

GOVERNMENT RAILWAYS.

No. 54 of 1965.

**AN ACT to amend the Government Railways Act,
1904-1963.**

[Assented to 9th November, 1965.]

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:—

1. (1) This Act may be cited as the *Government Railways Act Amendment Act, 1965.*

Short title
and citation.

(2) In this Act the Government Railways Act, 1904-1963, is referred to as the principal Act.

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approved
for reprint
17th May,
1963, and
amended by
Act No. 27
of 1963.

(3) The principal Act as amended by this Act may be cited as the Government Railways Act, 1904-1965.

S. 4
amended.

2. Section four of the principal Act is amended by adding after subsection (2) the following subsections—

(3) All the property of The Midland Railway Company of Western Australia Limited that was transferred and assigned to the Minister on the first day of August, nineteen hundred and sixty-four, by the Company acting by its liquidator, shall be vested in the Minister on behalf of Her Majesty.

(4) Subject to subsection (5) of this section, the Minister may, in addition to any other powers conferred on him by this Act, sell, dispose of or otherwise deal with, on such terms and conditions as he thinks fit, any of the property referred to in subsection (3) of this section which is no longer required for the purpose of a Government railway.

(5) On the—

(a) payment to the Minister on behalf of the Commission, of such amount of money (if any) as is agreed upon by the Minister and the Minister to whom the administration of the Mining Act, 1904, is for the time being committed by the Governor; and

(b) lodging by the Minister with the—

(i) Registrar of Titles, if the land on or below which the minerals are contained, is under the Transfer of Land Act, 1893; or

(ii) Registrar of Deeds, if such land is not under that Act,

of a memorandum certifying that the payment has been made, or is not required, as the case may be,

all the right, title, estate and interest in and to all the minerals on or below the surface of all the land in the State granted or alienated at any time to The Midland Railway Company of Western Australia Limited, shall by force of this subsection cease to be vested in the Minister and without the necessity of any transfer or conveyance in respect thereof shall become the property of the Crown, subject to any estates, interests or rights (if any) duly granted by that Company in respect thereof, and subject to such estates, interests or rights, for the purposes of Part VII of the Mining Act, 1904, the land shall be deemed not to have been alienated in fee simple from the Crown before the first day of January, eighteen hundred and ninety-nine. .