



ANNO VICESIMO

# GEORGII V REGIS.

A.D. 1929.

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## No. 1933.

An Act to amend the South Australian Railways Commissioners Acts, 1887 to 1927, and for other purposes.

[Assented to, December 12th, 1929.]

**B**E 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 Short titles. Commissioners Act Amendment Act, 1929".

(2) The South Australian Railways Commissioners Acts, 1887 to 1927, and this Act may be cited together as the "South Australian Railways Commissioners Acts, 1887 to 1929".

2. This Act is incorporated with the other Acts mentioned in Incorporation. section 1 of this Act, and those Acts and this Act shall be read as one Act.

3. (1) The Commissioner may construct any line or lines of railway connecting any other line of railway and any premises occupied by any person, and may on behalf of any such occupier of premises construct any line or lines of railway connecting any other line of railway and the said premises, and for any such purpose may lay down the said line or lines of railway in any street or road. Power of Commissioner to construct railway sidings.

(2) Subject as hereinafter mentioned no such line or lines of railway shall be laid down in a street or road within a Municipality or District Council District without the consent in writing of the Municipal Council or District Council thereof.

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(3) If a Municipal or District Council for one month after any application for consent as mentioned in subsection (2) hereof refuses or neglects to give its consent as aforesaid the Commissioner or other person making the application for consent may appeal to the Minister by memorial setting out the facts and the grounds of the appeal.

(4) The Minister shall hear and determine the appeal in such manner as he thinks just, and may for that purpose appoint any officer to hold an inquiry into the matter and make a report to him, and may act on any such report. The Council shall be entitled to be heard on the appeal.

(5) If the Minister allows the appeal he shall give such directions as he thinks fit for carrying his decision into effect, and all such directions shall be complied with by the Council and all parties concerned.

Power to work sidings.

4. The Commissioner may use any such line or lines of railway in the same manner and to the same extent as he is by law authorised to use any other line of railway constructed pursuant to any other Act, and the said first-mentioned line or lines of railway may be used by the occupier of the premises aforesaid if authorised in that behalf in writing by the Commissioner in such manner and to such extent as is authorised by the Commissioner as aforesaid.

Validating provisions:

5. All lines of railway constructed or used before the passing of this Act connecting any other line of railway and any premises occupied by any person other than the Commissioner shall be deemed to have been lawfully constructed or used as if the provisions of this Act had been enacted before the construction or use thereof and the necessary consent and authority to the construction and use thereof had been obtained.

Liability of Commissioner to maintain roadway.

6. The Commissioner shall, in respect of every line of railway laid down in any street or road in any Municipality or District Council District, whether laid down pursuant to this Act or any Act incorporated herewith, or whether laid down before or after the passing of this Act, at his own expense, at all times keep in good condition and repair—

(a) so much of the street or road as lies between the rails of the line of the railway; and

(b) so much of the street or road as extends eighteen inches beyond the rails on each side of the line of railway.

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

G. J. R. MURRAY, Deputy Governor.