

MAIN ROADS.

21^c GEO. V., No. V.

No. 5 of 1930.

AN ACT to consolidate and amend the law relating to and making provision for the construction, maintenance, and supervision of Main and Developmental Roads, and for other relative purposes.

[Assented to 19th November, 1930.]

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

Preliminary.

1. (1.) This Act may be cited as the *Main Roads Act*, 1930, and shall come into operation on a day to be fixed by proclamation.

Short title, commencement, and extent of operation.
No. 51 of 1925,
s. 1.

(2.) This Act shall apply to such portions of the State as shall from time to time be defined by proclamation.

2. From and after the commencement of this Act section one hundred and eighty-three of the Road Districts Act, 1919, shall not apply to any road that is within any portion of the State to which this Act applies.

s. 183 of Road Districts Act, 1919, not to apply within proclaimed area.
Ibid. s. 2.

3. The Acts mentioned in the schedule hereto are hereby repealed.

Repeal.

4. Every regulation, rule, proclamation, order in council, declaration, determination, appointment, instrument, book, document, valuation, and every act of authority and other act matter or thing which was subsisting or operative immediately before the commencement of this Act under or for the purposes of any statutory provision which is hereby re-

All matters and things subsisting under repealed Acts to endure for this Act.

pealed and hereby re-enacted with or without modification shall, subject to this Act, subsist and enure for the purposes of this Act as fully and effectually as if it had originated under the corresponding provision hereof; and accordingly shall, when necessary, be deemed to have so originated, and this Act shall apply thereto accordingly, and every main road and developmental road proclaimed under the Acts hereby repealed and subsisting immediately before the commencement of this Act shall continue to be a main road and developmental road respectively under and for the purposes of this Act.

5. (1.) The Main Roads Board is hereby abolished, and the corporate body heretofore constituted under that name is dissolved.

(2.) On and from the commencement of this Act, and by virtue of this Act—

- (a) all the assets, rights, liabilities and obligations of the said Board under the Acts hereby repealed shall be divested from the said Board, and shall be vested in and shall attach to and may be enforced by and against the Commissioner under this Act;
- (b) all proceedings and things lawfully had and done by the said Board under the Acts hereby repealed shall be and continue to be in full force and effect as if the same had been had and done by the Commissioner under this Act, and if the same are not completed may be continued and completed by the Commissioner under this Act;
- (c) where in any regulation, proclamation, order in council, or other instrument made under or in pursuance of the Acts hereby repealed and still subsisting a reference is made to the said Board, such reference shall be deemed to be a reference to the Commissioner under this Act.

6. In this Act, subject to the context—

- “Commissioner” means the Commissioner of Main Roads appointed under this Act;
- “Developmental road” means a road declared as such for the purposes of this Act, and includes any part thereof;
- “District” means a municipal or road district;
- “Financial year” or “year” means the period of twelve months ending on the thirtieth day of June in any year;

Main Roads Board abolished.

See No. 51 of 1925, s. 4 and seq.

Interpretation.

Ibid. s. 3.

No. 83 of 1929, s. 2.

- “Inspector” means an inspector appointed for the purposes of this Act;
- “Local authority” means a municipal council or a road board;
- “Main road” means a road declared by proclamation to be a main road for the purposes of this Act, and includes any part thereof;
- “Minister” means the Minister for Works;
- “Proclaimed area” means a portion of the State to which this Act applies;
- “Road” means and includes any thoroughfare or highway which the public are entitled to use, and every part thereof, and all bridges and culverts and other things appurtenant thereto or used in connection therewith.

Commissioner of Main Roads.

7. (1.) The Governor may appoint for the due administration of this Act, some person to be Commissioner of Main Roads, who shall be an engineer qualified by training and experience in modern road making. The Chairman of the Main Roads Board hereby abolished holding office immediately before the commencement of this Act shall be deemed to have been appointed Commissioner of Main Roads under this Act for a period of five years from the commencement of this Act.

Commissioner of
Main Roads.

See No. 51 of 1925,
ss. 4 and 192.

(2) In case of the illness or other incapacity, suspension or absence of the Commissioner, or any vacancy in the office of Commissioner, the Governor may appoint some person qualified as aforesaid to act as the deputy of the Commissioner during such illness, incapacity, suspension, absence or vacancy, and until such appointment is terminated by the Governor. Every person so appointed shall while so acting have all the powers and perform all the duties of the Commissioner.

(3.) The Commissioner shall be appointed for a term not exceeding five years, but he may be removed from office by the Governor at any time on the happening of any one of the events following, namely—

- (a) for misbehaviour or incompetence;
- (b) if he commits an act of bankruptcy under the law relating to bankruptcy and in force in this State;
- (c) if he wilfully fails to perform his duties for fourteen consecutive days, except when on leave of absence granted by the Minister;

- (d) if he becomes in any way, except as Commissioner, concerned or interested in any contract made by or on behalf of the Commissioner; or in any way participates or is entitled to participate either directly or indirectly in the profits or benefits derived from any such contract;

Salaries of Commissioner and deputy.

See *ibid.*, s. 10.

8. The Commissioner shall receive an annual salary, to be fixed by the Governor; and every person appointed to act as his deputy, while so acting, such remuneration as the Governor shall decide.

Commissioner to be a body corporate.

See No. 51 of 1925, s. 9.

9. For the purposes of this Act the Commissioner shall be a body corporate under the name of the "Commissioner of Main Roads," and shall have perpetual succession and a common seal, and power to acquire, hold and dispose of real and personal property, and to sue and be sued, and to do and exercise all such acts and powers as may, in the opinion of the Minister, be necessary or convenient for carrying into effect any of the purposes or objects of this Act.

Officers and employees.

See *ibid.*, s. 11.

10. (1.) The Commissioner, with the approval of the Minister, may make use of the services of any of the officers and employees of the Public Service; and the Governor may appoint any persons to be officers or employees of the Commissioner for the purposes of this Act:

Provided that all casual employees required by the Commissioner for works of construction and maintenance may be employed by the Commissioner.

(2.) Any commissioner or officer under the Commissioner who immediately before the commencement of this Act held office as member, acting member or officer of the Main Roads Board hereby abolished, and who at the date of his appointment to such office was an officer of the Public Service, or who at the date of his appointment as or under the Commissioner under this Act was an officer of the Public Service shall, in respect of his service as member, acting member or officer of the Main Roads Board hereby abolished, and as or under the Commissioner, be deemed to serve in an established capacity in the permanent Civil Service of the State so as to preserve any pension rights that may be accruing to him, and with reference to any question as to continuity of service; and in the event of his service as or under the Commissioner being discontinued, or in the event of the office of Commissioner of Main Roads being abolished, shall be eligible

on the recommendation of the Minister to be re-appointed to some office in the Public Service corresponding in classification or emolument to that which he held at the date of his appointment as or under the Commissioner as if he had not held any office as or under the Commissioner.

- (3.) No officer or servant of the Commissioner shall—
- (a) engage in any employment outside the duties of his office, except with the approval of the Commissioner; or
 - (b) in any way participate, or claim to be entitled to participate, in the profits of or in any benefit or emolument arising from any contract or agreement made by or on behalf of the Commissioner; or
 - (c) acquire any Crown lands without the approval of the Minister.

11. Every engineer, assistant engineer, inspector and other officer shall, in the exercise and discharge of their respective powers and duties under this Act, in all things be subject to the direction and control of the Commissioner.

Officers to be subject to control of Commissioner.
See *ibid.* s. 12.

12. Any deputation in which a member of Parliament takes part or at which he is present shall interview the Minister and not the Commissioner.

Deputations.
See Government Railways Act 1904, s. 80.
No. 33 of 1929, s. 11.

Main Roads.

13. (1.) The Governor may, on the recommendation of the Commissioner, declare by proclamation that any road shall be a main road, and may in like manner and on the like recommendation declare that any main road shall cease to be a main road. The footpaths of any road may, by such proclamation or any subsequent proclamation, be excluded from the main road.

Main roads may be proclaimed.
No. 51 of 1925, s. 13.

(2.) In considering whether to make any such recommendation the Commissioner shall take into account—

- (a) the moneys available or likely to be available for main roads;
- (b) whether the road is or will be the main route connecting any large producing area, or any area capable of becoming in the near future a large producing area, with its market or nearest port or railway station;

- (c) whether or not the road is or will be the main route of inter-communication between two or more large producing areas, or areas capable of becoming in the near future large producing areas, or between one or more large centres of population; and
- (d) whether the road is or will be the main route between the capital and any large producing area or any large centre of population.

(3.) The Commissioner, before recommending to the Governor—

- (a) that any road be a main road;
- (b) that the maps, plans, and estimates of any proposed new main road or deviation from an existing main road be approved;
- (c) that plans and estimates of any permanent improvements to any main road or any part thereof be approved,

shall serve on the Surveyor General and each local authority in whose district such road is or new road or deviation is proposed to be made, or improvements are proposed to be made, notice of his intention to make such recommendation.

Such notice shall fix a day not less than 30 days from the service of the notice upon which any objections which may be made by any local authority concerned will be considered by the Surveyor General and the Commissioner before making any recommendation.

Provided that any local authority which feels aggrieved by any such recommendation may, within 30 days after the consideration of such objections, appeal to the Minister, who may vary or disallow such recommendation.

(4.) All main roads shall, for the purposes of the Traffic Act, 1919-26, be deemed to be Government roads.

Power to provide
main roads.

Ibid. s. 14.

14. (1.) The Governor may on the recommendation of the Commissioner authorise and empower the Commissioner to provide and set out main roads, and every main road set out by the Commissioner shall be deemed to have been proclaimed to be a main road under this Act.

(2.) Before making any such recommendation the Commissioner shall take into account such matters as are mentioned in subsection (2) of the last preceding section.

15. Subject to the Public Works Act, 1902, and without prejudice to section two hundred and forty-two of the Municipal Corporations Act, 1906, and section one hundred and ninety-two of the Road Districts Act, 1919, there shall vest in the Crown—

Main roads vested
in Crown.

Ibid. s. 15.

- (a) all main roads and the materials thereof and all things appurtenant thereto;
- (b) all ornamental trees and shrubs, and, subject to the provisions of the Forests Act, 1918, the timber upon any main road;

and the Commissioner shall have the care, control and management thereof.

Powers and Duties of Commissioner.

16. (1.) The Commissioner may—

- (a) make, form, level, grade, pave, improve and maintain all main roads, and do all things necessary for or incidental to the proper management thereof;
- (b) exercise in regard to any main road any power which a local authority could exercise in regard thereto if such road were within its district.

Powers of Com-
missioner.

Ibid. s. 16.

(2.) The powers of any local authority over any main road shall not be deemed to be taken away by this Act, but the exercise of such powers shall be subject to the control and direction of the Minister.

(3.) (a) A local authority may, at the request in writing of the Commissioner and as his agent, and at a cost to the Commissioner to be stated in such request, undertake, or may at its discretion, tender for and enter into any contract with the Commissioner for the construction, maintenance, and repair of any main road within its district, or the construction of any developmental road within its district; and, subject to the work being done to the satisfaction of the Commissioner, the cost to the Commissioner stated in the request as afore-said, or the amount stated in the contract, as the case may be, shall, subject to the conditions (if any) stated in such request or contract, be payable to the local authority out of the Main Roads Trust account. In any case where a local authority undertakes the work at the request of the Commissioner and as his agent, and the actual cost incurred by the local authority exceeds the cost to the Commissioner stated in the request, the amount of the excess shall be deemed to

be expense incurred by the local authority under the authority of paragraph (b) of section thirty-two.

(b) All contracts previously made between local authorities and the Main Roads Board hereby abolished in the exercise or intended exercise by such local authorities of the authority in that behalf conferred by subsection (3) of section sixteen of the Main Roads Act, 1925, whether the same have been completed or at the commencement of this Act are only partially completed, shall be deemed to have been made under this section of this Act, and, according to the tenor thereof, shall be valid and enforceable in law and equity by or against the local authority concerned and the Commissioner to the same extent as if this section had been in operation at the time when such contracts were made, and such contracts were made pursuant to this section.

(4.) The Minister may, for the purposes of this Act delegate to the Commissioner all or any of the powers conferred on the Minister by section one hundred and twelve of the Public Works Act, 1902, but subject to the provisions of section one hundred and thirteen thereof.

17. The Commissioner, so far as any moneys legally available for the purpose permit, shall—

- (1) carry out all such surveys and investigations as may be necessary or expedient to ascertain—
 - (a) what roads shall be main roads,
 - (b) the nature and extent of the resources of the State in metals, minerals, and materials suitable for the purposes of road construction and maintenance, and the most effective and economical methods of dealing with the same and for applying the same to, and utilising the same for the said purposes in, the whole or any part of the State;
 - (c) the most effective methods of road construction and maintenance for the whole or any part of the State; and
 - (d) what deviation (if any) in existing roads or what new roads should in his opinion be made so as to facilitate communication and improve conditions of traffic; and

Commissioner to
conduct experi-
ments.

Ibid., s. 17.

- (2) conduct or cause to be conducted experiments with different materials to test their relative durability and suitability for the construction and maintenance of roads; and
- (3) record, publish, and make available for general information the results of all such surveys and investigations; and
- (4) purchase all land, machinery, tools, implements, and materials that may be needed for the purposes of this Act.

18. No contract involving an expenditure by the Commissioner of an amount exceeding one thousand pounds shall be entered into without the written consent of the Minister being first obtained.

No contract to be made exceeding £1,000 without written consent of Minister.
No. 33 of 1929,
s. 4.

19. The Commissioner shall also—

Other duties of the Commissioner.

- (a) inspect and report on and construct or supervise roads and works when so desired by the Minister;
- (b) report to the Minister at least once a year, and on such other occasions as the Minister directs, on his proceedings under this Act;
- (c) keep a full and complete record of all stock, machinery, plant, and materials the property of the Commissioner under this Act;
- (d) supervise the construction, improvement, and maintenance of main roads and developmental roads, and other works to be carried out under this Act; and
- (e) perform such other duties as may be prescribed.

20. (1.) Where the Commissioner, in reconstructing an existing road or building a new road, prejudicially affects the access to a property having a frontage thereto, the Commissioner shall at his own expense provide reasonable access to the reconstructed or new road.

Commissioner to provide access in certain cases.

No. 33 of 1929,
s. 12.

(2.) If in carrying out the provision of subsection (1) of this section it becomes necessary for the Commissioner to acquire any land belonging to a private owner, the expense of so doing shall be borne by the person requiring such access: Provided that, before any such land is so acquired, the Commissioner shall give at least twenty-one days' notice of his

intention to acquire, and in the event of the person requiring such access dissenting from his so doing, the Commissioner's responsibility under subsection (1) hereof shall cease.

21. The Commissioner may request any local authority to furnish any information respecting any road or work under the control of such authority, and if the information is available it shall be furnished to the Commissioner by the local authority within one month.

Commissioner may request local authority to furnish information.
No. 51 of 1925, s. 19.

22. The Commissioner may, with the approval of the Minister, construct tramways, aerial tramways, steel tracks, and other works on any road for the purposes of transporting materials for facilitating the exercise of his powers under this Act, and the approval so given shall be sufficient authority for the Commissioner to construct and maintain such tramways, aerial tramways, steel tracks, and other works, and to use the same for the purpose aforesaid, and for all purposes incidental thereto.

Power to lay tramways for transporting materials.
Ibid. s. 20.

23. Any person who obliterates, removes, or defaces any signs, marks, trenches, posts, pegs or the like, made, erected or inserted in or upon any land in the course of making surveys, or taking levels, or setting out any land required for the purposes of this Act, or establishing distances, warnings, directions and the like, shall be guilty of an offence and liable on conviction to a penalty not exceeding twenty pounds.

Penalty for defacing works, etc.
No. 33 of 1929, s. 5.

Developmental Roads.

24. (1.) The Governor may, on his own initiative or on the recommendation of the Commissioner—

- (a) declare any road to be a developmental road for the purposes of this Act;
- (b) authorise and empower the Commissioner to lay out and provide such developmental road.

(2.) The Governor may likewise, or on the like recommendation, revoke or vary any declaration made under this section, but without prejudice to anything previously done by virtue of such declaration.

(3.) When a developmental road, or any part thereof, has been constructed or any work executed thereon, such road or part thereof shall be maintained by the local authority in whose district the road or part thereof is situated:

Developmental roads may be declared or provided.
No. 51 of 1925, s. 21.
No. 33 of 1929, s. 6.

Provided that in case of a road, or part thereof, following the common boundary of two districts, the cost of such maintenance shall be apportionable between the local authorities of such districts and the Commissioner may determine the respective liabilities of each local authority.

25. Before making any recommendation for the purposes of the last preceding section, the Commissioner, in consultation with the local authority, shall make such investigations as may be prescribed, which shall include, in case of a recommendation under subsection (1), an investigation as to whether the road or proposed road will serve to develop or further develop any district or part of a district, or will serve to develop any area of Crown or private land by providing access to a railway station or a shipping wharf, or to a road leading to a railway station or a shipping wharf.

Commissioner to investigate before making recommendation.

No. 51 of 1925, s. 22.

26. The Minister, the Commissioner, and the officers acting under this Act shall have the same powers with regard to the provision and construction of developmental roads as are by this Act conferred on them regarding main roads, and the provisions of this Act regarding the provision and construction of main roads shall, as far as practicable, apply *mutatis mutandis* to developmental roads.

Powers in respect of developmental roads.

Ibid. s. 23.

27. (1.) If a local authority fails to maintain to the satisfaction of the Commissioner any developmental road, the Commissioner shall by notice in writing direct the local authority to carry out, within a period to be named in the notice, such works of maintenance as are specified.

Provisions in case of default by local authority.

No. 51 of 1925, s. 24.

No. 33 of 1929, s. 7.

If the local authority fails to comply with any such direction, the Commissioner may carry out such works. Any expenses so incurred by the Commissioner shall be repaid by the local authority to the Commissioner, and if not repaid within three months after demand by the Commissioner, shall be deemed a debt due and payable to His Majesty, and all remedies therefor may be enforced in the name of His Majesty against the local authority and the revenues thereof.

(2.) All moneys repaid by, or recovered from a local authority under this section shall be placed to the credit of the Main Roads Trust Account.

Land Resumption.

Procedure for taking land.

No. 51 of 1925, s. 25.

28. Whenever any land is required for the purposes of this Act, such land may be entered upon, surveyed, and taken under the powers contained in and in accordance with the procedure prescribed by the Public Works Act, 1902.

Protection to the Commissioner and Officers.

Protection to Commissioners and officers.
Ibid s. 26.

29. No action shall be maintainable against the Commissioner of any of his officers for or on account of any matter or thing committed by him or them in the execution or intended execution of his or their office under this Act, unless—

- (a) one month's notice in writing is given to the Commissioner or officer concerned stating the cause of action, and the name and address of the party about to sue; and
- (b) the action is commenced within six months after the cause of action arose.

The Main Roads Trust Account.

Main Roads Trust Account.

No. 51 of 1925, s. 27.

No. 33 of 1929, s. 8.

30. There shall be paid every year to the credit of an account to be established at the Treasury, and to be called "The Main Roads Trust Account," the annual amount of the fees and moneys following, that is to say—

- (a) such proportion of the tax imposed on the unimproved capital value of land as has been for the time being appropriated by Parliament to the purposes of this Act;
- (b) all net revenue received by the Commissioner of Taxation under any Act imposing a tax on the income of vendors of motor spirit in addition to any other income tax payable by such vendors, if and so far as such tax is payable to a fund for the purposes of main roads;
- (c) all moneys paid to the Treasury by any local authority in respect of permanent works and of the maintenance of main roads, and of the maintenance of developmental roads;
- (d) the moneys received by the State Government under the provisions of the agreement set out in the schedule to the Federal Aid Roads Act, 1926, and any variation thereof, and also all other moneys which may be received by the State Government

from the Commonwealth for the purposes of construction, reconstruction, or maintenance of roads;

- (e) all moneys appropriated by Parliament or advanced by the Treasurer for the purposes of this Act: Provided that in respect of any moneys so appropriated or advanced, and which are raised under a Loan Act, the Main Roads Trust Account shall be debited with interest and Sinking Fund charges, but only to the extent that funds which can rightly be used for that purpose are available in such Trust Account, subject, however, to any provision contained in the Federal Aid Roads Act, 1926, or other Statute for the payment of Sinking Fund from other sources. The Treasurer shall determine the principal sum to be charged with interest and sinking fund, and the rates of such.
- (f) the moneys received by the Treasurer under section thirty-three, and all moneys received by the Commissioner under the provisions of this Act.

31. (1.) The amount of all fees and moneys paid into the Main Roads Trust Account—

- (a) shall in the first place be chargeable with the costs of collection as certified by the Minister, and secondly with the costs incidental to the administration of this Act, and the exercise of the functions of the Commissioner;
- (b) subject as aforesaid shall be used and applied in such manner and proportions as the Governor, on the recommendation of the Commissioner, shall from time to time determine in and for the purpose of defraying the cost of and incidental to the provision, construction, maintenance and supervision of main roads, and to the provision and construction of developmental roads, and of any other work executed and provided under this Act:

Appropriation of
Main Roads Trust
Account.

No. 51 of 1925,
s. 28.

No. 33 of 1929,
s. 9.

Provided that the moneys received under Section 33 of this Act shall be applied to the maintenance of main roads.

(2.) The warrant of the Commissioner shall be a sufficient authority to the Treasurer to make any payment provided for by this section.

(3.) The unexpended moneys in the account at the end of any year may be used under this section for any other year without fresh appropriation.

Authority for
expenditure by
local authorities,
No. 51 of 1925,
s. 29.

32. It shall be lawful for any local authority to expend out of its ordinary revenue, or money borrowed for the purpose under its borrowing powers, such sums as the local authority may in its discretion think fit—

(a) in payment to the Commissioner of contribution to the cost of the construction of any main road, or developmental road; or

(b) in payment of the expense incurred by the local authority in the construction, maintenance, or repair of any main road or developmental road undertaken by the local authority,

so far as any such road is within the district of the local authority.

Apportionment of
the amount
expended on
permanent
works and
maintenance.

No. 51 of 1925,
s. 30.

No. 33 of 1920,
s. 10.

33. (1.) Local authorities whose districts are situated outside the metropolitan area as defined in the Traffic Act, 1919-1926, or the North-West portion of the State as defined in the *Gazette* of 31st October, 1924, shall be divided into three classes, namely—

(a) those local authorities whose districts are traversed by any main road;

(b) those local authorities whose districts are contiguous to a district of class (a);

(c) all other local authorities;

and from and inclusive of the 1st day of July, 1929, such local authorities shall pay to the Treasurer, in accordance with subsection (3) hereof, a proportionate part of the amount of all license fees collected by them under section ten of the Traffic Act, 1919-1926, as follows:—

(i) local authorities of class (a) shall pay 22½ per cent. of the license fees collected;

(ii) local authorities of class (b) shall pay 15 per cent. of the license fees collected; and

(iii) local authorities of class (c) shall pay 10 per cent. of the license fees collected:

Provided that the Governor may, on the recommendation of and for reasons assigned by the Commissioner, reduce the rate of contribution by any local authority under class (b) from 15 per cent. to 12½ per cent.

(2.) The Treasurer shall appropriate each month twenty-two and one-half per cent. of the net balance referred to in paragraph (b) of subsection (2) of Section 13 of the Traffic Act, 1919-1926, to the purposes of this Act, and the balance remaining after such appropriation shall be taken to be the net balance for the purpose of the provisions of that section.

(3.) Each local authority required to contribute under this section shall keep a special trust account, into which shall be paid as collected the prescribed proportion of license fees, and at the end of each month all moneys held in such account shall be withdrawn and remitted to the Treasurer.

(4.) There shall be established at the Treasury an account to be called "The Main Roads Contribution Trust Account," into which shall be paid the moneys received by the Treasurer from local authorities, together with those contributed from the Metropolitan Traffic Trust Account in pursuance of this section.

(5.) This section shall be deemed to have come into operation on the first day of July, 1929.

(6.) Amounts payable by local authorities under the provisions of section thirty of the principal Act as the same was contained therein prior to the Main Roads Act Amendment Act, 1929, are hereby waived.*

*Section 30 of the Main Roads Act, 1925, was repealed by Section 10 of the Main Roads Act Amendment Act, 1919, which inserted a new Section 30 in place thereof in the principal Act. Section 30 as so amended contained two additional subsections, as follows:—

"(5.) Amounts due by local authorities on account of apportionments as set out under the repealed section thirty for the year 1926-1927 are hereby waived; and local authorities shall not be required to contribute towards the expenditure on permanent works and maintenance on main roads during that year.

(6.) The repeal of section thirty of the principal Act shall not (except as provided by subsection (5) of the substituted section) affect its application to expenditure on permanent works and maintenance on main roads to the 30th day of June, 1929, and to enable the Board to apportion half the amount of such expenditure, and to determine the matters referred to in paragraphs (a), (b), and (c) of subsection (1) of the said section, it shall be deemed to continue in operation until such apportionment is made and such matters are determined:

Provided that the liability of local authorities under the said section shall cease on receipt by the Treasurer of the first two years' payments in respect of expenditure during 1927-1928, and the first year's payment in respect to expenditure during 1928-1929."

Regulations.

Power to make
regulations.

No. 51 of 1925,
s. 31.

34. The Governor may, on the recommendation of the Commissioner, make regulations not inconsistent with this Act, prescribing all things which by this Act are required or permitted to be prescribed or which it may be necessary or convenient to prescribe for the purpose of giving effect to the objects and purposes of this Act, including regulations to authorise local authorities to grant permission for the erection on main roads, in return for advertising concessions, of highway lighthouses or beacons, and regulations prescribing the travelling expenses to be allowed to the Commissioner and his officers, and may by such regulations prescribe penalties for offences against the regulations not exceeding in any case the sum of twenty pounds.

SCHEDULE.

The Main Roads Act, 1925.

The Main Roads Act Amendment Act, 1929.