

MAIN ROADS (AMENDMENT) ACT.

Act No. 61, 1951.

An Act to provide for the distribution between the County of Cumberland Main Roads Fund and the Country Main Roads Fund of the proceeds of taxes collected under the Motor Vehicles (Taxation) Act, 1951, and the application of moneys received by the State of New South Wales pursuant to the Commonwealth Aid Roads Act 1950 and apportioned for expenditure on proclaimed Main and Developmental Roads; to increase the rate of commission payable to councils in respect of certain works on main roads; for these purposes to amend the Main Roads Acts, 1924-1950; to validate certain matters; and for purposes connected therewith. [Assented to, 28th December, 1951.]

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:—

1. (1) This Act may be cited as the "Main Roads (Amendment) Act, 1951."

(2) The Main Roads Act, 1924, as amended by subsequent Acts and by this Act, may be cited as the Main Roads Act, 1924-1951.

2. (1) The Main Roads Acts, 1924-1950, is amended—

(a) (i) by omitting paragraph (a) of subsection one of section ten and by inserting in lieu thereof the following paragraph:—

(a) twenty per centum of the proceeds of the taxes collected under the Motor Vehicles (Taxation) Act, 1924.

(County of
Cumberland
Main Roads
Fund.)

See 10.
of Act No.
24, 1924.
Amendment.

No. 61, 1951.

(Taxation) Act, 1951, not being taxes so collected in respect of motor vehicles registered under the Transport Act, 1930, as amended by subsequent Acts, such amount to be paid into the Fund by the Treasurer not less frequently than once in three months;

- (ii) by omitting from paragraph (e) of the same subsection the words "Commonwealth Aid Roads and Works Act 1947-1948" and by inserting in lieu thereof the words "Commonwealth Aid Roads Act 1950";
- (iii) by omitting from the same paragraph the words "one thousand nine hundred and forty-seven" and by inserting in lieu thereof the words "one thousand nine hundred and fifty";

Sec. 12.
(Use of
County of
Cumberland
Main Roads
Fund.)

- (b) by omitting subsection (1B) of section twelve and by inserting in lieu thereof the following subsection:—

(1B) That part of the County of Cumberland Main Roads Fund which consists of sums provided under subsection one of section six of the Commonwealth Aid Roads Act 1950 of the Parliament of the Commonwealth shall be expended on the construction, reconstruction, maintenance and repair of roads or on the purchase of road-making plant; or in making payments to local authorities for the construction, reconstruction, maintenance and repair of roads or for the purchase of road-making plant:

Provided that an amount which, together with any amounts expended under the proviso to subsection (1B) of section twenty-one of this Act, does not exceed one-sixth of the sums so provided each year commencing on the first day of July, one thousand nine hundred and fifty, may be expended in that year on other works connected with transport by road or by water as the Minister by notification in the Gazette determines.

(c)

(c) (i) by omitting paragraph (a) of subsection one **No. 61, 1951.** of section twenty and by inserting in lieu **Sec. 20.** thereof the following paragraph:—

(Country
Main Roads
Fund.)

(a) eighty per centum of the proceeds of the taxes collected under the Motor Vehicles (Taxation) Act, 1951, not being taxes so collected in respect of motor vehicles registered under the Transport Act, 1930, as amended by subsequent Acts, such amount to be paid into the Fund by the Treasurer not less frequently than once in three months;

(ii) by omitting from paragraph (d) of the same subsection the words "Commonwealth Aid Roads and Works Act 1947-1948" and by inserting in lieu thereof the words "Commonwealth Aid Roads Act 1950";

(iii) by omitting from the same paragraph the words "one thousand nine hundred and forty-seven" and by inserting in lieu thereof the words "one thousand nine hundred and fifty";

(d) by omitting subsection (1B) of section twenty-one and by inserting in lieu thereof the following **Sec. 21.** subsection:—

(Expendi-
ture from
Country
Main Roads
Fund.)

(1B) That part of the Country Main Roads Fund which consists of sums provided under subsection one of section six of the Commonwealth Aid Roads Act 1950 of the Parliament of the Commonwealth shall be expended on the construction, reconstruction, maintenance and repair of roads or on the purchase of road-making plant; or in making payments to local authorities for the construction, reconstruction, maintenance and repair of roads or for the purchase of road-making plant:

Provided that an amount which, together with any amounts expended under the proviso to subsection (1B) of section twelve of this Act does

No. 61, 1951.

does not exceed one-sixth of the sums so provided each year commencing on the first day of July, one thousand nine hundred and fifty, may be expended in that year on other works connected with transport by road or by water as the Minister by notification in the Gazette determines.

Sec. 29.
(Develop-
mental
Roads
Fund.)

(e) by omitting subsection (2A) of section twenty-nine and by inserting in lieu thereof the following subsection:—

(2A) That part of the Developmental Roads Fund which consists of moneys paid to the State by the Commonwealth of Australia under subsection two of section seven of the Commonwealth Aid Roads Act 1950 of the Parliament of the Commonwealth shall be expended in relation to developmental roads in rural areas on the construction, reconstruction, maintenance and repair thereof or on the purchase of road-making plant for use in connection therewith, or in making payments to local authorities for the construction, reconstruction, maintenance and repair of such roads or for the purchase of road-making plant for use in connection with such roads.

Sec. 42.
(Engineer-
ing and
clerical
charges.)

(f) by inserting at the end of section forty-two the following new subsection:—

(3) In the case of any work, in respect of which a notification that the work has been done to the satisfaction of the Commissioner is given after the thirty-first day of December, one thousand nine hundred and fifty-one, and in respect of which the working plans and specifications in accordance with the standards approved by the Commissioner have been prepared by a council, the amount allowed as commission under this section shall be an amount equivalent to two pounds ten shillings per centum of the cost of the works.

(2)

(2) (a) The amendments made by subparagraph **No. 61, 1951.**
(i) of paragraph (a) and subparagraph (i) of paragraph
(c) of subsection one of this section shall be deemed to
commence upon the date of commencement of the Motor
Vehicles (Taxation) Act, 1951.

(b) The amendments made by subparagraphs
(ii) and (iii) of paragraph (a), paragraph (b),
subparagraphs (ii) and (iii) of paragraph (c) and
paragraphs (d) and (e) of subsection one of this section
shall be deemed to have commenced on the first day of
July, one thousand nine hundred and fifty.
