day of June, one thousand nine hundred and forty, which commences on the day appointed and notified pursuant to section two of the Motor Vehicles (Taxation) Act, 1939, a sum which bears the same proportion to the sum of fifty-two thousand pounds as such part of that financial year bears to the whole of that financial year;
 - (b) in respect of the financial year ending on the thirtieth day of June, one thousand nine hundred and forty-one, and each succeeding financial year, the sum of fifty-two thousand pounds.
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