



ANNO DECIMO QUARTO

ELIZABETHAE II REGINAE

A.D. 1965

No. 38 of 1965

An Act to amend the South Australian Railways Commissioner's Act, 1936-1957.

[Assented to 9th December, 1965.]

BE IT ENACTED by the Governor of the State of South Australia, with the advice and consent of the Parliament thereof, as follows:

1. (1) This Act may be cited as the "South Australian Railways Commissioner's Act Amendment Act, 1965". Short titles.
- (2) The South Australian Railways Commissioner's Act, 1936-1957, as amended by this Act, may be cited as the "South Australian Railways Commissioner's Act, 1936-1965".
- (3) The South Australian Railways Commissioner's Act, 1936-1957, is hereinafter referred to as "the principal Act".
2. This Act is incorporated with the principal Act and that Act and this Act shall be read as one Act. Incorporation.
3. Section 95 of the principal Act is amended by striking out the words "prescribed by by-law" therein and inserting in lieu thereof the words "fixed by law". Amendment of principal Act, s. 95.
4. The following section is inserted in the principal Act immediately after section 95 thereof:— Enactment of s. 95a of principal Act—
 - 95a. (1) The Minister may at any time in writing request the Commissioner to propose in writing a scheme for effecting an increase of income or a decrease of expenditure, or for carrying out any matter of general policy specified by the Minister, and if the Minister approves of the same Minister may request proposal of scheme as to certain matters.

he may direct the Commissioner to take all necessary steps to carry out the same. If the Minister does not approve of any scheme proposed by the Commissioner, he may himself transmit to the Commissioner any proposition for effecting and carrying out such increase decrease or matter of policy, and thereupon the Commissioner shall take all necessary steps to give effect to such proposition.

(2) Where any direction or proposition given or transmitted in pursuance of subsection (1) of this section adversely affects the accounts of the railways, the Commissioner shall notify the Minister thereof from time to time, and the amount of any loss occasioned by the direction or proposition shall, if certified by the Auditor-General, be paid to the Commissioner out of moneys to be provided by Parliament.

Amendment of principal Act, s. 98—
Special conditions if just and reasonable, may be made.

5. Subsection (1) of section 98 of the principal Act is amended—

- (a) by striking out the word "twenty" therein and inserting in lieu thereof the word "forty"; and
- (b) by striking out the passage "one pound for any sheep, pig or other small animal" therein and inserting in lieu thereof the passage "ten pounds for any pig, or four pounds for any sheep or one pound for any other small animal".

Enactment of s. 131a of principal Act—

6. The following section is inserted in the principal Act immediately before section 132 thereof:—

Power of Governor to fix fares and charges.

131a. The Governor may make regulations fixing the amount of fares for the conveyance of passengers and the charges for the carriage of animals, goods and parcels and the circumstances and conditions in which the Commissioner will make special rates for the carriage of goods.

Amendment of principal Act, s. 133—
By-laws.

7. Section 133 of the principal Act is amended—

- (a) by striking out paragraph (a) thereof;
- (b) by inserting at the end thereof the following subsection (the preceding part of the section as amended by paragraph (a) of this section being re-designated as subsection (1) thereof):—

(2) The by-laws which were made by the Commissioner before the commencement of the South Australian Railways Commissioner's Act

Amendment Act, 1965, fixing the amount of fares for the conveyance of passengers and the charges for the carriage of animals, goods and parcels and which were in force immediately before such commencement shall, upon such commencement, continue to be of full force and effect, but may be altered or repealed by regulations made pursuant to section 131a of this Act.

In the name and on behalf of Her Majesty, I hereby assent to this Bill.

EDRIC BASTYAN, Governor.