

## TASMANIA.



1936.

ANNO PRIMO

EDWARDI VIII. REGIS ET  
PRIMO GEORGII VI. REGIS.

No. 56.

## ANALYSIS.

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AN ACT to authorise the Construction of a certain  
Railway.

[23 December, 1936.]

A.D.

1936.

**W**HEREAS a Company, called the Tasmanian Iron Mines Limited, proposed to be incorporated in this State, has applied to the Minister requesting him to construct at the cost of the Company a branch line of railway from Blythe railway station to a point on or in the vicinity of the Blythe River for the transport of the Company's mining products:

Preamble.

*Blythe River Railway Construction.*

A.D. 1936.

And whereas it is desirable that such railway should be constructed as hereinafter provided :

Be it therefore enacted by His Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:—

Short titl .

**1** This Act may be cited as the *Blythe River Railway Construction Act 1936*.

Interpretation.

**2** In this Act, unless the contrary intention appears—

“The Company” means the Tasmanian Iron Mines Limited, incorporated or proposed to be incorporated in this State :

“The railway” means the line of railway authorised by this Act to be constructed.

Power to construct railway.

**3—(1)** It shall be lawful for the Minister upon the incorporation of the Company in this State and upon payment by the Company to the Treasurer of the sum of fifty thousand pounds to meet the cost thereof, to construct, execute, and carry out the construction of a branch line of railway from a point at or in the vicinity of Blythe railway station to a point at or in the vicinity of the eastern bank of the Blythe River, to be agreed upon between the Minister and the Company, and of all buildings, structures, stations, erections, and appurtenances as may be required in relation thereto at a total cost not exceeding the said sum of fifty thousand pounds or such greater sum as the Governor by order-in-council may approve.

(2) If the Company shall fail to pay to the Treasurer the said sum of fifty thousand pounds within six months after the passing of this Act, the provisions of subsection (1) hereof shall cease to have effect.

(3) If the cost of construction of the railway shall exceed the said sum of fifty thousand pounds, the Company shall pay the amount of such excess to the Treasurer on demand, and, in default thereof, the same may be recovered by the Minister from the Company by action in any court of competent jurisdiction.

(4) If such cost is less than the said sum, the difference shall be refunded by the Treasurer to the Company upon completion of the railway.

*Blythe River Railway Construction.*

**4** The Company shall surrender to His Majesty all such lands held by it as the Minister may require for the purposes of the railway, and all costs and expenses incurred in or in relation to the acquisition of any land required for the railway shall be deemed to form part of the cost of construction of the railway.

A.D. 1936.

Company to  
surrender  
lands.

**5** The railway shall be the property of His Majesty, and shall be subject in all respects to the provisions of the *Railway Management Act 1935*.

Railway to  
be property  
of the  
Crown.

**6**—(1) The Commissioner for Railways may enter into such contracts, agreements, and arrangements with the Company for the transport of the Company's goods as the Minister may approve.

Commission  
may contract  
with Com-  
pany.

(2) There shall be added to the rates charged to the Company for transport of its goods an amount of one penny per ton, to be applied by way of redemption of the cost of purchasing or constructing special rolling stock to be used for the purposes of the railway, and the proceeds of such charge shall be paid annually to the Tasmanian Government Railways Replacement and Depreciation Account, until the cost incurred by the Commissioner in such purchase or construction, not exceeding ten thousand pounds, is redeemed, and thereupon such charge shall be discontinued.

(3) From the amounts received from the Company by way of freight, a sum of two pence per ton of iron ore shall be applied by way of a sinking fund for the redemption of the capital cost of the railway, and all such sums shall be paid annually to the State Sinking Fund Commissioners until the aggregate amount of such sinking fund is equal to the total of all amounts paid by the Company to the Treasurer under the provisions of section three, less any amount refunded to the Company as therein provided, and thereupon such aggregate amount shall be paid to the Company.

**7** All moneys expended by the Commissioner in the purchase or construction of such special rolling stock as he may consider necessary for the purposes of the railway, not exceeding in the whole the sum of ten thousand pounds, shall be charged and debited to the Tasmanian Government Railways Replacement and Depreciation Account.

Cost of  
rolling  
stock, how  
paid.

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*Blythe River Railway Construction.*

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A.D. 1936.

Interest of  
Company to  
cease on  
winding-up  
or cessation  
of operations.

**8** If the Company at any time is wound up otherwise than for the purposes of reconstruction, or ceases from any cause to carry on mining operations in this State, all moneys paid by it to the Treasurer as provided by section three shall be forfeited, and all claims of the Company in respect thereof shall thereupon cease and determine, but the amount standing to the credit of the sinking fund mentioned in section six at the date of such winding up or cessation shall be paid to the Company.

Application  
of moneys  
received by  
Treasurer.

**9—(1)** All moneys received by the Treasurer as provided by section three shall be paid and credited to a suspense account, and shall be applied by the Treasurer, on the certificate of the Minister, for the purposes of this Act.

**(2)** The cost of constructing the railway shall be defrayed out of the moneys standing to the credit of the said suspense account.