

## STATE TRADING CONCERNS (No. 2).

23<sup>d</sup> GEO. V., No. V.

No 5 of 1932.

**AN ACT** to provide for the discontinuance of the State Ferries as a State Trading Concern and for other relative purposes.

[Assented to 31st October, 1932.]

**B**E it 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 :—

Short title.

1. This Act may be cited as the *State Trading Concerns Act Amendment Act* (No. 2), 1932, and shall be read as one with the *State Trading Concerns Act, 1916* (No. 12 of 1917), hereinafter referred to as the principal Act.

Operation.

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

Amendment of schedule.

3. The schedule to the principal Act is amended by deleting therefrom the name of the State Ferries (hereinafter referred to as "the said Ferries"), and also all the words and figures relating to the said Ferries set forth in the said schedule.

Trading concern abolished.

4. (1) The State trading concern hitherto known as the State Ferries is hereby abolished, and the corporate body heretofore constituted under that name is dissolved.

(2) On and from the commencement of this Act, and by virtue of this Act—

(a) all the assets and rights of the said Ferries shall be divested from the said Ferries, and shall be vested in the Minister for Railways on behalf of His Majesty the King, and all the liabilities and obligations of the said Ferries shall attach to and may be enforced against the Commissioner of

Railways for the time being appointed under the provisions of the Government Railways Act, 1904, as the representative of His Majesty the King ;

- (b) all proceedings and things lawfully had and done by the said Ferries prior to the commencement of this Act shall be and continue to be in full force and effect, and if the same are not completed may be continued and completed by the Commissioner of Railways aforesaid under this Act ;
- (c) where in any contract or other instrument entered into by or with the said Ferries as a State trading concern under the authority of the principal Act, and still subsisting, reference is made to the said Ferries, then for any purpose arising in connection with such contract or other instrument after the commencement of this Act, such reference shall be deemed to be a reference to the Commissioner of Railways aforesaid.

5. As soon as reasonably may be proper statements shall be prepared showing the capital, assets, liabilities, and obligations of the said Ferries as at the commencement of this Act.

Statements to be prepared.

6. The capital and assets of the said Ferries, which by virtue of this Act are vested in the Minister for Railways, are hereby charged in the hands of the said Minister with the payment and satisfaction of the liabilities and obligations of the said Ferries, which by virtue of this Act are attached to and enforceable against the said Commissioner of Railways, but subject to such charge the said capital and assets may be applied and used in and for the purposes of providing traffic facilities on water under the control and management of the said Commissioner of Railways as authorised by any Act now in force or which may hereafter be passed relating to the provision, control, and management of such traffic facilities.

Application of capital and assets vested in the Minister.

7 Insofar as the capital and assets of the said Ferries are insufficient or cannot conveniently be used or realised for the purpose of paying and satisfying the liabilities and obligations of the said Ferries, or may be required for providing traffic facilities as aforesaid, such liabilities and obligations may be paid and satisfied by such other means as the Governor shall by Order in Council direct.

Provision for payment of liabilities in excess of capital and assets.