

WESTERN AUSTRALIA.



ANNO QUINTO

GEORGII QUINTI REGIS,

XI.

No. 11 of 1914.

AN ACT to authorise the Purchase by the Government of Western Australia of the Osborne Park Tramways, and for other purposes.

[Assented to 8th September, 1914.]

BE 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:—

1. This Act may be cited as the *Osborne Park Tramways Purchase Act, 1914*. Short title.

2. It shall be lawful for the Colonial Treasurer, on behalf of the Government of Western Australia, to purchase, as from the fifth day of March now last past, from the Town Properties of West Australia (1905), Limited (hereinafter referred to as "the said Company"), at the price of Four thousand two hundred and fifty pounds, the tramways constructed by the said company under the authority of the North Perth and Perth Road District Tramways Act, 1902 (hereinafter referred to as "the said Act"). Authority to purchase Tramways.

Tramways to vest in His Majesty on completion of purchase.

3. On the completion of the purchase, the tram ways constructed under the authority of the said Act shall vest in and become the property of His Majesty the King, free from all encumbrances.

Repeal of Act and termination of Agreements.

4. As from a notification in the *Government Gazette* of the fact of the completion of the purchase the said Act shall be repealed, and all the rights, interests, and powers of all local authorities under and conferred by the said Act and the provisional order thereby confirmed and the contract and agreement therein referred to shall, notwithstanding anything contained in the Tramways Act, 1885, to the contrary, be extinguished.

Privileges conceded to local authorities.

5. (1.) As from the completion of the purchase until the year 1939, and thereafter until the Parliament shall otherwise determine, the Colonial Treasurer shall pay half-yearly to the credit of a trust fund to be kept at the Treasury three pounds per centum of the gross earnings derived from the working of the said tramways, and such percentage shall be paid to the local authorities as hereinafter provided.

(2.) The percentage referred to in subsection one shall be apportioned by agreement between and be paid half-yearly to the several local authorities of the districts in which the tramways are constructed, that is to say, the Municipality of North Perth and the Perth Road Board.

(3.) If any difference shall arise—

(a) between the said local authorities as to the apportionment of the percentage, or

(b) between the Colonial Treasurer and the said local authorities as to the appropriation of the gross earnings of the said tramways in the event of such earnings being derived partly from the said tramways and partly from the tramways acquired by the Government under the Tramways Purchase Act, 1912, or any extensions thereof respectively,

such apportionment or appropriation, as the case may be, shall be made by the Auditor General, and his certificate with reference thereto shall be conclusive and binding on the said local authorities and the Colonial Treasurer.

Saving.

6. Nothing in this Act shall affect the right of the said local authorities to recover from the Company the percentage of gross earnings (if any) accrued due prior to, and apportioned to the date of, the completion of the purchase.