

DRAINAGE (AMENDMENT) ACT.

Act No. 41, 1940.

George VI.
No. 41, 1940. An Act to amend the Drainage Act, 1939, and certain other Acts in certain respects; and for purposes connected therewith. [Assented to, 5th December, 1940.]

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 cita-
tion.

1. (1) This Act may be cited as the "Drainage (Amendment) Act, 1940."

(2) The Drainage Act, 1939, as amended by this Act, may be cited as the "Drainage Act, 1939-1940."

2.

Drainage (Amendment) Act.

415

2. (1) The Drainage Act, 1939, is amended—

No. 41, 1940.

- (a) (i) by omitting from subsection six of section seven the words “such amounts” and by inserting in lieu thereof the words “amounts due to the Colonial Treasurer immediately before the commencement of this Act”;

Amendment
of Act No.
29, 1939.
Sec. 7.
(Existing
trusts.)

- (ii) by inserting at the end of the same subsection the following new paragraphs:—

(b) In any case where all amounts due to the Colonial Treasurer by a trust were repaid before the commencement of this Act, the trust shall, as from such commencement, be deemed to be a union constituted under this Act.

(c) Nothing contained in this subsection shall prejudice or affect in any way the continuity of a body corporate constituted by this Act but any such body corporate shall continue notwithstanding the provisions of this subsection.

- (iii) by omitting from subsection seven of the same section the word “trustees” and by inserting in lieu thereof the word “directors”;

- (b) by inserting in paragraph (c) of section twenty-five after the words “operation of” the words “section seven or.”

Sec. 25.
(Appointed
days for
elections.)

(2) This section shall be deemed to have commenced on the first day of December, one thousand nine hundred and thirty-nine.

3. The Drainage Act, 1939, is further amended—

Further
amendment
of Act No. 29,
1939.

- (a) by omitting from section nineteen the word “Minister” wherever occurring and by inserting in lieu thereof the word “secretary”;

Sec. 19.
(Oath and
declaration
of office.)

- (b) by inserting at the end of subsection three of section fifty-six the following words “or is for the purpose of paying an amount due to the Colonial Treasurer”;

Sec. 56.
(Governor's
consent to
icans.)

(c)

No. 41, 1940.

Sec. 58.

(Extinction
of debt to
Crown.)

(c) (i) by inserting next after subsection one of section fifty-eight the following new subsection:—

(1A) A public inquiry shall not be held under subsection one of this section unless an application for the review of the indebtedness of the trust concerned is lodged with the Minister on or before the thirty-first day of March one thousand nine hundred and forty-one.

(ii) by inserting at the end of subsection two of the same section the following words:—

Nothing contained in this subsection shall prejudice or affect the continuity of a body corporate constituted by this Act but any such body corporate shall continue notwithstanding the provisions of this subsection.

(iii) by omitting from subsection three of the same section the words "thirtieth day of June one thousand nine hundred and forty" and by inserting in lieu thereof the words "thirty-first day of December, one thousand nine hundred and forty-one";

Sec. 78.

(Accounts.)

(d) by inserting in subsection two of section seventy-three after the word "statement" where firstly occurring the words "of the receipts and payments or alternatively."

