

**MAIN ROADS (FUNDS
APPROPRIATION).**

4° Elizabeth II., No. XXXVIII.

No. 38 of 1955.

AN ACT to authorise the Payment of Certain Moneys to the Consolidated Revenue Fund instead of to the Main Roads Contribution Trust Account and the Payment of Certain Moneys to the Main Roads Contribution Trust Account from the Main Roads Trust Account.

[Assented to 5th December, 1955.]

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. This Act may be cited as the *Main Roads Act (Funds Appropriation) Act, 1955.*

2. This Act shall be read in conjunction with the Main Roads Act, 1930-1939 (No. 5 of 1930, reprinted as amended by Acts Nos. 2 of 1932, 3 and 4 of 1937, 29 of 1938 and 48 of 1939, pursuant to the Amendments Incorporation Act, 1938, in The Reprinted Acts of the Parliament of Western Australia, Volume 2, 1943), and as further amended by Acts Nos. 10 of 1951, 34 of 1952, and 3 of 1954.

Act to be read in conjunction with Main Roads Act, 1930-1939.

3. This Act shall operate and take effect and shall be deemed to have operated and to have had effect on and from the first day of July, one thousand nine hundred and fifty-four.

Retrospective operation.
Cf. Commonwealth Act No. 57 of 1954, s. 9.

4. In this Act, unless the context otherwise requires—

Interpretation.

“Commonwealth Act” means the Commonwealth Aid Roads Act, 1950 (No. 57 of 1954 of the Commonwealth);

“Main Roads Contribution Trust Account” means the Main Roads Contribution Trust Account established under section thirty-four of the principal Act;

“Main Roads Trust Account” means the Main Roads Trust Account established under section thirty-one of the principal Act;

“prescribed years” means each year during the period of five years commencing on the first day of July, one thousand nine hundred and fifty-four;

Cf. Commonwealth Act No. 57 of 1954, s. 9.

“principal Act” means the Main Roads Act, 1930-1954.

5. (1) Subject to the provisions of subsection (2) of this section and notwithstanding anything to the contrary contained in section thirty-four or in any other provision of the principal Act, the Treasurer is hereby authorised to pay and shall pay into the Consolidated Revenue Fund instead of into the Main

Payment to Consolidated Revenue Fund.

Roads Contribution Trust Account for and in respect of each and every one of the prescribed years, the moneys which for and in respect of the prescribed years respectively he is required under and in accordance with subsection (2) of section thirty-four of the principal Act to appropriate and, but for this section, to pay into the Main Roads Contribution Trust Account.

(2) Where the amount of those moneys exceeds the sum of seventy thousand pounds in respect of any of those years, the Treasurer shall, pursuant to the authority conferred by subsection (1) of this section, pay into the Consolidated Revenue Fund in respect of that year, that sum of seventy thousand pounds only, and shall pay the excess into the Main Roads Contribution Trust Account.

Payment to
Main Roads
Contribution
Trust
Account.

6. Notwithstanding anything to the contrary contained in section thirty-two or in any other provision of the principal Act, as and when the Treasurer pays into the Consolidated Revenue Fund the moneys which he is authorised and required so to pay under section five of this Act, the Treasurer is hereby authorised to pay and without any warrant of the Commissioner of Main Roads shall pay into the Main Roads Contribution Trust Account for the purposes of section thirty-four of the principal Act moneys of an amount equal to the amount of the moneys so paid into the Consolidated Revenue Fund out of that portion of the moneys in the Main Roads Trust Account which consists of moneys received from the Commonwealth of Australia under and in accordance with the provisions of the Commonwealth Act.

Duration of
Act.

7. This Act shall continue in operation for such period as is necessary to enable the payments authorised in sections five and six of this Act to be made in accordance with the authority conferred by those sections, but shall not in any event continue in operation after the thirty-first day of December, one thousand nine hundred and fifty-nine.