

MELBOURNE & METROPOLITAN

TRAMWAYS ACTS

Index to Melbourne & Metropolitan Tramways Act, 1928

No. 3732

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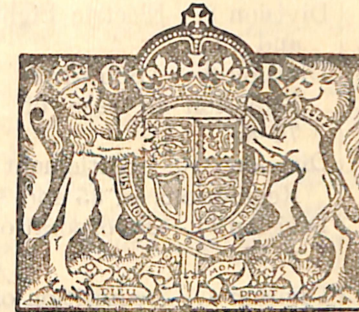
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1928.
VICTORIA.



ANNO UNDEVICESIMO
GEORGII QUINTI REGIS.

No. 3732.

An Act to consolidate the Law relating to Metropolitan
Tramways.

[12th February, 1929.]

BE it enacted by the King's most Excellent Majesty by and with the advice and consent of the Legislative Council and the Legislative Assembly of Victoria in this present Parliament assembled and by the authority of the same as follows (that is to say):—

Melbourne and
Metropolitan
Tramways Act
1918.

1. This Act may be cited as the *Melbourne and Metropolitan Tramways Act 1928*, and shall come into operation on a day to be fixed by proclamation of the Governor in Council published in the *Government Gazette* and is divided into Parts and Divisions as follows:—

Short title
commencement
and division.
Ib. s. 1.

PART I.—The Melbourne and Metropolitan Tramways Board ss. 4-21.

PART II.—Financial ss. 22-36.

Division 1.—General ss. 37-41

Division 2.—Present Authority to Construct Certain Tramways Extensions Connexions &c. s. 42.

Division 3.—Existing Tramways ss. 43 and 44.

Division 4.—Reserves in Streets or Roads s. 45.

Division 5.—Construction of Tramways under Municipal Guarantee ss. 46-57.

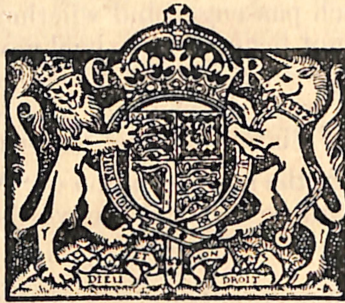
Division 6.—Construction Management and Operation of Tramways ss. 58-69.

Division 7.—Parks and Gardens in connexion with Tramway Undertakings ss. 70-73.

PART III.—
Tramways
ss. 37-87.

1929.

VICTORIA.



ANNO VICESIMO

GEORGII QUINTI REGIS.

No. 3851.

An Act relating to Motor Omnibuses.

[30th December, 1929.]

BE it enacted by the King's Most Excellent Majesty by and with the advice and consent of the Legislative Council and the Legislative Assembly of Victoria in this present Parliament assembled and by the authority of the same as follows (that is to say) :—

1. This Act may be cited as the *Motor Omnibus Act 1929* and shall be read and construed as one with the *Motor Omnibus Act 1928* (hereinafter called the Principal Act) which Act and this Act may be cited together as the Motor Omnibus Acts.

Short title construction and citation. No. 3742.

Light Motor Omnibuses.

2. In section twenty-one of the Principal Act—

Amendment of No. 3742 s. 21.

(a) after the interpretation of "Licensing Authority" there shall be inserted the following interpretation :—

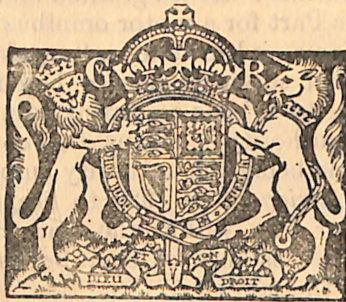
"Light motor omnibus" means any motor car within the meaning of the *Motor Car Act 1928* with seating capacity for not more than five passengers and used or intended to be used for carrying passengers for

"Light motor omnibus". No. 3741.

reward

1928

VICTORIA.



ANNO UNDEVICESIMO

GEORGII QUINTI REGIS.

No. 3742.

An Act to consolidate the Law making further provision with respect to Motor Omnibuses and for other purposes.

[12th February, 1929.]

BE it enacted by the King's Most Excellent Majesty by and with the advice and consent of the Legislative Council and the Legislative Assembly of Victoria in this present Parliament assembled and by the authority of the same as follows (that is to say) :—

Motor Omnibus Act 1924.

1. This Act may be cited as the *Motor Omnibus Act 1928*, and shall come into operation on a day to be fixed by proclamation of the Governor in Council published in the *Government Gazette*, and is divided into Parts and Divisions as follows :—

Short title and commencement.

PART I.—Metropolitan Motor Omnibuses ss. 3–20.

PART II.—Urban and Country Motor Omnibuses ss. 21–63.

Introductory ss. 21 and 22.

Division 1.—Urban Motor Omnibuses ss. 23–35.

Division 2.—Country Motor Omnibuses ss. 36–55.

Division 3.—General ss. 56–63.

2. The Acts mentioned in the First Schedule to this Act to the extent thereby expressed to be repealed are hereby repealed. Such repeal shall not affect any regulation made or licence granted or issued or any registration effected or any right acquired or any liability civil or criminal incurred or any matter or thing done under the said repealed Acts or any of them.

Repeal. First Schedule.

PART I.—METROPOLITAN MOTOR OMNIBUSES.

3. (1) In this Part unless inconsistent with the context or subject-matter—

Interpretation. Ib. s. 2.

“ Board ” means the Melbourne and Metropolitan Tramways Board.

1930.
VICTORIA.



ANNO VICESIMO PRIMO
GEORGI QUINTI REGIS.

No. 3941.

An Act relating to the Melbourne and
Metropolitan Tramways Board.

[31st December, 1930.]

BE it enacted by the King's Most Excellent Majesty by and with the advice and consent of the Legislative Council and the Legislative Assembly of Victoria in this present Parliament assembled and by the authority of the same as follows (that is to say) :—

1. This Act may be cited as the *Melbourne and Metropolitan Tramways Board Act 1930* and shall be read and construed as one with the *Melbourne and Metropolitan Tramways Act 1928* (hereinafter called the Principal Act) and any Act amending the same all of which Acts and this Act may be cited together as the *Melbourne and Metropolitan Tramways Acts*.

Short title
construction
and citation.
Nos. 3732, 3824.

2. In section nine of the Principal Act as amended by the *Melbourne and Metropolitan Tramways Board Act 1929* for the words "thirty-first day of December One thousand nine hundred and thirty" there shall be substituted the words "thirty-first day of December One thousand nine hundred and thirty-one."

Amendment of
No. 3732 s. 9
as amended by
No. 3824 s. 2.
Continuance in
office of
members of
the Board &c.

MELBOURNE :

By Authority : H. J. GREEN, Government Printer.

142.—PRICE 6D.

Chief Engineer

1932.

VICTORIA.



ANNO VICESIMO TERTIO

GEORGII QUINTI REGIS.

No. 4080.

An Act relating to the Melbourne and Metropolitan Tramways Board.

[29th December, 1932.]

BE it enacted by the King's Most Excellent Majesty by and with the advice and consent of the Legislative Council and the Legislative Assembly of Victoria in this present Parliament assembled and by the authority of the same as follows (that is to say) :—

1. This Act may be cited as the *Melbourne and Metropolitan Tramways Board Act 1932* and shall be read and construed as one with the *Melbourne and Metropolitan Tramways Act 1928* (hereinafter called the Principal Act) and any Act amending the same all of which Acts and this Act may be cited together as the Melbourne and Metropolitan Tramways Acts.

Short title construction and citation. Nos. 3732, 3824, 3902, 3941, 3994.

2. In section nine of the Principal Act as amended by any Act for the words "thirty-first day of December One thousand nine hundred and thirty-two" there shall be substituted the words "thirty-first day of December One thousand nine hundred and thirty-three."

Amendment of No. 3732 s. 9 as amended by No. 3824 s. 2, No. 3941 s. 2, and No. 3994 s. 2.

Continuance in office of members of the Board &c.

MELBOURNE:

By Authority: H. J. GREEN, Government Printer.

14083.—PRICE 6D.

CHIEF ENGINEER.

1933.

VICTORIA.



ANNO VICESIMO QUARTO
GEORGII QUINTI REGIS.

No. 4179.

An Act relating to the Melbourne and
Metropolitan Tramways Board.

[29th December, 1933.]

BE it enacted by the King's Most Excellent Majesty by and with the advice and consent of the Legislative Council and the Legislative Assembly of Victoria in this present Parliament assembled and by the authority of the same as follows (that is to say):—

1. This Act may be cited as the *Melbourne and Metropolitan Tramways Board Act 1933* and shall be read and construed as one with the *Melbourne and Metropolitan Tramways Act 1928* (hereinafter called the Principal Act) and any Act amending the same all of which Acts and this Act may be cited together as the Melbourne and Metropolitan Tramways Acts.

Short title
construction
and citation.

Nos. 3732, 3824,
3902, 3941,
3994, 4080.

2. In section nine of the Principal Act as amended by any Act for the words "thirty-first day of December One thousand nine hundred and thirty-three" there shall be substituted the words "thirty-first day of December One thousand nine hundred and thirty-four."

Amendment of
No. 3732 s. 9
as amended by
No. 3824 s. 2,
No. 3941 s. 2,
No. 3994 s. 2
and No. 4080
s. 2.

Continuance
in office of
members of the
Board &c.

MELBOURNE:

By Authority: H. J. GREEN, Government Printer.

13758.—PRICE 6D.

D.C. Robertson Chairman
M.A. Carr
M.A. Carr
Donat

49/44.—PRICE 1s.

“Casual

Employment Board under this Act.

“Board” means the Discharged Servicemen’s “Board”.

interpretations.

derivatives thereof, have corresponding

in his employment, and “appoint”, and the

of a person not in his employment to a position

“Appointment” means appointment by an employer

or subject-matter—

2. (1) In this Act unless inconsistent with the context

published in the Government Gazette.

(2) This Act shall come into operation on a day to

Commencement.

Servicemen’s Preference Act 1943.

1. (1) This Act may be cited as the Discharged

Short title.

same as follows (that is to say):—

present Parliament assembled and by the authority of the

Council and the Legislative Assembly of Victoria in this

and with the advice and consent of the Legislative

BE it enacted by the King’s Most Excellent Majesty by

[23rd December, 1943.]

and for other purposes.

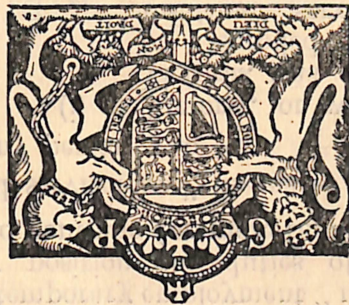
An Act Relating to Preference in Employment for

Discharged Members of the Defence Forces,

No. 4989.

GEORGII SEXTI REGIS

ANNO OCTAVO



VICTORIA.

1943.

PREFERENCE

R. J. LORMER

DISCHARGED
SERVICEMEN

Price

91-3-1944

"Casual or temporary employment"
"Discharged serviceman"

"Employment"
"Employer"

35718

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MOULE, HAMILTON & DERHAM,
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MELBOURNE. C.1.

6th July, 1944.

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- 7 JUL 1944
ROLLING STOCK SUPT.

S. M. Richardson, Esq.,
Manager,
Melbourne & Metropolitan Tramways Board,
Little Collins Street,
MELBOURNE. C.1.

Dear Sir,

re Discharged Servicemen's Preference Act.

I have perused this Act of the Victorian Parliament and considered its provisions with particular regard to industrial awards, etc.

The Commonwealth constitution provides that -

"When a law of a State is inconsistent with a law of the Commonwealth, the latter shall prevail, and the former shall to the extent of the inconsistency, be invalid."

An award of the Commonwealth Arbitration Court is "a law of the Commonwealth" so that if any provisions of such an award deal with appointments or promotions they must be observed in spite of the terms of the Victorian Act.

I am not dealing in this letter with the provisions in details of the Victorian Act but they must be considered in each case and compared with the relevant award provisions.

The Tramway Employees award makes special provision with regard to promotions - Clause 14.

The Tramway Officers' Award also makes special provision with regard to promotions - clause 10. In view of what I say above both these provisions must be observed in spite of the terms of the Victorian Act.

I think that the Victorian Act I am discussing overrides any provision in the Board's own Act and the regulations made thereunder.

Yours faithfully,

(Sgd.) FRANK P. DERHAM.

IV 21