

## SNOWY MOUNTAINS ENGINEERING CORPORATION (SOUTH AUSTRALIA) ACT, 1971-1973

being

Snowy Mountains Engineering Corporation (South Australia) Act, 1971, No. 91 of 1971 [Assented to 25th November, 1971];

as amended by

Snowy Mountains Engineering Corporation (South Australia) Act Amendment Act, 1973, No. 58 of 1973 [Assented to 22nd November, 1973].

### **An Act relating to the performance of work within South Australia by the Snowy Mountains Engineering Corporation.**

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 "Snowy Mountains Engineering Corporation (South Australia) Act, 1971-1973".

Short title.  
Citation  
amended by 58,  
1973, s. 1 (2).

2. In this Act, unless the context otherwise requires—

Interpretation.

"the Commonwealth Act" means the Act of the Parliament of the Commonwealth entitled the *Snowy Mountains Engineering Corporation Act 1970*, as amended by the Act of the Parliament of the Commonwealth entitled the *Snowy Mountains Engineering Corporation Act (No. 2) 1970*, and, if the first mentioned Act has been further amended before, or is further amended after, the commencement of this Act, means that first mentioned Act as in force as amended at the material time:

"the Corporation" means the Snowy Mountains Engineering Corporation established by the Commonwealth Act.

3. (1) The Corporation shall be deemed to be and, since the commencement of the Commonwealth Act, always to have been for all purposes of the law of the State—

The  
Corporation.

(a) a corporation sole having the name "Snowy Mountains Engineering Corporation", with perpetual succession and an official seal;

and

(b) capable in its corporate name of acquiring, holding, taking and letting on lease and disposing of real and personal property and of suing and being sued.

(2) All courts, judges and persons acting judicially shall take judicial notice of the official seal of the Corporation affixed to a document and shall presume that it was duly affixed.

Functions and  
powers of the  
Corporation.

4. (1) Where an exercise by the Corporation of a function specified in subsection (1) of section 17 of the Commonwealth Act is not authorized by that Act by reason of the provisions of subsection (2) of that section or by reason of that Act being required to be read and construed so as not to exceed the legislative power of the Parliament of the Commonwealth, that exercise of that function by the Corporation is, to the extent that the legislative power of the Parliament of the State permits, authorized by this Act.

Subsec. (2)  
amended by 58,  
1973, s. 2.

(2) The authority to exercise functions conferred on the Corporation by this Act does not extend to authorize an exercise of a function unless approval is given to that exercise of the function in accordance with subsection (3) of section 17 of the Commonwealth Act.

(3) In relation to the exercise of a function under the authority conferred on it by this Act the Corporation has all the powers expressed to be conferred on it by the Commonwealth Act as if it were exercising the function under the authority conferred on it by that Act.

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