

Railway (Capital Indebtedness) Reduction Act. 22 GEO. V. No. 33,

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THE
RAILWAY
(CAPITAL
INDEBTED-
NESS)
REDUCTION
ACT OF 1931.
Preamble.

An Act to Authorise the Reduction of the Capital Indebtedness of the Queensland Railway Account, and for other purposes.

[ASSENTED TO 16TH DECEMBER, 1931.]

WHEREAS at the thirtieth day of June, one thousand nine hundred and thirty-one, the Capital Indebtedness of the Queensland Railway Account was the sum of Sixty-four million one hundred and eighty-four thousand five hundred and sixty-nine pounds: And whereas for the more effective working of the Queensland Railways and for the general wellbeing of the State it is deemed advisable that such Capital Indebtedness should be reduced by the sum of Twenty-eight million pounds and that the necessary adjustments should be made in the Public Accounts kept at the Treasury—

Be it therefore enacted by the King's Most Excellent Majesty by and with the advice and consent of the Legislative Assembly of Queensland in Parliament assembled and by the authority of the same, as follows:—

Short title.

1. This Act may be cited as "*The Railway (Capital Indebtedness) Reduction Act of 1931*," and shall where necessary be read as one with *"*The Railways Acts, 1914 to 1929*."

Interpretation.

2. In this Act the term "Capital Indebtedness" shall be the sum of Sixty-four million one hundred and eighty-four thousand five hundred and sixty-nine pounds, which sum is set forth in Table "L" of the Tables relating to the Treasurer's Financial Statement for the financial year one thousand nine hundred and thirty-one to one thousand nine hundred and thirty-two, being referred to in the said Table as "Queensland Railways—Total Loan Expenditure to thirtieth day of June, one thousand nine hundred and thirty-one (including Depreciation and Capitalised Interest)," which Tables were duly presented to Parliament on the first day of October, one thousand nine hundred and thirty-one.

* 5 Geo. V. No. 24 and amending Acts, *supra*, pages 7215 *et seq.* (See Alphabetical Table.)

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3. The Capital Indebtedness of the Queensland Railways is hereby and shall be reduced by the sum of Twenty-eight million pounds, and such sum shall be and is hereby written off such Capital Indebtedness as from the first day of July, one thousand nine hundred and thirty-one, and all powers and authorities which are or may be required in respect of such reduction are hereby authorised, and such reduction is hereby approved, authorised, and validated. The Capital Indebtedness so reduced as aforesaid shall be in this Act referred to as the "Adjusted Capital Indebtedness."

Authorisation of Reduction of Capital Indebtedness.

4. (1.) There is hereby constituted at the Treasury an Account to be styled the "Reduction of Railway Capital Account" to the debit of which Account shall be placed the sum of Twenty-eight million pounds, being the sum by which the Capital Indebtedness has been reduced and such amount written off as aforesaid.

Opening of new Account at the Treasury called "Reduction of Railway Capital Account."

Such Account shall be deemed to have been constituted on the first day of July, one thousand nine hundred and thirty-one, and the Loan Liability of such Account as at that date shall be the sum of Twenty-eight million pounds aforesaid.

(2.) The interest on this Account shall be a direct charge on the Consolidated Revenue Fund and shall not be a charge against the Queensland Railways Account.

Interest on this Account.

5. The rate of interest on the Adjusted Capital Indebtedness defined as aforesaid which shall be charged or debited against the Railway Account shall be at the rate calculated on the same basis or average as obtained prior to the commencement of this Act and referred to in Table "L" of the Tables of the Treasurer's Financial Statement (referred to in section two) as "Interest on Loan Expenditure."

Interest on Adjusted Capital Indebtedness.

6. There is hereby established at the Treasury a Fund to be called the "Railway Renewals and Replacements Reserve Fund." Such Fund shall be constituted as hereunder provided.

Railway Renewals and Replacements Reserve Fund.

In the event of a net profit occurring in the Railway Accounts in any year subsequent to the thirtieth day of June, one thousand nine hundred and thirty-one, such net profit shall be transferred to the credit of such Fund :

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Provided that the total net profit transferred to the credit of the Fund shall not exceed the sum of one per cent. of the Adjusted Capital Indebtedness (defined as aforesaid) for each year subsequent to the thirtieth day of June, one thousand nine hundred and thirty-one, except when the net profit in any one or more previous years (but not prior to the year ending the thirtieth day of June, one thousand nine hundred and thirty-two) has been insufficient to provide the full sum of one per cent. on the Adjusted Capital Indebtedness. In such cases the excess profit over one per cent. on the Adjusted Capital Indebtedness shall be transferred to the Railway Renewals and Replacements Reserve Fund until such shortage or shortages added together shall have been fully provided for.

Subject to the preceding paragraph any sum in excess of such provision so required to be paid into the Railway Renewals and Replacements Reserve Fund shall be transferred to the credit of the Reduction of Railway Capital Account (defined as aforesaid) in the year in which the net profit exceeds such provision required to be paid into such Railway Renewals and Replacements Reserve Fund.

In this section the term "net profit" means an amount in excess of all working expenses, maintenance, and interest charges on the Adjusted Capital Indebtedness for the year concerned.

Out of the Railway Renewals and Replacements Reserve Fund there shall be expended such sums as may be appropriated by Parliament for the purpose of renewals and replacements other than renewals and replacements carried out in the ordinary course of maintenance.

Sinking fund
payments
as from 1st
July, 1935.

7. Notwithstanding anything to the contrary contained in section six, on and from the first day of July, one thousand nine hundred and thirty-five, the following provisions shall apply, namely :—

The Railway Department shall pay to the Treasurer by way of sinking fund in every year an amount of five shillings for each one hundred pounds of the Adjusted Capital Indebtedness :

Provided that no such payment by way of sinking fund shall be made unless and until provision has been effected whereby the amounts required to be paid into

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the Railway Renewals and Replacements Reserve Fund, pursuant to the said section six, shall have been so paid :

Provided further that such payment by way of sinking fund shall only be made in any year in which the net profit (as defined in section six) is in excess of the amounts required for the Railway Renewals and Replacements Reserve Fund, pursuant to the said section six :

Provided also that any deficiency of any payment by way of sinking fund for any year shall not be made up in the year or years following, and to this extent any such deficiency shall not be cumulative.

8. (1.) The Treasurer is hereby authorised and empowered to give such directions and take such action in respect of the readjustment of the Railway, Loan, and other Accounts at the Treasury as may be necessary or expedient to give full effect to the objects and purposes of this Act. Keeping of Accounts.

(2.) Moreover any law directly or indirectly concerning the matters referred to in this Act shall be read and construed as being subject to the provisions of this Act, and any such law shall be deemed to be affected, abrogated or amended or otherwise, according as the objects and purposes and provisions of this Act so affect, abrogate, or amend any such law. Existing laws.

**REAL PROPERTY ACTS ASSURANCE FUND
TRANSFER APPROVAL.**

See FUNDS.

REAL PROPERTY.

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REDISTRIBUTION OF ELECTORAL DISTRICTS.

See ELECTIONS.

**REDUCTION OF MEMBERS OF LEGISLATIVE
ASSEMBLY.**

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