

GOVERNMENT RAILWAYS.

No. 12 of 1982.

AN ACT to amend the Government Railways Act
1904-1980.

[Assented to 14 May 1982.]

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:—

1. (1) This Act may be cited as the *Government Railways Amendment Act 1982*.

Short title
and
citation.

(2) In this Act the Government Railways Act 1904-1980 is referred to as the principal Act.

Approved for
reprint 12
June 1973,
amended by
Acts Nos. 19
and 94 of
1973, 66 and
73 of 1975,
27 of 1976,
47 of 1977,
93 of 1978,
38 of 1979 and
77 of 1980.

(3) The principal Act as amended by this Act may be cited as the Government Railways Act 1904-1982.

Section 8B
inserted.

2. The principal Act is amended by inserting after section 8A the following section—

Commission
may enter
into
arrange-
ments for
carrying on
business.

“ 8B. (1) Subject to this section, the Commission may participate in arrangements with any person for all or any of the purposes of acquiring or taking over any property, right, and liabilities of the Commission, or carrying out, control or management of any undertaking, works or business.

(2) For the purposes of subsection (1) of this section or in connection with or consequent upon any act or thing incidental thereto the Commission with the approval of the Minister—

(a) where any participation is to be effected by means of the formation of a body corporate or as a member of a body corporate, may in relation thereto—

(i) acquire shares, by purchase or otherwise, in a body corporate formed or proposed to be formed within the territorial limits of the Commonwealth;

(ii) contribute funds to any such body corporate by purchase of shares, by way of loans or otherwise; and

(iii) dispose of shares in a body corporate;

(b) where any participation is to be otherwise than in the manner referred to in paragraph (a) of this subsection, may participate in arrangements for the carrying out, utilisation, control or management of any matter or thing either jointly or by one party on behalf of any other,

or otherwise as may be agreed in the common interest, and for such purpose may on behalf of the joint venturers or any of them enter into contracts with any other authority, body or person and generally join in any act.

(3) Where pursuant to this section the Commission is a member of a body corporate or has entered into or participated in any arrangements with any person, the Commission may with the approval of the Minister dispose of any railway property or enter into any lease, contract or arrangement for the provision of any land, goods or services to the body corporate or to the joint venture for the purpose of facilitating the Commission's participation in or the business of the body corporate or joint venture.

(4) The Commission may guarantee to any person the repayment of any moneys advanced by that person to any person or body corporate.

(5) Loans and guarantees made and given under this section may be secured or unsecured.

(6) Where for the purposes of this section—

(a) the Commission proposes to make use of—

(i) moneys borrowed by the Commission;

(ii) credit obtained by the Commission; or

(iii) financial accommodation extended to the Commission,

under this Act; or

- (b) the Commission proposes to exercise any power conferred by this section to acquire or dispose of shares, contribute funds, or guarantee the repayment of moneys,

the Commission shall first obtain the approval of the Treasurer.

(7) Any land leased by the Commission pursuant to subsection (3) of this section is deemed to continue to be railway land for the purposes of this Act. ” .

Section 54AA inserted.

3. The principal Act is amended by inserting after section 54A the following section—

Commission may provide credit to customers or suppliers.

“ 54AA. The Commission may provide credit to customers or suppliers in the normal course of business (whether or not such credit is to be secured) and including the provision of credit for the construction of sidings under section sixty-eight of this Act, in a manner which is appropriate to a trading corporation in the normal course of business practice or in any other manner which is specifically approved by the Treasurer, and give, arrange, or take security therefor. ” .

Section 68 amended.

4. Section 68 of the principal Act is amended by deleting “so much of such siding as may be within the limits of the railway” and substituting the following—

“ such siding ” .
