

**WUNDOWIE CHARCOAL IRON
AND STEEL INDUSTRY
AGREEMENT.**

No. 100 of 1965.

AN ACT to authorise the execution of an Agreement in relation to the Charcoal Iron and Steel Industry at Wundowie and for incidental and other purposes.

[Assented to 17th December, 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. This Act may be cited as the *Wundowie Charcoal Iron and Steel Industry Agreement Act, 1965.* Short title.

Interpre-
tation.

2. In this Act, unless the contrary intention appears,—

“public authority” means any Minister of the Crown acting in his official capacity as Minister, Department of the Public Service of the State, State trading concern, State instrumentality or agency of the Crown in right of the State;

Act No. 20
of 1943.

“Steel Act” means the Wood, Distillation and Charcoal Iron and Steel Industry Act, 1943;

“the Agreement” means the Agreement executed under the authority of this Act, and, if the Agreement is varied at any time as authorised thereby, includes the Agreement as so varied;

“works, plant and undertakings” has the same meaning as in section three of the Steel Act;

“Wundowie works” means the works, plant and undertakings or any part thereof established, maintained and carried on under the authority of the Steel Act and the business so carried on in or about those works, plant and undertakings for the purposes therein mentioned and all real and personal property held under the authority of the Steel Act.

Power of
Premier and
Treasurer
to execute
Agreement.

3. (1) The execution by the Premier and Treasurer of the State, on behalf of the State and any public authority, of an Agreement for all or any of the following purposes, namely—

(a) the sale and purchase of the Wundowie works;

(b) the formation and registration of a company or companies limited by shares under the Companies Act, 1961, for the purpose of acquiring the Wundowie works or of such a company to operate, control and manage or lease or otherwise deal with the Wundowie works or for the purpose of

doing all or any of those things, and for the sale and allotment of shares in the company or companies to the Minister acting for and on behalf of the Crown in right of the State, which the Minister is hereby authorised to subscribe and pay for, acquire and hold, to any public authority or person whatsoever;

- (c) the leasing of the Wundowie works;
- (d) the sale and purchase or leasing of any portion of the land referred to in section six of the Steel Act, to any person for the purpose of that person or his nominee constructing upon the portion, a foundry, plant or other works of whatsoever kind, for treating, processing, manufacturing or in any way dealing, whether on his own behalf or in association or partnership with the Board constituted under the Steel Act—
 - (i) with the products of the Wundowie works that are sold to that person by that Board;
 - (ii) with the products of the Wundowie works agreed to be treated, manufactured or dealt with by him on behalf of that Board; or
 - (iii) with any material of that person,

on such terms and conditions as are specified in the Agreement, is hereby authorised.

(2) Subject to subsection (3) of this section the Agreement so executed before the date of the expiration of this Act shall be deemed to have been approved by Parliament, and shall subject to the provisions of the Agreement be carried out and given effect, according to those provisions, and notwithstanding that that date has, or has not, passed.

(3) Where the agreement is for the sale and purchase of the Wundowie works pursuant to paragraph (a) of subsection (1) of this section the Agreement shall be subject to the approval of Parliament.

"Person" includes body corporate. S. 4, Act No. 30 of 1918.

Vide s. 16 Act No. 30 of 1918.

Powers of public authorities.

4. Any public authority—

(a) shall do all such things as the Agreement provides that it will do; and

(b) is authorised to perform the functions that are under the Agreement to be performed by that public authority.

Agreement to prevail.

5. Where there is inconsistency between the provisions of the Agreement and the provisions of the Steel Act, the former provisions prevail.

Purchaser, lessor, etc., of Wundowie works to be successors and assignees of Board.

6. For the purposes of clause 12 of the Agreement set out in the Schedule to the Broken Hill Proprietary Company's Integrated Steel Works Agreement Act, 1960 or any other Act or agreement that confers on the Board of Management constituted under the Steel Act the right to remove ore, the purchaser or lessee of the Wundowie works or other person nominated as such in the Agreement shall be the successor or assignee of that Board.

Powers of Treasurer.

7. The Treasurer may give such directions and do all such other acts and things as he may consider necessary or expedient for the purpose of carrying out or giving effect to the Agreement on the part of the State.

Appropriation

8. There shall be payable out of the Consolidated Revenue Fund, which is hereby appropriated accordingly, such sums as are necessary for the purpose of meeting the liabilities of the State arising under or out of the Agreement.

Duration of Act.

9. This Act shall continue in operation until the thirtieth day of June, nineteen hundred and sixty-six and no longer.