



ANNO TRICESIMO

ELIZABETHAE II REGINAE

A.D. 1981

No. 95 of 1981

An Act to amend the Harbors Act, 1936-1981, and to make consequential amendments to the Broken Hill Proprietary Company's Indenture Act, 1937-1940.

[Assented to 23 December 1981]

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 "Harbors Act Amendment Act (No. 2), 1981". Short titles.

(2) The Harbors Act, 1936-1981, is in this Act referred to as "the principal Act".

(3) The principal Act, as amended by this Act, may be cited as the "Harbors Act, 1936-1981".

2. The following section is inserted after section 34 of the principal Act:

Insertion of new s. 35.

35. (1) In this section—

Vesting of Rapid Bay Jetty in the Minister.

"the Company" means the Broken Hill Proprietary Company Limited:

"the Indenture" means the Indenture set out in the schedule to the Broken Hill Proprietary Company's Indenture Act, 1937-1940:

"the Jetty" means the jetty constructed at Rapid Bay under clause 7 (b) of the Indenture.

(2) On the first day of January, 1982, the Jetty shall vest in the Minister freed and discharged from any mortgage, charge or other interest.

(3) As from the first day of January, 1982, no provision of the Indenture shall apply in relation to the Jetty.

(4) The fact that the Company has requested and consented to the vesting of the Jetty in the Minister is acknowledged and shall be recognized for any relevant purpose of the law of the State.

Amendment of
Broken Hill
Proprietary
Company's
Indenture Act,
1937-1940.

3. (1) The Broken Hill Proprietary Company's Indenture Act, 1937-1940, is amended—

- (a) by striking out the second sentence of paragraph (b) of section 6;
- (b) by striking out paragraph (b) of clause 7 of the Indenture set out in the schedule;
- (c) by inserting after paragraph (c) of clause 7 of the Indenture set out in the schedule the following paragraph:
 - (d) Paragraph (c) does not apply in relation to the jetty constructed at Rapid Bay.

(2) The Broken Hill Proprietary Company's Act, 1937-1940, as amended by this Act, may be cited as the "Broken Hill Proprietary Company's Act, 1937-1981".

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

K. D. SEAMAN, Governor