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[1942

NATIONAL SECURITY (EMERGENCY POWERS) ACT 1939.

*At the Executive Council Chamber, Melbourne, the
twenty-first day of December, 1942.*

PRESENT:

His Excellency the Governor of Victoria.

Mr. Dunstan	Mr. Hyland
Mr. Lind	Sir George Goudie
Mr. Old	Mr. Tuckett
Mr. Hogan	Mr. Martin
Mr. Bailey	Mr. Rodda
Mr. Mackrell	Mr. Lienhop.

REGULATIONS RELATING TO THE POWERS OF THE VICTORIAN RAILWAYS COMMISSIONERS.

IN pursuance of the powers conferred by the *National Security (Emergency Powers) Act 1939* His Excellency the Governor of the State of Victoria, by and with the advice of the Executive Council thereof, doth make the following Regulations, that is to say:—

1. These Regulations may be cited as the National Security Citation. (Railways) Regulations.

2. Notwithstanding any Act or law to the contrary, The Victorian Railways Commissioners may with the approval of the Minister of Transport decline to receive or forward any goods or live-stock if it appears that such a course is advisable by reason of disarrangement of transport or of markets through war conditions or is in the interests of national security.

Power to
The Victorian
Railways
Commissioners
to decline
to receive
or forward
goods, &c.,
in certain
cases.

And the Honorable Albert Arthur Dunstan, His Majesty's Premier of the State of Victoria, shall give the necessary directions herein accordingly.

C. W. KINSMAN,
Clerk of the Executive Council.

No. 142.

No. 368.—13631/42.

NATIONAL SECURITY (EMERGENCY POWERS) ACTS.

At the Executive Council Chamber, Melbourne, the
twenty-first day of December, 1942.

PRESENT:

His Excellency the Governor of Victoria.

Mr. Dunstan	Mr. Hyland
Mr. Lind	Sir George Goudie
Mr. Old	Mr. Tuckett
Mr. Hogan	Mr. Martin
Mr. Bailey	Mr. Rodda
Mr. Mackrell	Mr. Lienhop.

REGULATIONS RELATING TO THE CONSTRUCTION OF ESSENDON
AERODROME TRAMWAY.

AT the request of the Government of the Commonwealth of Australia His Excellency the Governor of the State of Victoria, in pursuance of the powers conferred by the National Security (Emergency Powers) Acts, by and with the advice of the Executive Council thereof, doth make the following Regulations, that is to say:—

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| Citation. | 1. These Regulations may be cited as the National Security (Essendon Aerodrome Tramway) Regulations. |
| Interpretation.
"Board". | 2. In these Regulations—
"Board" means the Melbourne and Metropolitan Tramways Board. |
| Authority to Board to construct &c. certain tramway. | 3. (1) The Board is hereby authorized to construct maintain manage and operate the tramway described in the Schedule to these Regulations as effectually as if the same were referred to in the Fifth Schedule to the <i>Melbourne and Metropolitan Tramways Act 1928</i> and as if the municipal district of Keilor were referred to in the Second Schedule to the said Act. |
| As to construction of portion of track. | (2) Notwithstanding anything in any Act—
(a) the Board may, to the extent indicated in the Schedule to these Regulations, construct the tracks of such tramway of open ballast railway design. |
| Setting apart of portion of route as tramway reserve. | (b) the land made available by the Commonwealth for the construction of any part of the said tramway shall be deemed to be set apart as a tramway reserve and shall be used exclusively for tramway purposes; and |
| Fencing of portion of route. | (c) the Board shall effectually fence at its own expense all land made available and deemed to be set apart as aforesaid. |
| As to grants and loans by the Commonwealth. | 4. Notwithstanding anything in the Melbourne and Metropolitan Tramways Acts—
(a) all moneys paid to the Board by the Commonwealth by way of grant or loan in respect of the construction of the tramway described in the Schedule to these Regulations and in respect of the construction of any sub-station to supply extra electric power for the operation of the said tramway shall be paid into the general fund of the Board and credited to a special account, to be kept in the books of the Board, of all sums received and expended in connection with the construction of such tramway and sub-station and matters incidental thereto; and
(b) the Board may, with the consent of the Governor in Council, accept any such moneys from the Commonwealth subject to such terms and conditions and to the giving of such securities as are agreed to by the Commonwealth and the Board. |
| Provision for sinking fund in relation to loans by Commonwealth in respect of tramway. | 5. (1) Notwithstanding anything in the Melbourne and Metropolitan Tramways Acts, the Board shall provide a sinking fund in relation to such moneys as are paid to the Board by the Commonwealth by way of loan in respect of the said tramway and sub-station and the Board shall on the thirtieth day of June in each year pay to such sinking fund out of revenue in the general fund of the Board an amount |

of at least Four per centum of the Board's total liability to the Commonwealth in respect of the said tramway and sub-station.

(2) Such sinking fund shall be available for the discharge of the Board's liability to the Commonwealth in respect of the said tramway and sub-station and insofar as such liability cannot be met out of such sinking fund it shall be met out of moneys (other than revenue) in the general fund of the Board or out of moneys borrowed pursuant to the powers conferred by section twenty-eight of the *Melbourne and Metropolitan Tramways Act 1928*.

SCHEDULE.

A double track electric tramway commencing at the terminus of the existing electric tramway at the intersection of the eastern building line of Birdwood-street with Keilor-road; thence north-easterly for a distance of approximately 34 chains along Keilor-road; thence northerly for a distance of approximately 18 chains to Niddrie-street along a strip of land to be made available by the Commonwealth and set apart as a tramway reserve the western boundary of which is in direct alignment with the eastern boundary of Matthews-avenue; thence northerly for a distance of approximately 50 chains along a strip of land to be made available by the Commonwealth and set apart as a tramway reserve adjacent and parallel to the eastern boundary of Matthews-avenue; thence easterly for a distance of approximately 21 chains along a strip of land to be made available by the Commonwealth and set apart as a tramway reserve the northern boundary of which is in part in direct alignment with and in part coincident with the southern boundary of Vaughan-street.

The total length of the tramway is approximately 1.54 miles.

On that part of the route hereinbefore described which passes along land to be made available by the Commonwealth and set apart as a tramway reserve, the track of the tramway may be of open ballast railway design.

And the Honorable Albert Arthur Dunstan, His Majesty's Premier of the State of Victoria, shall give the necessary directions herein accordingly.

C. W. KINSMAN,
Clerk of the Executive Council.

No. 143.

