

TRANSPORT (AMENDMENT) ACT.

Act No. 65, 1961.

An Act to make further provisions in respect of the purchasing, holding, granting, demising, disposing of or otherwise dealing with the real and personal property of The Commissioner for Government Transport and The Commissioner for Motor Transport; to amend the Transport Act, 1930, as amended by subsequent Acts; to validate certain matters; and for purposes connected therewith. [Assented to, 11th December, 1961.]

Elizabeth II,
No. 65, 1961

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:—

1. (1) This Act may be cited as the "Transport (Amendment) Act, 1961".

Short title and citation.

(2) The Transport Act, 1930, as amended by subsequent Acts and by this Act, may be cited as the Transport Act, 1930-1961.

(3) The Government Railways and Transport (Amendment) Act, 1961, is amended by omitting subsection three of section one.

Amendment of Act No. 19, 1961.
Sec. 1.
(Consequential.)

2. (1) The Transport Act, 1930, as amended by subsequent Acts, is amended—

Amendment of Act No. 18, 1930.

(a) by omitting section sixteen and by inserting in lieu thereof the following section:—

Subst. sec. 16.

16. (1) Each of the bodies corporate named The Commissioner for Government Transport and The Commissioner for Motor Transport shall have perpetual succession and a common seal and may sue and be sued in its corporate name and shall for the purposes of the exercise and performance by it of its powers, authorities, duties and functions be capable of purchasing, holding, granting, demising, disposing

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disposing of or otherwise dealing with real and personal property and of doing and suffering all such other acts and things as a body corporate may by law do and suffer.

(2) No grant, demise, disposal of or other dealing with real property under this section shall be made by The Commissioner for Government Transport or The Commissioner for Motor Transport except with the approval of the Governor and subject to such terms and conditions as the Governor may attach to his approval.

Nothing in this subsection shall apply to any lease made under and in pursuance of the provisions of subsection one of section sixty-one of this Act.

(3) The powers conferred by subsection one of this section shall, in relation to land, extend to any land or any strata or part of any land whether divided horizontally, vertically or otherwise, or any estate, interest or right of any kind therein, and shall authorise the reserving of or otherwise assuring any estate, interest, powers, easements, rights or privileges required or likely to be required for the purposes of the exercise and performance of the powers, authorities, duties and functions of The Commissioner for Government Transport or The Commissioner for Motor Transport, as the case may be.

(4) When approved by the Governor any grant, demise, disposal of or other dealing with real property by The Commissioner for Government Transport or The Commissioner for Motor Transport shall be deemed to have been for the purposes of the exercise and performance of the powers, authorities, duties and functions of The Commissioner for Government Transport or The Commissioner for Motor Transport, as the case may be.

(5) The provisions of this section shall apply, mutatis mutandis, to and in respect of a transport trust constituted and incorporated under this Act.

(b) by omitting subsection two of section sixty-one.

(2)

(2) Any grant, demise, disposal of or other dealing No. 65 1961 with real property by The Commissioner for Government Transport or The Commissioner for Motor Transport or any predecessors of either of them before the commencement of this Act purporting to have been made in the exercise and performance of its or their powers, authorities, duties and functions is hereby validated.