

ESPERANCE PORT AUTHORITY LANDS.

No. 73 of 1979.

AN ACT to validate certain transactions relating to land entered into by the Esperance Port Authority established under the Esperance Port Authority Act, 1968-1976, to authorise the Esperance Port Authority to dispose of certain land held by it and for incidental purposes.

[Assented to 27th November, 1979.]

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. This Act may be cited as the *Esperance Port Authority Lands Act, 1979.* Short title.

Definitions.

2. In this Act—

“the Port Authority” means the Esperance Port Authority established under the Esperance Port Authority Act, 1968;

“the remaining land” means such of the subject land as is held by the Port Authority on the coming into operation of this Act;

“the subject land” means any land—

- (a) purchased by the Port Authority; or
- (b) acquired by the Port Authority by way of exchange,

before the coming into operation of this Act.

Validation.

3. (1) The subject land shall be deemed to have been validly and lawfully acquired by the Port Authority.

(2) Any of the subject land—

- (a) sold by the Port Authority; or
- (b) disposed of by the Port Authority by way of exchange,

before the coming into operation of this Act shall be deemed to have been validly and lawfully disposed of by the Port Authority.

(3) Any act, matter or thing done by the Port Authority before the coming into operation of this Act in preparation for the sale of any of the subject land shall be deemed to have been validly and lawfully done.

Power to
sell remain-
ing land.

4. (1) Subject to subsection (3) of this section the Port Authority may sell, convey and transfer the remaining land in fee simple at public auction or by public tender.

(2) Subject to subsection (3) of this section any of the remaining land may, if the Port Authority thinks fit, be subdivided by the Port Authority under the Town Planning and Development Act, 1928 and sold under this section as so subdivided.

(3) The Minister may, in respect of the sale of any of the remaining land under this section, give directions to the Port Authority as to —

- (a) when the land shall be sold;
- (b) whether the land shall be sold at public auction or by public tender; and
- (c) whether or not the land may be subdivided by the Port Authority under the Town Planning and Development Act, 1928 and sold as so subdivided,

and the Port Authority shall give effect to any directions so given.

(4) The proceeds of any sale under this section shall be paid into and placed to the credit of the Esperance Port Authority Account maintained under section 52 of the Esperance Port Authority Act, 1968 and shall be applied to the purposes of that Act.
