



ANNO QUARTO

GEORGII V REGIS.

A.D. 1913.

No. 1141.

An Act to make further provision for the Reconstruction, Maintenance, and Supervision of Roads and Bridges, and for purposes incidental thereto and consequent thereon.

[*Assented to, December 18th, 1913.*]

BE it Enacted by the Governor of the State of South Australia, with the advice and consent of the Parliament thereof, as follows:

1. This Act may be cited as "The Roads Supervision and Works Act, 1913." Short title.

2. In this Act, unless inconsistent with the context,— Interpretation.

"Council" means any Municipal or District Council, and includes the Renmark Irrigation Trust, No. 1:

"Inspector" means Inspector of Roads and Bridges appointed under this Act:

"Road" includes all culverts, embankments, fences, and other works connected with the road:

"The Engineer" means the Engineer for Roads and Bridges, and includes any officer for the time being discharging the duties of, and any officer acting under the authority of, the Engineer for Roads and Bridges:

"The Minister" means the Minister of the Crown to whom, for the time being, the administration of this Act is committed by the Governor:

"The State" means the State of South Australia.

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The Minister to be a body corporate for the purposes of the Act.

3. (1) For the purposes of this Act, the Minister shall be a body corporate, and shall have perpetual succession and a common seal.

(2) All Courts, Judges, and persons acting judicially shall take judicial notice of such seal when affixed to any instrument, and shall, in the absence of proof to the contrary, presume that the same was properly affixed thereto.

General powers of the Minister.

4. Subject to the provisions of this Act the Minister in his corporate name, may—

- i. purchase, take, receive, accept, hold, acquire, and possess lands, tenements, and hereditaments in fee simple or for any less estate or interest, or for any term of years or otherwise, and may contract for the right to remove materials from any lands, tenements, and hereditaments for the purposes of this Act; and, with the consent of the Governor, may sell, grant, convey, transfer, demise, assign, or otherwise dispose of and assure any lands, tenements, or hereditaments vested in him for any estate or interest therein;
- ii. acquire, by purchase or hire or otherwise, goods and chattels, including stock, machinery, and road-making plant and materials of all kinds;
- iii. sue and be sued, and submit to arbitration, in all Courts and before all Judges, Magistrates, Justices, and arbitrators whomsoever, in all actions, suits, causes, disputes, and matters whatsoever; and
- iv. do and exercise all such further acts and powers as he is by this Act authorised to do and exercise, or as may be necessary or convenient for carrying into effect any of the purposes or objects of this Act.

Minister may dispose of surplus plant.

5. The Minister may—

- (a) sell or otherwise dispose of, on such terms as he thinks fit, to any Council any of the properties or things mentioned in section 4 which are not required for the purposes of this Act:
- (b) let or hire out, on such terms as he thinks fit, to any Council any of the properties or things mentioned in section 4.

Minister may authorise Engineer to inspect, repair, and reconstruct roads and bridges.

6. (1) The Minister may authorise the Engineer to inspect or to repair or reconstruct any public road or bridge.

Engineer to have all the powers of a Council for that purpose.

(2) When so authorised, the Engineer shall have and may exercise, for such purpose, all or any of the powers for the inspection or the repair or reconstruction of such road or bridge which the Council, within whose Municipality or District such road or bridge is situated, has or may exercise with respect to such road or bridge under

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under any Act, and the exercise by the said Council of such powers shall thereupon be suspended except so far (if at all) as directed by the Minister.

(3) On the completion by the Engineer of the work so authorised, the Engineer shall certify the completion thereof to the said Council by writing signed by him, addressed to the Clerk of such Council and posted at any post office in the State. Engineer to certify completion of work.

(4) Upon such posting as aforesaid the suspension of the powers of the said Council shall cease.

(5) The powers of the Engineer under this section are in addition to his general powers under this Act.

7. (1) All work to be carried out under this Act shall be carried out by the Engineer under the authority of the Minister. Engineer to carry out work under this Act.

(2) All lands, tenements, and hereditaments, and all stock, machinery, plant, and materials acquired under this Act shall be under the care, control, and management of the Engineer. Property acquired under this Act to be under the care, control, and management of the Engineer.

8. The Engineer shall—

(a) advise the Minister as to the proportions in which moneys voted by Parliament from time to time for main roads should be allocated to the Councils ;

(b) supervise the expenditure by the Councils of such moneys, and direct for what works and in what manner the same shall be expended.

Duties of Engineer with regard to moneys voted for main roads.

9. The Engineer shall also—

(a) when directed by the Minister so to do, advise any Council, or any officer of a Council, on any question concerning the reconstruction or repairing of roads or bridges, including the suitability for such purposes of the stone from any quarry or any other material proposed to be used ;

(b) inspect and report on roads and bridges as directed by the Minister ;

(c) report to the Minister at least once a year, and on such other occasions as the Minister directs, on his proceedings under this Act ;

(d) keep a full and complete record of all stock, machinery, plant, and materials the property of the Minister under this Act ; and

(e) carry out such other duties as the Minister directs.

Other duties of the Engineer.

10. The Minister may authorise the Engineer to construct tramways on any public roads or bridges for the purpose of transporting materials. Tramways may be laid on roads for transporting materials.

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transporting materials for facilitating the exercise of his powers under this Act; and the authority so given shall be sufficient authority for the Engineer to construct and maintain such tramways, and to use the same for the purpose aforesaid, and for all purposes incidental thereto.

Inspectors may be appointed.

11. The Engineer may, subject to the approval of the Minister, appoint Inspectors of Roads and Bridges under this Act.

Duties of Inspectors.

12. It shall be the duty of every Inspector, subject to the direction of the Engineer—

(a) to inspect and report on public roads and bridges, and

(b) to supervise work which is being carried out under this Act.

Engineer may request Council to furnish information.

13. The Engineer may request any Council, or any officer of a Council, to furnish him with information respecting any public road or bridge within the Municipality or District of such Council, and such Council or officer shall, if the information requested is available to it, furnish the Engineer therewith.

Future grants to Councils for main roads to be expended as directed by the Engineer.

14. After the passing of this Act, all moneys granted to a Council out of moneys voted by Parliament for main roads shall be expended under the direction and subject to the approval of the Engineer.

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

DAY H. BOSANQUET, Governor.