



METROPOLITAN TRANSPORT AMENDMENT ACT 1981

No. 17 of 1981

TABLE OF PROVISIONS

1. Short title.
2. Principal Act.
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12A—Trust subject to control of Minister.

AN ACT to amend the Metropolitan Transport Act 1954 for the purpose of making the Metropolitan Transport Trust subject to the control of the Minister for the time being administering that Act.

[Royal Assent 15 April 1981]

BE it 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:—

1—This Act may be cited as the *Metropolitan Transport Amendment Act* 1981. Short title.

Principal Act.

2—In this Act, the *Metropolitan Transport Act 1954** is referred to as the Principal Act.

Insertion in
Principal Act
of new
section 12A.

3—After section 12 of the Principal Act, the following section is inserted:—

Trust subject
to control
of Minister.

12A—(1) In the exercise of the powers conferred, and the performance of the functions imposed, on the Trust by or under this Act or any other Act, the Trust shall be subject to the control of the Minister.

(2) The Minister may, for the purpose of enabling him to exercise the control referred to in subsection (1), from time to time give a direction in writing to the Trust and the Trust shall, subject to this section, exercise the powers conferred, and perform the functions imposed, on it by or under this Act or any other Act in accordance with any such direction.

(3) The Trust is not bound by a direction given under subsection (2) unless the direction is in writing and signed by the Minister.

(4) The power conferred on the Minister by subsection (2)—

(a) shall not be exercised so as—

(i) to require the Trust to do anything that it is not empowered to do by this Act or any other Act;

(ii) to prevent the Trust from performing any duty that it is expressly required by this Act or any other Act to perform, whether conditionally or unconditionally; or

* No. 77 of 1954. For this Act, as amended to 1959, see the Reprint of Statutes (1826-1959), Vol. 4, p. 119. Subsequently amended by Nos. 31 and 40 of 1961, No. 1 of 1962, No. 55 of 1965, No. 15 of 1971, No. 75 of 1973, No. 1 of 1977, and No. 53 of 1980.

- (iii) to interfere with the formation by the Trust of any opinion or belief in relation to any matter that has to be determined as a prerequisite to the performance or exercise by the Trust of any of its functions or powers under this Act or any other Act; and
 - (b) does not extend to any matter concerning a contract or agreement to which the Trust is a party and which is in force at the commencement of this Act.
- (5) Where the Minister gives a direction under subsection (2) and the direction is not complied with, he may cause a copy of the direction to be laid on the table of each House of Parliament.

