

1950.] *Roads Agreements between the* [No. 15.  
*State Housing Commission*  
*and Local Authorities.*

**ROADS AGREEMENTS BETWEEN THE  
STATE HOUSING COMMISSION AND  
LOCAL AUTHORITIES.**

14° Geo. VI., No. XV.

---

No. 15 of 1950.

**AN ACT to repeal Part XA of the State Housing Act, 1946-1948; Part XXIVA of the Municipal Corporations Act, 1906-1947; Part VIIA of the Road Districts Act, 1919-1948, and to re-enact the provisions of those Parts with amendments as a separate Act.**

[Assented to 17th November, 1950.]

**BE** it enacted by the King'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 *Roads Agreements between the State Housing Commission and Local Authorities Act, 1950.* Short title.

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

3. The Acts to the extent mentioned in the Schedule to this Act are repealed. Repeal.

Interpreta-  
tion.

4. In this Act unless the context requires otherwise—

“advance” means an advance of money by the Commission to a local authority under an agreement;

“agreement” means an agreement which relates to the provision of roads for an area, which is made between the Commission and a local authority, and to which the provisions of this Act apply;

“area” means any area of the land dedicated or leased to or purchased or acquired by the Commission for the purposes of the State Housing Act;

“Commission” means The State Housing Commission constituted under the State Housing Act;

“local authority” includes a municipal council within the meaning and for the purposes of the Municipal Corporations Act, a road board within the meaning and for the purposes of the Road Districts Act, and a local authority within the meaning and for the purposes of the Health Act, 1911-1948;

“Local Government Act” means the Act pursuant to the provisions of which the local authority is constituted;

“Municipal Corporations Act” means the Municipal Corporations Act, 1906-1947, and Acts passed in amendment or substitution for that Act;

“Road Districts Act” means the Road Districts Act, 1919-1948, and Acts passed in amendment or substitution for that Act;

“State Housing Act” means the State Housing Act, 1946-1948, and Acts passed in amendment or substitution for that Act;

“supplementary agreement” means a supplementary agreement by which the provisions of an agreement are extended, modified or otherwise varied pursuant to the provisions of this Act.

1950.] *Roads Agreements between the* [No. 15.  
*State Housing Commission*  
*and Local Authorities.*

5. The provisions of sections four hundred and forty-eight, four hundred and forty-nine, four hundred and fifty, four hundred and fifty-one and four hundred and fifty-four of the Municipal Corporations Act and the provisions of sections two hundred and ninety-seven, two hundred and ninety-eight, two hundred and ninety-nine and three hundred of the Road Districts Act do not apply to agreements.

Loan provisions of local government Acts do not apply to agreements.

6. (1) Subject to the provisions of this section the Commission and a local authority may from time to time—

Power to enter into agreements and supplementary agreements.

(a) enter into agreements;

(b) having entered into an agreement, by supplementary agreement extend, modify or otherwise vary the provisions of the agreement.

(2) A local authority shall not enter into an agreement or a supplementary agreement without first being authorised in writing to do so by the Minister to whom is committed the administration of the Local Government Act pursuant to the provisions of which the local authority is constituted.

(3) The Commission shall not charge a local authority more for money advanced than the cost of the money to the Commission.

(4) All agreements or supplementary agreements entered into under the provisions of this section shall be made an annual report and laid upon the table of the House.

7. (1) The provisions of this Act apply in respect of agreements made since the thirty-first day of July one thousand nine hundred and forty-seven and agreements made since that date and anything done in fulfilment thereof is ratified and confirmed.

Retroactive operation.

(2) The provisions of the last preceding subsection do not prejudice or affect the application of this Act to agreements generally whenever made.

No. 15.] *Roads Agreements between the* [1950.  
*State Housing Commission*  
*and Local Authorities.*

*SCHEDULE.*

s. 3.

Act.	Extent of Repeal.
State Housing Act.	Delete from section three the words— “Part XA, ss. 70A to 70D— Agreements between the Commission and local authorities for provision of roads.” Delete the whole of Part XA.
Municipal Corporations Act.	Delete from section two the words— “Part XXIVA, ss. 473A-473F.—Agreements between councils and the State Housing Commission for the provision of roads.” Delete the whole of Part XXIVA.
Road Districts Act.	Delete from section two the words— “Part VIIA.—Agreements between boards and the State Housing Commission for the provision of roads. (Sections 319A to 319F).” Delete the whole of Part VIIA.