

1932.]

*Rockingham Road District (Loan
Rate Exemption.)*

[No. 31.]

ROCKINGHAM ROAD DISTRICT (LOAN RATE EXEMPTION).

23° GEO. V., No. XXXI.

No. 31 of 1932.

AN ACT to exempt certain lands within the Rockingham Road District from assessment of annual loan rates in respect of certain loans raised by the Rockingham Road Board.

[Assented to 30th December, 1932.]

WHEREAS the Rockingham Road Board, in accordance with the provisions of the Road Districts Act, 1919, in the year one thousand nine hundred and twenty-nine borrowed the sum of three thousand pounds, and in the year one thousand nine hundred and thirty borrowed the sum of four thousand pounds for the purposes of the construction of certain roads within the Rockingham Road District: And whereas the said Road Board, in compliance with the provisions of the said Act, has already made and levied and must continue to make and levy annual loan rates in respect of and for the purposes of repayment of the said loans with interest thereon respectively upon the rateable lands situated within the said road district: And whereas certain rateable lands within the said road district have not and will not derive any benefit at all from the roads constructed with the moneys raised by means of the said loans: And it is therefore deemed just and expedient that the said rateable lands shall be exempt from assessment of the annual loan rates aforesaid: Be it therefore enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and 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 *Rockingham Road District (Loan Rate Exemption) Act, 1932.* Short title

Operation.

2. This Act shall have effect as from the first day of July, one thousand nine hundred and twenty-nine.

Exemption from
loan rates.

3. (1.) All rateable land situated within the Rockingham Road District and more particularly described, defined, and delineated in the First Schedule to this Act shall, as from the first day of July, one thousand nine hundred and twenty-nine, be deemed to have been exempt, and shall continue and remain exempt from liability for assessment of each and every annual loan rate made and levied or to be made and levied under the provisions of the Road Districts Act, 1919, by the Rockingham Road Board in respect of the loans mentioned in the Second Schedule to this Act.

(2.) After the commencement of this Act no annual loan rate in respect of either of the said loans shall be assessed, levied, or enforced against any of the said rateable lands.

Provision as to loan
rate already paid or
assessed.

4. (1.) In so far as any loan rate aforesaid shall have been assessed against any of the said rateable lands prior to the commencement of this Act and has not been paid, the Rockingham Road Board shall cause to be made in its books an entry that the amount of such loan rate has been written off in accordance with the provisions of this Act.

(2.) In so far as any annual loan rate aforesaid shall, prior to the commencement of this Act, have been assessed and levied against any of the said rateable lands and shall have been paid by or recovered from the owner of such land, the following provisions shall apply:—

- (a) Where the person who paid or from whom the amount of such loan rate was recovered is still the owner of the rateable land, the road board may—
 - (i) repay to such person, on application being made by him in writing to the board, the amount of the loan rate so paid or recovered; or
 - (ii) credit such person with the amount of the loan rate so paid or recovered on account of the amount of any rates (other than annual loan rate) lawfully made and levied and assessed against the same or any other rateable lands of such person by the said road board and which are due and payable to the board by such person as the owner of such lands.

- (b) Where the person who paid or from whom the amount of such loan rate was recovered has ceased to be the owner of the rateable land, and is not the owner of any other rateable land in the said road district, the road board shall, on application in writing to the board by such person or his legal representative, and subject to any counterclaim or set off by the board, refund to the applicant the amount of the loan rate so paid or recovered as aforesaid.

5. Nothing in this Act shall be deemed to make the said rateable lands non-rateable lands within the meaning of the Road Districts Act, 1919, save and except to the extent provided in this Act. Saving provision.

FIRST SCHEDULE.

All that portion of the Rockingham Road District bounded by lines commencing on the district boundaries at their junction with the production north of the east boundary of Cockburn Sound Location 650, and extending east and southward along part of said district boundaries to the south-western corner of Peel Estate Lot 1090; thence west to and along the south boundaries of lots 1085, 867, 869, 870, and 900 and part of the south boundary of lot 901 to the eastern side of road No. 6104 (Mandurah Road); thence northward along said side of road No 6104, to the north-western corner of lot 283; thence north to the northern side of the Rockingham Jarrah Timber Company's railway and eastward along said side of the railway to the south-west corner of lot 608; thence north along said production and west boundary, part of the east boundary of Cockburn Sound location 350

and the east boundaries of reserve 1485 and locations 635, 467, and 650 and their production north to the starting point, exclusive of the townships of Balmanup, Wellard, and Kamup, and that part of Millar's Railway within the east ward of the said district, and also exclusive of the following lots:—

Location.	Lot.	Title. Vol. Fol.	Plan.
	769	...	4921
	758		
	100	834/116	3950
	618	778/135	3475
	604	614/86	3475
	582	760/7	3475
	583	760/7	3475
	584	760/7	3475
	1	840/66	3950
	2	840/66	3950
	610	777/156	3475
	652	1024/766	4746
	605	614/86	3475
	739		
	776	642/35	3893
	777		
	Pt. 616	781/52	3475
	613	777/154	3475
	569	777/118	3475
	570		
	571		
	572		
	573	777/118	3475
	574		
Part of Cockburn Sound loc 16	575		
	576		
	577	777/158	3475
	733	684/133	3893
	603	477/133	3475
	578	777/132	3475
	581	779/125	3475
	585	816/119	3475
	732	809/2	3893
	606	820/112	3475
	608	614/86	3475
	609	709/188	3475
	595	825/21	3475
	579	812/59	3475
	580	812/59	3475
	3	...	3950
	615	777/157	3475
	611	757/127	3475
	612	616/127	3475
	607	780/125	3475
	619	780/126	3475
	682	777/155	3475
Pt. 16	...	Memorial Book 1, Vol. 438.	
		Memorial Book 2, Vol. 451.	

SECOND SCHEDULE.

Firstly, the loan of three thousand pounds borrowed by the Rockingham Road Board from the Commonwealth Bank of Australia in the year One thousand nine hundred and twenty-nine in pursuance of the proposal by the said Board to raise such loan published in the *Government Gazette* on the fifth day of October, One thousand nine hundred and twenty-nine, and in the books of the said Board called Loan No. 1.

Secondly, the loan of four thousand pounds borrowed by the Rockingham Road Board from the Commonwealth Bank of Australia in the year One thousand nine hundred and thirty in pursuance of the proposal by the said Board to raise such loan published in the *Government Gazette* on the twenty-first day of March, One thousand nine hundred and thirty and in the books of the said Board called Loan No. 2.