

**WOOD DISTILLATION AND
CHARCOAL IRON AND STEEL
INDUSTRY.**

No. 9 of 1966.

**AN ACT to amend the Wood Distillation and
Charcoal Iron and Steel Industry Act, 1943.**

[Assented to 5th October, 1966.]

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and the Legislative Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

Short title.

1. (1) This Act may be cited as the *Wood Distillation and Charcoal Iron and Steel Industry Act Amendment Act, 1966.*

(2) In this Act the Wood Distillation and Charcoal Iron and Steel Industry Act, 1943, is referred to as the principal Act.

(3) The principal Act as amended by this Act may be cited as the Wood Distillation and Charcoal Iron and Steel Industry Act, 1943-1966.

2. This Act shall come into operation on a date to be fixed by proclamation. Commencement.

3. The long title to the principal Act is amended by adding after the word, "undertakings" being the last word in the long title, the passage, "and to provide for the management thereof in accordance with a certain Agreement made between the State and A.N.I. Australia Pty. Limited and for incidental and other purposes". Long title amended.

4. Section two of the principal Act is amended— S. 2 amended.

(a) by adding after the section number, "2." the subsection designation, "(1)"; and

(b) by adding subsections as follows—

(2) This Act shall be read and construed subject to and so as to give effect to the provisions of the Agreement.

(3) Where there is inconsistency between the provisions of the Agreement and the provisions of this Act, the former provisions prevail. .

5. Section three of the principal Act is amended— S. 3 amended.

(a) by deleting the words, "and Steel" in line one of the interpretation, "Board"; and

(b) by adding after the interpretation, "Minister" interpretations as follows—

"the Agreement" has the same meaning as that expression has in the Wundowie Works Management and Foundry Agreement Act, 1966;

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“the Company” means the A.N.I. Australia Pty. Limited and includes the successor and permitted assigns of the Company under the Agreement; .

S. 5
amended.

6. Subsection (1) of section five of the principal Act is amended by adding after the word, “steel”—

- (a) being the last word in paragraph (a), the words, “and any related products required by the Company in manufacturing products in the foundry to be established and operated by it under the Agreement”; and
- (b) in line four and in the last line of paragraph (b), the words, “and other related products”.

S. 11
amended.

7. Section eleven of the principal Act is amended—

(a) by repealing subsection (2) and re-enacting it as follows—

(2) On the date of the coming into operation of the Wood Distillation and Charcoal Iron and Steel Industry Act Amendment Act, 1966—

- (a) the Board shall be called the “Wundowie Charcoal Iron Industry Board of Management”;
- (b) the members of the Board shall cease to hold office;
- (c) the Board shall be reconstituted and on and from that date shall consist of three members of whom—

- (i) one shall be appointed by the Governor on the written nomination of the Minister; and

- (ii) two shall be so appointed on the written nomination of the Company. ;
- (b) by repealing subsection (4) and re-enacting it as follows—
- (4) One of the members of the Board appointed on the nomination of the Company, shall be appointed by the Company to be the Chairman of the Board. ;
- (c) by substituting for the passage, “, the Governor may appoint another person, who is recommended by the Minister,” in lines two and three of subsection (5), the passage, “nominated by the Company, the Governor may appoint another person so nominated and in the case of illness, inability or absence of the member of the Board nominated by the Minister, the Governor may appoint another person so nominated, as the case requires,”;
- (d) by adding a subsection as follows—
- (8) (a) The Board may, subject to the Agreement, in relation to a matter or class of matters by writing under its seal, delegate any of its powers under this Act to the Company.
- (b) A power so delegated may be exercised by the Company in accordance with the instrument of delegation.
- (c) A delegation under this subsection is revocable at will and does not prevent the exercise of a power by the Board. ; and
- (e) by adding a subsection as follows—
- (9) When the Company ceases to have the management of the works, plant and undertakings pursuant to Part II of the Agreement—
- (a) the Board shall continue to consist of three members

On cessation of management of Company Board to be reconstituted and construction of Act.

- appointed by the Governor on the nomination of the Minister;
- (b) the two members of the Board appointed under subparagraph (ii) of paragraph (c) of subsection (2) of this section shall cease to hold office as members of the Board and the Governor shall appoint to be members of the Board in their place two persons nominated by the Minister; and
- (c) this Act shall have effect according to its provisions as those provisions existed immediately prior to the coming into operation of the Wood Distillation and Charcoal Iron and Steel Industry Act Amendment Act, 1966, but as amended by paragraphs (a) and (b) of section five and paragraphs (a) and (e) of section seven of that Act. .

S. 18
amended.

8. Section eighteen of the principal Act is amended—

- (a) by substituting for the words, “and to the provisions of this Act the Board” in lines one and two of subsection (1), the passage, “, this Act, the Agreement and the Board, the Company”;
- (b) by substituting for the words, “the Board” in line two of subsection (2), the words, “the Company”;
- (c) by adding after the word, “Act” in line four of subsection (2), the words, “and the Agreement”;
- (d) by adding after paragraph (c) of subsection (2) a paragraph as follows—
- (ca) the borrowing of money for the purposes of the works, plant and undertakings established under this

Act and of the business carried on therein and in particular for the building of dwelling houses at Wundowie; ; and

- (e) by substituting for the words, "one thousand pounds shall be incurred by the Board" in lines two and three of subsection (3), the words, "forty thousand dollars shall be incurred by the Company".

9. The principal Act is amended by adding a section as follows— S. 18A added.

18A. (1) The power conferred by paragraph (ca) of subsection (2) of section eighteen of this Act shall not be exercised except with the prior approval of the Treasurer and any money borrowed pursuant to that paragraph shall be borrowed upon such terms and conditions as the Treasurer approves. Power to borrow money subject to approval of Treasurer and terms and conditions approved by Treasurer.

(2) The Treasurer may on behalf of the Crown in right of the State guarantee the repayment of the amount of any moneys borrowed pursuant to paragraph (ca) of subsection (2) of section eighteen of this Act and the amount of any interest payable in respect of those moneys. . Power of Treasurer to guarantee repayment of moneys borrowed and interest thereon.
