

GOVERNMENT RAILWAYS.

4° Elizabeth II., No. LXI.

No. 61 of 1955.

**AN ACT to amend the Government Railways Act,
1904-1954.**

[Assented to 13th December, 1955.]

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:—

Short title
and citation

1. (1) This Act may be cited as the *Government Railways Act Amendment Act, 1955.*

(2) In this Act, the Government Railways Act, 1904-1954,

Vol. 7
Reprinted
Acts.
Approved for
reprint
26/10/1953.

Act No. 23 of 1904, as reprinted with amendments to and including Act No. 86 of 1953 incorporated

pursuant to the Amendments Incorporation Act, 1938, and as further amended by Acts Nos. 13 and 73 of 1954,

is referred to as the principal Act.

(3) The principal Act as amended by this Act may be cited as the Government Railways Act, 1904-1955.

2. Section thirty-nine of the principal Act is amended by adding after the word, "pounds" in line one, the passage, ", where the cause of action arose before the day of the coming into operation of the Railways Act Amendment Act, 1955, or exceeding six thousand pounds, where the cause of action arises on or after that day,".

S. 39
amended.

3. Section sixty-three of the principal Act is amended—

S. 63
amended.

- (a) by adding before the words, "The Commission" in line one, the subsection designation, "(1)";
- (b) by adding before the word, "Every" in line six, the subsection designation, "(2)";
- (c) by adding after the word, "years" in line seven, the words, "unless a longer period is authorised under section (3) of this section"; and
- (d) by adding the following subsection:—

(3) Where the Minister is of opinion that because of the special circumstances of the case, the granting of a lease for a period exceeding twenty-one years is justified, the Minister may, by written authorisation signed by him, and containing such conditions, if any, as he thinks fit, authorise the Commission to grant the lease for such period exceeding twenty-one years but not exceeding fifty years as the Minister specifies in the authorisation.

S. 73
amended.

4. Section seventy-three of the principal Act is amended—

- (a) by adding after the word, “and” in line three, the passage, “may, without prejudicing or otherwise affecting any other authority the Commission has to act by agents, delegate any of the powers conferred upon the Commission by this section, in such manner, for such period, and subject to such conditions, if any, as the Commission deems fit, and the delegate may exercise the powers in accordance with the delegation, but neither the Commission nor the delegate shall”; and
- (b) by deleting the words, “shall not” in line four.

S. 77
amended.

5. Section seventy-seven of the principal Act is amended—

- (a) by adding after the word, “is” in line two, the passage, “, under section seventy-three of this Act,”;
 - (b) by deleting the words, “by the Commission or any person acting with its authority” in lines one and two of subsection (3); and
 - (c) by deleting the words “one year” being the last two words in the section and substituting the words “three months”.
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