ACTS OF THE PARLIAMENT OF SOUTH AUSTRALIA

—

1954



ACTS

OF

THE PARLIAMENT

OF

SOUTH AUSTRALIA

1954

With Acts reprinted pursuant to the Amendments Incorporation Act, 1937, Tables and Indexes.

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ANNO TERTIO

ELIZABETHAE II REGINAE

A.D. 1954

****

No. 1 of 1954

An Act for the further appropriation of the revenue of the State for the year ending on the thirtieth day of June, nineteen hundred and fifty-four, and for other purposes.

[*Assented to 17th June,* 1954.]

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 " Appropriation Act (No. 1), 1954 ". Short title.

2. Out of the moneys paid to the State by the Commonwealth of Australia, and any other General Revenue of the said State, not otherwise by law specially appropriated, there may be further issued, in addition to all sums by any other Act authorized to be issued and applied for defraying the charges of the State Government for the year ending on the thirtieth day of June, nineteen hundred and fifty-four, any further sum or sums not exceeding in the whole five hundred and sixty-one thousand five hundred and thirty pounds. Further issue.

3. All moneys issued under this Act, not exceeding the sum hereinbefore mentioned, shall be applied and appropriated for the following purposes— Appropriation of General Revenue issued under this Act.

	£
Chief Secretary and Minister of Health—Miscellaneous	229,900
Treasurer and Minister of Immigration—	
Publicity and Tourist Bureau and Immigration Department	70,400
Miscellaneous	147,161
Minister of Lands and Minister of Repatriation—	
Miscellaneous	15,400
Minister of Works—	
Aborigines Department	18,669
Minister of Education—	
Education Department	30,000
Miscellaneous	50,000
	£561,530

Treasurer to pay the orders of Governor, and discharge by receipt of party.

4. The issue and payment by the Treasurer, from time to time, of any sums of money for the purposes hereinbefore mentioned, not exceeding in the whole the amount hereinbefore specified, in such portions as the Governor directs by any orders in writing signed by him and countersigned by the Chief Secretary, is hereby authorized; and the Treasurer shall, in his accounts, be allowed credit for all sums paid by him in pursuance of such orders accordingly; and the receipts of the persons to whom such sums are so paid shall be to him a full discharge for the sums for which the receipts are given, and the amounts thereof shall be passed to his credit in account accordingly.

Validation of rewards for Uranium discoveries.

5. The payment of the undermentioned rewards for the discovery of Uranium is hereby validated :—

(*a*) Reward of £5,000 paid to W. F. Wenham, on 5th January, 1954.

(*b*) Reward of £50 paid to J. Spooner, on 1st April, 1954.

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

R. A. GEORGE, Governor.

ANNO TERTIO

ELIZABETHAE II REGINAE

A.D. 1954

****

No. 2 of 1954

An Act to apply, out of the General Revenue, the sum of Six Million Pounds to the Public Service for the year ending on the thirtieth day of June, nineteen hundred and fifty-five.

[*Assented to* 17*th June,* 1954.]

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

Short title.

1. This Act may be cited as the " Supply Act (No. 1), 1954 ".

Issue and application of £6,000,000.

2. Out of the General Revenue of the State there shall be issued and applied, from time to time, for the public service of the State for the financial year ending the thirtieth day of June, nineteen hundred and fifty-five, any moneys not exceeding in the whole six million pounds.

Payments not to exceed last year's Estimates except in certain respects.

3. (1) No payments for any establishment or service shall be made out of the said moneys in excess of the rates voted for similar establishments or services on the Estimates for the financial year ended on the thirtieth day of June, nineteen hundred and fifty-four: Provided that there may be paid out of the said moneys increases of salaries or wages fixed or prescribed by any return made under any Act relating to the public service, or by any regulation, or by any award, order, or determination of any court or other body empowered to fix or prescribe wages or salaries.

(2) The Treasurer is hereby authorized to pay such increases out of the said moneys.

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

R. A. GEORGE, Governor.

ANNO TERTIO

ELIZABETHAE II REGINAE

A.D. 1954

****

No. 3 of 1954

An Act to apply, out of the General Revenue, a further sum of Six Million Pounds to the Public Service for the year ending the thirtieth day of June, nineteen hundred and fifty-five.

[*Assented to 26th August,* 1954.]

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 " Supply Act (No. 2), 1954 ". Short title

2. Out of the General Revenue of the State there shall be issued and applied, from time to time, for the public service of the State for the financial year ending the thirtieth day of June, nineteen hundred and fifty-five, in addition to any moneys so issued and applied pursuant to the Supply Act (No. 1), 1954, any moneys not exceeding in the whole six million pounds. Issue and application of £6,000,000.

3. (1) No payments for any establishment or service shall be made out of the said moneys in excess of the rates voted for similar establishments or services on the Estimates for the financial year ended on the thirtieth day of June, nineteen hundred and fifty-four, except increases of salaries or wages fixed or prescribed by any return made under any Act relating to the public service, or by any regulation, or by any award, Payments not to exceed last year's Estimates except in certain respects.

order, or determination of any court or other body empowered to fix or prescribe wages or salaries.

(2) The Treasurer is hereby authorized to pay such increases out of the said moneys.

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

R. A. GEORGE, Governor.

ANNO TERTIO

ELIZABETHAE II REGINAE

A.D. 1954

****

No. 4 of 1954

An Act to repeal the Meters and Gas Act, 1881 and to amend the Gas Act, 1924-1950.

[*Assented to 9th September,* 1954.]

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

Short titles.

1. (1) This Act may be cited as the " Gas Act Amendment Act, 1954 ".

(2) The Gas Act, 1924-1950, as amended by this Act, may be cited as the " Gas Act, 1924-1954 ".

(3) The Gas Act, 1924-1950, is hereinafter called " the principal Act ".

Incorporation.

2. This Act is incorporated with the principal Act and that Act and this Act shall be read as one Act.

Repeal of s. 4 of the principal Act and enactment of other provisions—

3. Section 4 of the principal Act is repealed and the following section is enacted in lieu thereof :—

Repeal of Meters and Gas Act, 1881.

4. The Meters and Gas Act, 1881 is repealed.

Amendment of s. 5 of principal Act—Interpretation.

4. Section 5 of the principal Act is amended by adding at the end thereof the following definition :—

" gas supplier " means—

(*a*) The South Australian Gas Company ; and

(*b*) any other company, body, or person declared by proclamation under section 5a of this Act to be a gas supplier within the meaning of this Act.

Enactment of s. 5a of the principal Act—Proclamation of gas suppliers.

5. The following section is enacted and inserted in the principal Act after section 5 thereof:—

5a. The Governor may by proclamation—

(*a*) declare that any person, company or other body who or which supplies gas to the public by means of pipes laid on to or connected with premises of consumers shall be a gas supplier within the meaning of this Act;

(*b*) declare that any person, company or other body who or which has been so proclaimed as a gas supplier shall cease to be a gas supplier within the meaning of this Act.

Amendment of s. 7 of principal Act—Inspectors.

6. Section 7 of the principal Act is amended—

(*a*) by striking out the words "the Company" in the fifth line and inserting in lieu thereof the words "any gas supplier";

(*b*) by adding at the end thereof the following passage:—Every person holding office as a gas examiner or inspector of meters under this section at the time of the passing of the Gas Act Amendment Act, 1954, shall have authority under this Act to test gas supplied by any gas supplier and to inspect the meters of any gas supplier.

Amendment of s. 19 of principal Act—Meters to be tested and stamped.

7. Section 19 of the principal Act is amended—

(*a*) by striking out the words "the Company" in the second line of subsection (1) and inserting in lieu thereof the words "a supplier";

(*b*) by inserting therein after subsection (2) the following subsection:—

(2a) Every meter issued by a gas supplier and in use on the premises of any consumer at the time when that gas supplier is proclaimed as such under this Act, shall within seven years after the date of such proclamation, be tested as prescribed and if found accurate be stamped as prescribed.

(*c*) by striking out the words " the Company " in the first line of subsection (3) and inserting in lieu thereof the words " a gas supplier ".

8. Section 55 of the principal Act is amended— Amendment of s. 55 of principal Act—Expenses of administration.

(*a*) by inserting after the word " but " in the fourth line of subsection (1) the words " the cost of administering this Act in relation to each gas supplier " ;

(*b*) by striking out the words " the Company " in the fourth line of subsection (1) and inserting in lieu thereof the words " such gas supplier " ;

(*c*) by striking out the words " the Company " in the second line of subsection (2) and inserting in lieu thereof the words " each gas supplier " ;

(*d*) by striking out the words " purposes of this Act " in the fourth line of subsection (2) and inserting in lieu thereof the words " administration of this Act in relation to such gas supplier " ;

(*e*) by striking out the words " The Company " in the first line of subsection (3) and inserting in lieu thereof the words " Every gas supplier " ;

(*f*) by striking out the words " the Company " in the second line of subsection (3) and inserting in lieu thereof the words " such gas supplier ".

9. The principal Act is further amended in the manner set out in the schedule to this Act. Consequential amendments of principal Act.

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

R. A. GEORGE, Governor.

THE SCHEDULE.

CONSEQUENTIAL AMENDMENTS OF GAS ACT, 1924-1950.

Section or Subsection.	Line.	Amendment.
8	8	Strike out " the Company " and insert " any gas supplier ".
9	4	Strike out " the company " (first occurring) and insert " any gas supplier ". Strike out " the Company " (second occurring) and insert " every gas supplier ".
	7 and 8	Strike out " the mains and pipes of the Company " and insert " its mains and pipes ".
	9 and 10	Strike out " the Company " and insert " it ".
12	1	Strike out " the Company " and insert " a gas supplier ".
13 (1)	1	Strike out " the Company " and insert " a gas supplier ".
13 (2)	1	Strike out " the Company " and insert " a gas supplier ".
13 (3)	2	Strike out " the Company " and insert " a gas supplier ".
	3 and 4	Strike out " Company " and insert " gas supplier ".
	5 and 6	Strike out " Company " and insert " gas supplier ".
	10	Strike out " the Company " and insert " that gas supplier ".
	13	Strike out " the Company " and insert " that gas supplier ".
15	1	Strike out " the Company " and insert " Every gas supplier ".
16	1	Strike out " the Company " and insert " a gas supplier ".
16 (1)	3	After " apparatus " insert " provided by such gas supplier " ; after " gas " insert " supplied by such gas supplier ".
16 (2)	3 and 4	Strike out " Company " (twice occurring) and insert " gas supplier ".
17	2	Strike out " the Company " and insert " a gas supplier ".
17	4	Strike out " Company " and insert " gas supplier ".
18 (1)	2	Strike out " the company " and insert " a gas supplier ".
	6	Strike out " the company " and insert " that gas supplier ".
	10	Strike out " the company " and insert " a gas supplier ".
	17	After " supply area " insert " in relation to the Company ".
	21	After " Port Pirie " insert " and in relation to any other gas supplier means the whole of the area supplied from any one works of such gas supplier ".
18 (2)	1	Strike out " the Company " and insert " a gas supplier ".
	3	Strike out " company " and insert " gas supplier ".
18 (3)	1	Strike out " The Company " and insert " A gas supplier ".
	4	Strike out " the company " and insert " a gas supplier ".
18 (4)	1	Strike out " the Company " and insert " a gas supplier ".
20	2	Strike out " the Company " and insert " a gas supplier ".
	4 and 6	Strike out " company " (twice occurring) and insert " gas supplier ".
21	—	Strike out the whole section and insert the following :— 21. Where a meter issued by a gas supplier and in use on the premises of a consumer is on being tested found to be inaccurate the gas supplier shall forthwith remove the meter at the expense of such supplier.
23	1	Strike out " the Company " and insert " a gas supplier ".
	10	Strike out " Company " and insert " gas supplier ".
25	6 and 8	Strike out " Company " and insert " gas supplier ".
First Schedule Part II. and Part III.	1	Strike out " the Company " in the first line of Part II. and the first line of Part III. and insert in each case the words " a gas supplier ".

ANNO TERTIO

ELIZABETHAE II REGINAE

A.D. 1954

****

No. 5 of 1954

An Act to amend the Medical Practitioners Act, 1919-1950.

[*Assented to 9th September*, 1954.]

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

Short titles.

1. (1) This Act may be cited as the " Medical Practitioners Act Amendment Act, 1954 ".

(2) The Medical Practitioners Act, 1919-1950, as amended by this Act, may be cited as the " Medical Practitioners Act, 1919-1954 ".

(3) The Medical Practitioners Act, 1919-1950, is hereinafter referred to as " the principal Act ".

Incorporation.

2. This Act is incorporated with the principal Act and that Act and this Act shall be read as one Act.

Amendment of principal Act, s. 22—Registration and renewal fees.

3. Section 22 of the principal Act is amended—

(*a*) by inserting at the commencement of subsections (1) and (2) thereof the words " Subject to subsections (3) and (4) of this section " ;

(*b*) by inserting at the end thereof the following subsection :—

(4) No registration fee and no renewal fees shall be payable by a person who—

(*a*) is registered as a medical practitioner under the law of any other State of the Commonwealth or any Territory of the Commonwealth; and

(*b*) (i.) is employed as a full-time medical officer by the Commonwealth; or

(ii.) is employed or holds an appointment as a flying medical officer of the Flying Doctor Service of Australia (South Australian Section).

Consequential amendment of principal Act, s. 23—Certificate of registration.

4. Section 23 of the principal Act is amended by striking out the words "the registration fee" in the first line of subsection (1) thereof and inserting in lieu thereof the words "such registration fee (if any) as is payable by him".

Consequential amendment of principal Act, s. 24—Provisional certificate may be granted.

5. Section 24 of the principal Act is amended by striking out the words "the registration fee required by section 22" and inserting in lieu thereof "such registration fee (if any) as is payable by him".

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

R. A. GEORGE, Governor.

ANNO TERTIO

ELIZABETHAE II REGINAE

A.D. 1954

****

No. 6 of 1954

An Act to amend the Public Finance Act, 1936-1949.

[*Assented to 9th September,* 1954.]

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

Short titles.

1 (1) This Act may be cited as the " Public Finance Act Amendment Act, 1954 ".

(2) The Public Finance Act, 1936-1949, as amended by this Act may be cited as the " Public Finance Act, 1936-1954 ".

(3) The Public Finance Act, 1936-1949, is hereinafter called " the principal Act ".

Incorporation.

2. This Act is incorporated with the principal Act and that Act and this Act shall be read as one Act.

Amendment of s. 7 of principal Act—Agreements in relation to public securities in London.

3. Section 7 of the principal Act is amended—

(*a*) by adding after the word " Australia " in the second line the words " or the Commonwealth Trading Bank of Australia ";

(*b*) by adding at the end thereof the following subsection :—

(3) Subsection (1) of this section shall authorize the Treasurer to make agreements concurrently with all or any of the banks mentioned in subsection (1).

Amendment of s. 34 of principal Act—

Drawing on trust funds.

4. Section 34 of the principal Act is amended—

(*a*) by striking out subsection (2) thereof and inserting in lieu thereof the following subsection :—

(2) Every such order shall be payable at the Treasury, Adelaide, or through the Commonwealth Bank of Australia, Adelaide, or through the Commonwealth Trading Bank of Australia, Adelaide ;

(*b*) by adding after the word " Australia " in the first line of subsection (3) the words " or the Commonwealth Trading Bank of Australia ".

(*c*) by adding after the word " Bank " in the twentieth line of subsection (3) the words " of Australia or the Commonwealth Trading Bank of Australia ".

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

R. A. GEORGE, Governor.

ANNO TERTIO

ELIZABETHAE II REGINAE

A.D. 1954

****

No. 7 of 1954

An Act to amend the Wheat Price Stabilization Scheme Ballot Act, 1953.

[*Assented to 9th September,* 1954.]

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

Short titles.

1. (1) This Act may be cited as the "Wheat Price Stabilization Scheme Ballot Act Amendment Act, 1954".

(2) The Wheat Price Stabilization Scheme Ballot Act, 1953, as amended by this Act, may be cited as the "Wheat Price Stabilization Scheme Ballot Act, 1953-1954".

(3) The Wheat Price Stabilization Scheme Ballot Act, 1953, is hereinafter referred to as "the principal Act".

Incorporation.

2. This Act is incorporated with the principal Act and that Act and this Act shall be read as one Act.

Amendment of s. 2 of principal Act—Holding of ballot.

3. Section 2 of the principal Act is amended—

(*a*) by adding after the figures "1952-1953" in the second line of subsection (3) the words and figures "or 1953-1954 or has sown not less than 50 acres to wheat in the season 1954-1955"; and

(*b*) by adding after the words "Wheat Board" in the fourth line of subsection (4) the words "or have sown land to wheat".

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

R. A. GEORGE, Governor.

ANNO TERTIO

ELIZABETHAE II REGINAE

A.D. 1954

****

No. 8 of 1954

An Act to amend the Wild Dogs Act, 1931-1953.

[*Assented to 9th September,* 1954.]

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

Short titles.

1. (1) This Act may be cited as the "Wild Dogs Act Amendment Act, 1954".

(2) The Wild Dogs Act, 1931-1953, as amended by this Act, may be cited as the "Wild Dogs Act, 1931-1954".

(3) The Wild Dogs Act, 1931-1953, is hereinafter referred to as "the principal Act".

Amendment of principal Act, s. 6a—Aerial baiting for wild dogs.

2. Section 6a of the principal Act is amended—

(*a*) by striking out the words "all or any of the years nineteen hundred and fifty-two, nineteen hundred and fifty-three, and nineteen hundred and fifty-four, but in no other years," in subsection (1) thereof and by inserting in lieu thereof the words "any year";

(*b*) by adding at the end thereof the following subsection:—

(3) For the purpose of bringing about the destruction of wild dogs the Minister may and is hereby authorized to cause poison baits to be dropped from aircraft upon any land other than land such as is described in paragraph (*a*), (*b*),

(*c*), or (*d*) of subsection (1) of section 5. Section 38 of the Vermin Act, 1931-1953, shall not apply with respect to any such poison baits.

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

R. A. GEORGE, Governor.

ANNO TERTIO

ELIZABETHAE II REGINAE

A.D. 1954

****

No. 9 of 1954

An Act to amend the Business Agents Act, 1938-1951.

[*Assented to 16th September,* 1954.]

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

Short titles.

1. (1) This Act may be cited as the " Business Agents Act Amendment Act, 1954 ".

(2) The Business Agents Act, 1938-1951, as amended by this Act, may be cited as the " Business Agents Act, 1938-1954 ".

(3) The Business Agents Act, 1938-1951, is hereinafter referred to as " the principal Act ".

Incorporation.

2. This Act is incorporated with the principal Act and that Act and this Act shall be read as one Act.

Amendment of principal Act, s. 4—
Exemption of trustees and auctioneers.

3. (1) Section 4 of the principal Act is amended by inserting after the word " licence"' in the paragraph (*b*) thereof the words " for the purpose only of offering to sell or selling any business by auction ".

(2) Subsection (1) of this section shall come into operation on the first day of April, 1955.

4. The following section is enacted and inserted in the principal Act after section 14 thereof :— Enactment of s. 14a of principal Act—

Licensed auctioneers.

14a. Notwithstanding any other provision of this Act, if the applicant for the grant or renewal of a licence is a licensed auctioneer the court shall issue a licence or grant a renewal, as the case may be, without payment of any fee.

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

R. A. GEORGE, Governor.

ANNO TERTIO

ELIZABETHAE II REGINAE

A.D. 1954

****

No. 10 of 1954

An Act to amend the Marketing of Eggs Act, 1941-1949.

[*Assented to 30th September,* 1954.]

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

Short titles.

1. (1) This Act may be cited as the "Marketing of Eggs Act Amendment Act, 1954".

(2) The Marketing of Eggs Act, 1941-1949, as amended by this Act, may be cited as the "Marketing of Eggs Act, 1941-1954".

(3) The Marketing of Eggs Act, 1941-1949, is hereinafter referred to as "the principal Act".

Incorporation.

2. This Act is incorporated with the principal Act and that Act and this Act shall be read as one Act.

Amendment of s. 35 of the principal Act—Period of operation of Act.

3. Section 35 of the principal Act is amended by striking out the word "fifty-four" at the end thereof and inserting in lieu thereof the word "fifty-seven".

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

R. A. GEORGE, Governor.

ANNO TERTIO

ELIZABETHAE II REGINAE

A.D. 1954

****

No. 11 of 1954

An Act to authorize the Treasurer to borrow and expend money for public works and purposes, and to enact other provisions incidental thereto.

[*Assented to 7th October*, 1954.]

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

Short title.

1. This Act may be cited as the " Public Purposes Loan Act, 1954 ".

Interpretation.

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

" the financial agreement " means the Financial Agreement made between the Commonwealth and all the States and set out in the schedule at the end of the Amending Financial Agreement Act, 1944 ;

" the loan fund " means the money mentioned in section 3 of this Act ;

" schedule " means schedule to this Act.

The loan fund.

3. For the purposes of this Act the loan fund shall consist of—

(*a*) any money standing to the credit of the loan fund account in the Treasury at the commencement of this Act ;

(*b*) all money received after the commencement of this Act by the Treasurer in repayment of advances made, or money expended, out of money borrowed under any Act ;

(*c*) all surplus revenue applied after the commencement of this Act to loan accounts in accordance with section 30 of the Public Finance Act, 1936-1949 ;

(*d*) the money borrowed under this Act.

Power to borrow.

4. The Treasurer may arrange for the sum of twenty-four million five hundred and ninety-five thousand pounds to be borrowed on behalf of the State in accordance with the financial agreement.

Issue and application of money from loan fund.

5. (1) There may be issued out of the loan fund any sums not exceeding twenty-seven million two hundred and ninety-five thousand pounds.

(2) The sums so issued shall be applied for the purposes mentioned in the first schedule.

(3) If the amount mentioned in any line of the first schedule as the estimated expenditure for the work or purpose mentioned in that line is insufficient for that work or purpose, the Treasurer may issue additional money from the loan fund for that work or purpose but so that the total amount issued under this Act from the loan fund during the financial year 1954-1955 for works and purposes mentioned in the first schedule shall not exceed twenty-seven million two hundred and ninety-five thousand pounds.

Flotation expenses.

6. The Treasurer may—

(*a*) in addition to the other amounts authorized by this Act to be borrowed, arrange for the borrowing on behalf of the State in accordance with the financial agreement of a sum equal to the discounts, charges and expenses incurred in connection with the borrowing of money under this Act ;

(*b*) issue a sum equal to those discounts, charges and expenses out of the loan fund, and apply the sum so issued in payment of those discounts, charges and expenses.

Temporary finance for loan works.

7. If the money in the loan fund is at any time insufficient for the purpose of carrying out the works and purposes mentioned in the first schedule the Treasurer may use other money in his hands for those purposes, but any money so used shall be repaid from the loan fund as soon as there is sufficient money in that fund to make the repayment.

Power to borrow additional sums if further loan money available.

8. (1) If, during the financial year 1954-1955, the Treasurer is of opinion that additional loan money may be available for the State, he may arrange for the borrowing, on behalf of the State in accordance with the financial agreement, of an additional sum not exceeding two million three hundred and eighteen thousand pounds.

(2) There may be issued out of the loan fund, in addition to the sums mentioned in the preceding sections of this Act, any further sums not exceeding the amount borrowed under this section.

(3) Any sum so issued shall be applied to meet expenditure on all or any of the loan undertakings mentioned in the first schedule, additional to the amount of the estimated expenditure indicated in that schedule, but so that the total amount spent on those undertakings during the financial year 1954-1955 shall not exceed twenty-nine million six hundred and thirteen thousand pounds.

The amount to be allocated out of any sum so issued to each loan undertaking shall be determined by the Treasurer.

Power to borrow and apply loan money in 1955-1956.

9. (1) The Treasurer may arrange to borrow, during the period between the 30th June, 1955, and the commencement of the Act authorizing the raising and expenditure of loan money for the financial year 1955-1956, on behalf of the State in accordance with the financial agreement any sums not exceeding seven million pounds.

(2) There may be issued out of the loan fund during the said period any sums not exceeding seven million pounds.

(3) Any sum so issued shall be applied to meet expenditure on all or any of the loan undertakings mentioned in the first schedule during the said period and the amount to be allocated to each such undertaking shall be determined by the Treasurer.

Duration of Act.

10. The authority to borrow money and to issue and apply money from the loan fund, given by the provisions of this Act, other than sections 6, 7 and 9 shall cease on the thirtieth day of June, 1955.

Authority to expend money received from Commonwealth.

11. (1) All money advanced to the State pursuant to the Commonwealth and State Housing Agreement shall be credited to a special account in the books of the Treasurer, and the Treasurer shall out of the money so credited issue and pay to the South Australian Housing Trust such sums as are required for purposes specified in the said Agreement.

(2) All money received by the State from the Commonwealth by way of grants under the Commonwealth Aid Roads Act, 1950, or any amendment thereof, or any Act substituted therefor, shall be paid to a special account in the books of the Treasurer, and the Treasurer shall on the request of the Minister of Local Government issue and pay out of the money so credited such sums as are required for purposes specified in the said Act.

Validation of certain expenditure.

12. The expenditure, before the commencement of this Act, of loan money to the amount of three thousand three hundred and ninety-seven pounds four shillings and one penny, on the land and premises at Osborne known as the Meyer Recreation Oval, is hereby validated.

Commencement of Act.

13. This Act shall be deemed to have come into operation on the first day of July, nineteen hundred and fifty-four.

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

R. A. GEORGE, Governor.

FIRST SCHEDULE.

Amounts Proposed to be Expended from the Loan Fund During the Financial Year Ending 30th June, 1955.

Loan Undertakings.	Estimated Expenditure.
	£
STATE BANK.	
Advances for Homes	1,350,000
Loans to Producers	432,000
Advances to Settlers	50,000
Loans for Fencing and Water Piping	4,000
Vermin-proof Fencing	1,000
Advances to State Bank	500,000
Advances to State Bank Act, 1925-1941, Part VIA.—For Loans to Primary Producers	2,000
Loans for Water Conservation	1,000
HIGHWAYS AND LOCAL GOVERNMENT.	
Roads and Bridges	100,000
LANDS.	
Land Repurchased for Closer Settlement	5,000
Crown Lands Development Act	75,000
Agricultural Graduates—Purchase of Land for	1,000
IRRIGATION AND DRAINAGE.	
Irrigation and Reclamation of Swamp Lands	200,000
Lessees Reclaimed Swamp Lands, Loans to	1,000
South-Eastern Drainage	525,000
WOODS AND FORESTS.	
Afforestation and Timber Milling	1,300,000
RAILWAYS.	
Railway Accommodation	2,176,000
HARBORS BOARD.	
Harbors Accommodation	800,000
ENGINEERING AND WATER SUPPLY.	
Water Works and Sewers	5,575,000
River Murray Weirs, Dams, Locks, etc.	200,000
ARCHITECT-IN-CHIEF.	
Government Buildings and Land	2,570,000
MISCELLANEOUS.	
Expenses and Discounts of Floating Conversion Loans	100,000
Produce Department—Buildings and Plant, etc.	50,000
Settlement of Discharged Soldiers on the Land, 1914-1918	3,000
South Australian Housing Trust—War-time and Post-war Housing	1,000,000

Amounts Proposed to be Expended from the Loan Fund During the Financial Year Ending 30th June, 1955—continued.

Loan Undertakings.	Estimated Expenditure.
	£
MISCELLANEOUS—*continued.*	
Leigh Creek Coal Field	400,000
Electricity Trust of South Australia—Loan to	5,000,000
Purchase of Stores	1,000,000
Temporary and Emergency Housing Accommodation	20,000
Industries Development Act—Advances under	5,000
Municipal Tramways Trust—Loan to	500,000
Metropolitan and Export Abattoirs Board—Loan to	100,000
Public Parks Act—Purchase of Land	5,000
Mines Department	200,000
Uranium Production	3,000,000
Lands—Buildings, plant, etc.	20,000
Printing and Stationery—Plant, machinery, etc.	20,000
Enfield General Cemetery—Advances to	4,000
Total	£27,295,000

ANNO TERTIO

ELIZABETHAE II REGINAE

A.D. 1954

****

No. 12 of 1954

An Act to amend the Anatomy Act, 1884-1934.

[*Assented to 21st October,* 1954.]

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

Short titles.

1. (1) This Act may be cited as the " Anatomy Act Amendment Act, 1954 ".

(2) The Anatomy Act, 1884-1934, as amended by this Act, may be cited as the " Anatomy Act, 1884-1954 ".

(3) The Anatomy Act, 1884-1934, is hereinafter referred to as " the principal Act ".

Incorporation.

2. This Act is incorporated with the principal Act and that Act and this Act shall be read as one Act.

Amendment of long title of principal Act.

3. The long title of the principal Act is amended by inserting at the end thereof the words " and for other purposes ".

Enactment of s. 18a of principal Act—

4. The following heading and section are enacted and inserted in the principal Act after section 18 thereof :—

Corneal Grafting.

Removal of eyes of deceased persons.

18a. (1) If any person, either in writing at any time or orally in the presence of two or more witnesses during his last illness, has expressed a request that his eyes be used for therapeutic purposes after his death, the person lawfully in possession of his body after his death may,

unless he has reason to believe that the request was subsequently withdrawn, authorize the removal of the eyes from the body for use for those purposes.

(2) Without prejudice to subsection (1) of this section the person lawfully in possession of the body of a deceased person may authorize the removal of the eyes from the body for the purpose aforesaid unless that person has reason to believe—

(*a*) that the deceased person had expressed an objection to his eyes being so dealt with after his death, and had not withdrawn it ; or

(*b*) that the surviving spouse or any surviving relative of the deceased person objects to the deceased person's eyes being so dealt with.

(3) An authority given under this section in respect of a body shall be sufficient authority for the removal of the eyes from that body and their use for the purposes aforesaid ; but no such removal shall be effected except by a legally qualified medical practitioner, who must have satisfied himself by a personal examination of the body that life is extinct.

(4) If the person empowered under this section to give authority for the removal of the eyes from a body has reason to believe that an inquest may be required to be held on the body, he shall not give such authority without the consent of the City Coroner. The City Coroner may give his consent upon such conditions as he thinks proper.

(5) No authority shall be given under this section in respect of a body by a person entrusted by another person with the body for the purpose only of its interment or cremation.

(6) In the case of a body lying in a hospital, any authority under this section may be given—

(*a*) by the person having the control and management of the hospital ;

(*b*) by any person authorized in writing by the person having such control and management.

(7) Nothing in this section shall be construed as rendering unlawful any dealing with, or with any part of, the body of a deceased person which would have been lawful if this section had not been passed.

Amendment of principal Act—Insertion of heading.

5. The principal Act is amended by inserting between section 18a and section 19 thereof the heading "*Miscellaneous*".

Commencement.

6. This Act shall come into force three months after the passing of this Act.

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

J. M. NAPIER, Governor's Deputy.

ANNO TERTIO

ELIZABETHAE II REGINAE

A.D. 1954

****

No. 13 of 1954

An Act to amend the Food and Drugs Act, 1908-1953.

[*Assented to 21st October,* 1954.]

BE IT ENACTED by the Governor of the said State of South Australia, with the advice and consent of the Parliament thereof, as follows :

Short titles.

1. (1) This Act may be cited as the " Food and Drugs Act Amendment Act, 1954 ".

(2) The Food and Drugs Act, 1908-1953, as amended by this Act, may be cited as the " Food and Drugs Act, 1908-1954".

(3) The Food and Drugs Act, 1908-1953, is hereinafter referred to as " the principal Act ".

Incorporation.

2. This Act is incorporated with the principal Act and that Act and this Act shall be read as one Act.

Amendment of s. 5 of principal Act—Interpretation.

3. Section 5 of the principal Act is amended as follows :—

(*a*) After the definition of " Central Board of Health " the following definition is inserted :—

" controlled therapeutic substance " means a drug which, pursuant to any proclamation in force under this Act, is for the time being a controlled therapeutic substance :

(*b*) The definition of "drug" is struck out and the following definition inserted in its place :—

"drug" means—

(*a*) any substance capable of being used for any one or more of the purposes mentioned below, namely—

(i) preventing, diagnosing, curing, or alleviating any disease, ailment, defect or injury in man or animals :

(ii) influencing, inhibiting or modifying a physiological process in man or animals :

(iii) testing susceptibility to a disease or ailment in man or animals :

(iv) surgical ligatures, sutures and dressings :

(*b*) any preservative, antiseptic, disinfectant, deodorant or narcotic ;

(*c*) cosmetics ;

(*d*) laundry and toilet soap intended for sale to the public by retail.

4. The following section is enacted and inserted in the principal Act after section 5a thereof :— Enactment of s. 5b of the principal Act—

5b. The Governor may by proclamation from time to time— Declaration of controlled therapeutic substances.

(*a*) declare that any drug specified in the proclamation shall be a controlled therapeutic substance within the meaning of this Act :

(*b*) vary or revoke any proclamation for the time being in force under this section.

5. The following section is enacted and inserted in the principal Act after section 6 thereof :— Enactment of s. 6a of the principal Act—

6a. Those provisions of this Act and of the regulations made under this Act which relate to poisons and controlled therapeutic substances shall be administered by the Central Board of Health, and a local authority shall not have power to administer such provisions. Administration of certain provisions.

Amendment of s. 61 of principal Act—Regulations.

6. Section 61 of the principal Act is amended by striking out paragraph (7) thereof and inserting in lieu thereof the following :—

(7) The regulation and restriction and conditions of the manufacture, sale or other disposal, purchase, transport, storage, ownership, and possession of poisons and controlled therapeutic substances.

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

J. M. NAPIER, Governor's Deputy.

ANNO TERTIO

ELIZABETHAE II REGINAE

A.D. 1954

****

No. 14 of 1954

An Act to amend the Health Act, 1935-1953.

[*Assented to 21st October,* 1954.]

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

Short titles.

1. (1) This Act may be cited as the " Health Act Amendment Act, 1954 ".

(2) The Health Act, 1935-1953, as amended by this Act, may be cited as the " Health Act, 1935-1954 ".

(3) The Health Act, 1935-1953, is hereinafter referred to as " the principal Act ".

Amendment of principal Act, s. 3—Arrangement.

2. Section 3 of the principal Act is amended by striking out the line " Part IX.—Infectious Diseases." and by inserting in lieu thereof the following :—

Part IX.—Infectious and Notifiable Diseases.

Part IXA.—Tuberculosis.

3. Section 4 of the principal Act is amended—

Amendment of principal Act, s. 4—Interpretation.

(*a*) by striking out the definition of " metropolitan local boards " and by inserting in lieu thereof the following definition :—

" metropolitan local boards " means—

(*a*) the municipal councils of Adelaide, Brighton, Burnside, Campbelltown,

Enfield, Glenelg, Henley and Grange, Hindmarsh, Kensington and Norwood, Marion, Mitcham, Payneham, Prospect, St. Peters, Thebarton, Port Adelaide, Unley, Walkerville, West Torrens, and Woodville ;

(*b*) the Garden Suburb Commissioner ; and

(*c*) such other local boards as the Governor by proclamation declares to be metropolitan local boards :

(*b*) by inserting therein after the definition of " metropolitan local boards " the following definition :—

" notifiable disease " means—

(*a*) any disease included in the third schedule ; and

(*b*) any other disease which the Governor by proclamation declares to be a notifiable disease :

Enactment of s. 5a of principal Act—

4. The following section is enacted and inserted in the principal Act after section 5 thereof :—

Notifiable diseases.

5a. (1) The Governor may from time to time by proclamation declare any disease to be a notifiable disease.

(2) The Governor may from time to time by proclamation declare that any disease (whether defined as a notifiable disease by section 4 or proclaimed as such by proclamation) shall cease to be a notifiable disease. Any such disease may subsequently be again proclaimed as a notifiable disease.

Amendment of principal Act, s. 101—

Dogs at slaughterhouses.

5. Section 101 of the principal Act is amended—

(*a*) by striking out the words " or shall keep, or permit to be kept, or allow to be, in or about any slaughterhouse any dog, unless constantly chained when not used for yarding purposes " in subsection (1) thereof ;

(*b*) by inserting therein after subsection (3) thereof the following subsection :—

(3a) If any dog is in or about any slaughterhouse, the person in charge of the slaughterhouse shall be guilty of an offence and liable to a penalty not exceeding ten pounds unless he satisfies the court—

(*a*) that the dog was in or about the slaughterhouse for the purpose of being used for yarding purposes and when not so used was constantly chained ; or

(*b*) that the dog was in or about the slaughterhouse without his knowledge and that he could not reasonably have had knowledge of the presence of the dog.

Amendment of heading to Part IX. of principal Act.

6. The heading to Part IX. of the principal Act is amended by inserting after the word " Infectious " the words " and Notifiable ".

Amendment of principal Act, s. 127— Duty to report notifiable disease.

7. Section 127 of the principal Act is amended—

(*a*) by inserting after the word " disease " in the third line thereof the words " or any notifiable disease " ;

(*b*) by inserting after the word " disease " in the third to last line of subsection (1) thereof the words " or notifiable disease " ;

(*c*) by inserting after the word " disease " in the last line of subsection (3) thereof the words " or notifiable disease ".

Amendment of principal Act, s. 130— Protection for medical practitioner.

8. Section 130 of the principal Act is amended by inserting after the word " disease " in the third line thereof the words " or notifiable disease ".

Amendment of second schedule of principal Act.

9. The second schedule to the principal Act is repealed and the following schedule is enacted in lieu thereof :—

THE SECOND SCHEDULE.

List of Infectious Diseases.

Acute infective encephalitis
Amoebiasis
Ancylostamiasis
Anthrax
Bilharziasis
Cholera
Diphtheria
Diarrhoea infantile infective
Dysentery bacillary
Influenza in epidemic form
Leprosy
Leptospirosis
Malaria
Meningococcal infection
Ornithosis

Paratyphoid fever
Plague
Poliomyelitis
Puerperal pyrexia
Salmonella infection
Scarlet fever
Smallpox
Trachoma
Typhoid fever
Typhus fever (louse borne)
Yellow fever

Enactment of third schedule of principal Act.

10. The following schedule is enacted and inserted in the principal Act after the second schedule thereto :—

THE THIRD SCHEDULE.

List of Notifiable Diseases.

Acute rheumatism
Brucellosis
Chorea (St. Vitus)
Dengue
Erythema nodosum
Encephalitis following another disease
Filariasis
Homologous serum jaundice
Hydatid disease
Infective hepatitis
Lead poisoning
Ophthalmia
Rubella
Tetanus
Trichinosis
Typhus fever—
    Flea borne
    Mite borne
    Tick borne

Revocation of certain proclamations.

11. All proclamations made before the passing of this Act in pursuance of section 5 of the principal Act and declaring any disease to be an infectious disease are hereby revoked.

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

J. M. NAPIER, Governor's Deputy.

ANNO TERTIO

ELIZABETHAE II REGINAE

A.D. 1954

****

No. 15 of 1954

An Act to amend the Prices Act, 1948-1953.

[*Assented to 28th October,* 1954.]

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

Short titles.

1. (1) This Act may be cited as the " Prices Act Amendment Act, 1954 ".

(2) The Prices Act, 1948-1953, as amended by this Act, may be cited as the " Prices Act, 1948-1954 ".

(3) The Prices Act, 1948-1953, is hereinafter referred to as " the principal Act ".

Incorporation.

2. This Act is incorporated with the principal Act and that Act and this Act shall be read as one Act.

Amendment of s. 53 of principal Act—Duration of Act.

3. Section 53 of the principal Act is amended by striking out the word " fifty-five " at the end thereof and inserting in lieu thereof the word " fifty-six ".

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

R. A. GEORGE, Governor.

ANNO TERTIO

ELIZABETHAE II REGINAE

A.D. 1954

****

No. 16 of 1954

An Act to apply, out of the General Revenue, a further sum of Five Million Pounds to the Public Service for the year ending the thirtieth day of June, nineteen hundred and fifty-five.

[*Assented to 28th October,* 1954.]

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

Short title.

1. This Act may be cited as the " Supply Act (No. 3), 1954 ".

Issue and application of £5,000,000.

2. Out of the General Revenue of the State there shall be issued and applied, from time to time, for the public service of the State for the financial year ending the thirtieth day of June, nineteen hundred and fifty-five, in addition to any moneys so issued and applied pursuant to the Supply Acts (Nos. 1 and 2), 1954, any moneys not exceeding in the whole five million pounds.

Payments not to exceed last year's Estimates except in certain respects.

3. (1) No payments for any establishment or service shall be made out of the said moneys in excess of the rates voted for similar establishments or services on the Estimates for the financial year ended on the thirtieth day of June, nineteen hundred and fifty-four, except increases of salaries or wages fixed or prescribed by any return made under any Act relating to the public service, or by any regulation, or by any award,

order, or determination of any court or other body empowered to fix or prescribe wages or salaries.

(2) The Treasurer is hereby authorized to pay such increases out of the said moneys.

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

R. A. GEORGE, Governor.

ANNO TERTIO

ELIZABETHAE II REGINAE

A.D. 1954

****

No. 17 of 1954

An Act to amend the Local Government Act, 1934-1952.

[*Assented to 28th October,* 1954.]

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

Short titles.

1. (1) This Act may be cited as the " Local Government Act Amendment Act (No. 1), 1954 ".

(2) The Local Government Act, 1934-1952, as amended by this Act, may be cited as the " Local Government Act, 1934-1954 ".

(3) The Local Government Act, 1934-1952, is hereinafter referred to as " the principal Act ".

Incorporation.

2. This Act is incorporated with the principal Act and that Act and this Act shall be read as one Act.

Amendment of principal Act, s. 319— Cost of constructing public street.

3. Section 319 of the principal Act is amended—

(*a*) by striking out subsection (2) thereof and by inserting in lieu thereof the following subsection :—

(2) If any one or more of the following works, namely :—

I. forming, levelling or paving any roadway in any public street or road within a municipality or within or adjoining a township within a district ;

II. draining any such public street or road ;

III. forming or constructing watertables in any such public street or road ;

IV. constructing kerbs in any such public street or road,

have not been previously carried out and if the council carries out, either separately or together, all or any of the said works not previously carried out, the council may recover from the owners at the time of the completion of the work of ratable property abutting on the public street or road, the cost of such work or such part thereof as the council thinks fit ratably according to the frontages of the ratable property abutting on the street or road.

The cost or any part of the cost of any work may be recovered as provided by this section notwithstanding that money is borrowed under any provision of this Act for the purpose of carrying out that work, and notwithstanding that other money of the council is used for that purpose.

(*b*) by striking out the words " six pounds " in subsection (3) thereof and by inserting in lieu thereof the words " five pounds ";

(*c*) by striking out the words " three months " in subsection (3) thereof and by inserting in lieu thereof the words " six months ";

(*d*) by adding at the end of subsection (3) thereof the following proviso :—

Provided that in any case in which the council is of opinion that the payment of any such interest would inflict grave hardship on the person required to pay the interest, the council may, by resolution passed in respect of the particular case, reduce the amount of, or altogether remit, any such interest.

(*e*) by adding at the end thereof the following subsections :—

(9) If any roadway is formed, levelled or paved to a part of its width and is subsequently formed, levelled or paved to a greater width then, if the subsequent forming, levelling or paving, as the case may be, has not been previously carried out, the cost of so doing or of such part thereof as the council thinks fit may be recovered in manner provided by this section.

(10) The council shall within six months of the completion of any work the cost or any part of the cost of which is sought to be recovered under this section from any owner of any ratable property, give notice in writing to the owner of the ratable property specifying the amount required to be paid to the council and requiring the payment thereof.

(11) The total of all amounts payable under this section in respect of any ratable property shall not exceed ten shillings per lineal foot of the frontage thereof to the public street or road in which the work is carried out.

Amendment of principal Act, s. 328— Recovery of cost of paving footways.

4. Section 328 of the principal Act is amended—

(*a*) by inserting at the end of subsection (2) the following passage :—

The cost or any part of the cost of any work may be recovered as provided by this section notwithstanding that money is borrowed under any provision of this Act for the purpose of carrying out that work, and notwithstanding that other money of the council is used for that purpose.

(*b*) by striking out the words " six pounds " in subsection (3) thereof and by inserting in lieu thereof the words " five pounds ";

(*c*) by striking out the words " three months " in subsection (3) thereof and by inserting in lieu thereof the words " six months ";

(*d*) by adding at the end of subsection (3) thereof the following proviso :—

Provided that in any case in which the council is of opinion that the payment of any such interest would inflict grave hardship on the person required to pay the interest, the council may, by resolution passed in respect of the particular case, reduce the amount of, or altogether remit, any such interest.

(*e*) by inserting at the end thereof the following subsection :—

(8) The council shall within six months of the completion of any work the cost or any part of the cost of which is sought to be recovered under this section from the owner of any ratable

property, give notice in writing to the owner of the ratable property specifying the amount required to be paid to the council and requiring the payment thereof.

Amendment of principal Act, s. 425—

Plans, etc., with respect to loan proposal.

5. Section 425 is amended by inserting therein after subsection (1) thereof the following subsection :—

(1a) In any case where the works or undertakings are such as are mentioned in section 319 or section 328, and in pursuance of either of those sections the council would, upon the completion of the works or undertakings, have power to recover from owners of ratable property part of the cost thereof, the statement referred to in subsection (1) shall also state that payment of the part of the said cost as provided by the said sections may be required by the council from owners of ratable property.

Recovery of loan money borrowed before passing of Act.

6. (1) Subject to subsection (2) of this section, where before the commencement of this Act a council borrowed money under any provision of the principal Act for the purpose of carrying out work authorized by Division V or Division VI of Part XVII of the principal Act, the cost or any part of the cost of the work shall be recoverable and shall be deemed always to have been recoverable under section 319 or section 328 of the principal Act, as the case may be.

(2) The defendant in the action No. 5566 of 1953 in the Local Court of Adelaide and the defendant in the action No. 5565 of 1953 in the said court shall not be liable to pay any sum if as a result of that action (including all proceedings arising out of it by way of case stated or appeal) he is or has been held not liable to pay that sum.

In the said actions and proceedings the court shall hear and determine the matter in issue as if subsection (1) of this section had not been passed.

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

R. A. GEORGE, Governor.

ANNO TERTIO

ELIZABETHAE II REGINAE

A.D. 1954

****

No. 18 of 1954

An Act to amend The Places of Public Entertainment Act, 1913-1934.

[*Assented to 28th October,* 1954.]

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

Short titles.

1. (1) This Act may be cited as the " Places of Public Entertainment Act Amendment Act, 1954 ".

(2) The Places of Public Entertainment Act, 1913-1934, as amended by this Act, may be cited as the " Places of Public Entertainment Act, 1913-1954 ".

(3) The Places of Public Entertainment Act, 1913-1934, is hereinafter referred to as " the principal Act ".

Incorporation.

2. This Act is incorporated with the principal Act and that Act and this Act shall be read as one Act.

Amendment of s. 3 of principal Act— Interpretation.

3. Section 3 of the principal Act is amended by inserting before the definition of " inspector " therein the following definition :—

" drive-in-theatre " means a place of public entertainment constructed for the admission of vehicles thereto and provided with stands or other accommodation for vehicles, so arranged that persons may witness the entertainment while remaining in such vehicles.

Amendment of s. 7 of principal Act— Licence to state certain particulars.

4. Section 7 of the principal Act is amended by adding at the end thereof the following proviso :—

Provided that in the case of a drive-in-theatre the licence shall, in addition to the particulars mentioned in paragraphs (*a*) and (*b*) of this section, state the total number of vehicles which may be admitted to such theatre. In computing the number of persons who may be admitted to a drive-in-theatre it shall be assumed that each vehicle contains three persons.

Amendment of s. 13 of principal Act—Plans.

5. Section 13 of the principal Act is amended by striking out subsection (1) thereof and inserting in lieu thereof the following subsections :—

(1) A person shall not—

(*a*) commence to construct or proceed with the construction of premises intended for use as a place of public entertainment ; or

(*b*) alter a place of public entertainment ; or

(*c*) alter any premises for the purpose of converting them into a place of public entertainment,

unless plans of such premises or place of entertainment showing the details required by this section have first been submitted to and approved by the Minister.

Penalty : One hundred pounds.

(1a) The plans submitted shall show—

(*a*) the site of the premises or place of public entertainment and the means of access thereto ;

(*b*) details of all buildings and structures constituting such premises or place of public entertainment ; and

(*c*) in a case where existing buildings are to be altered, details of the alterations.

(1b) On the submission of any such plans there shall be paid to the Crown a fee of two pounds two shillings, in addition to the fee prescribed by subsection (2a) of this section.

(1c) The Minister may, in the case of small or unimportant alterations to any premises or place of public entertainment exempt any person from the duty to comply with all or any of the provisions of subsections (1), (1a) and (1b) of this section.

(1d) In this section, the word "alteration" includes additions, and "alter" includes add to.

Amendment of s. 20 of principal Act—Sunday entertainments.

6. Section 20 of the principal Act is amended by adding after the word "entertainment" in the second line the words "(whether public or private)".

Enactment of s. 25a of principal Act—

7. The following section is enacted and inserted in the principal Act after section 25 thereof:—

Cabarets.

25a. (1) In this section "cabaret" means any premises in which meals or refreshments are sold to and consumed by members of the public and in which all or any of the following things are provided after six o'clock in the evening for persons taking meals or refreshments therein, namely:—

(*a*) facilities for dancing by such persons;

(*b*) entertainment for such persons in the form of music, singing, recitations, dancing, or other exhibitions of personal skill.

(2) Subject to the other provisions of this section the Minister may at his discretion register any cabaret on the application of the proprietor thereof.

(3) So long as a cabaret is registered under this section, it shall not be deemed to be a place of public entertainment within the meaning of sections 6 to 24 inclusive, of this Act, by reason only of the fact that after six o'clock in the evening dancing takes place therein by persons taking meals or refreshments therein, or that entertainment in the form of music, singing, recitations, dancing, or other exhibitions of personal skill is provided for persons taking meals or refreshments therein.

(4) A cabaret shall not be registered unless—

(*a*) plans of the premises used as the cabaret have been submitted to and approved by the Minister; and

(*b*) such equipment has been provided on the premises used as the cabaret as is in the opinion of the Minister necessary for the prevention and extinguishing of fires; and

(*c*) such other measures as the Minister requires have been taken to ensure the safety, health, or convenience of persons on such premises.

(5) Registration of a cabaret may be granted subject to any conditions which the Minister thinks desirable to ensure the safety, health, or convenience of persons on the premises.

(6) Upon the registration of a cabaret the Minister shall grant to the proprietor a certificate of registration.

(7) The Minister may by notice in writing to the proprietor cancel the registration of a cabaret if he is satisfied that adequate measures have not been taken to ensure the safety health and convenience of the persons therein, or that the premises of the cabaret have ceased to be used as a cabaret.

(8) The registration of a cabaret (whether the first registration or a renewed registration) shall continue in force until the thirtieth day of June next after the granting or renewal thereof. A registration may be renewed from time to time by the Minister.

(9) A fee of two pounds shall be payable upon the granting of a certificate of registration (whether an original grant or a grant in renewal of a certificate): Provided that where registration is granted between the thirty-first day of December and the following first day of July, the fee shall be one pound.

(10) The registration of a cabaret shall, unless cancelled, continue in force for the period prescribed in this section notwithstanding any change in the ownership of the cabaret.

8. The Second Schedule to the principal Act is amended— Amendment of second schedule to principal Act—Fees for licences.

(*a*) by striking out the word "hall" wherever appearing therein and inserting in lieu thereof the words "place of public entertainment";

(*b*) by adding at the foot thereof the following passage:—

> In the case of a drive-in-theatre the seating capacity shall be assessed on the assumption that the space occupied by each vehicle provides capacity for three persons.

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

R. A. GEORGE, Governor.

ANNO TERTIO

ELIZABETHAE II REGINAE

A.D. 1954

****

No. 19 of 1954

An Act to amend the Industrial and Provident Societies Act, 1923-1952.

[*Assented to 11th November,* 1954.]

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

Short titles.

1. (1) This Act may be cited as the " Industrial and Provident Societies Act Amendment Act, 1954 ".

(2) The Industrial and Provident Societies Act, 1923-1952, as amended by this Act, may be cited as the " Industrial and Provident Societies Act, 1923-1954 ".

(3) The Industrial and Provident Societies Act, 1923-1952, is hereinafter referred to as " the principal Act ".

Incorporation.

2. This Act is incorporated with the principal Act and that Act and this Act shall be read as one Act.

Amendment of principal Act, s. 65— Regulations.

3. Section 65 of the principal Act is amended by inserting at the end of subsection (1) thereof the following subsection :—

(1a) In the exercise of the power contained in subsection (1) of this section to make regulations for or with respect to fees, and without limiting the generality thereof, the Governor may make regulations—

(*a*) prescribing an increased fee to be paid where a return required to be sent to the Registrar within a time specified by this Act is not so sent, but is sent within a time specified in the regulations following the expiration of the time specified by this Act :

(*b*) prescribing a further increased fee to be paid where a return is sent to the Registrar after the expiration of both those times:

(*c*) empowering the Registrar if he is satisfied that just cause exists for so doing to reduce any such increased fee payable by any person to an amount not less than the original fee.

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

R. A. GEORGE, Governor.

ANNO TERTIO

ELIZABETHAE II REGINAE

A.D. 1954

****

No. 20 of 1954

An Act to amend the Inflammable Oils Act, 1908-1935.

[*Assented to 11th November,* 1954.]

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

Short titles.

1. (1) This Act may be cited as the " Inflammable Oils Act Amendment Act, 1954 ".

(2) The Inflammable Oils Act, 1908-1935, as amended by this Act, may be cited as the " Inflammable Oils Act, 1908-1954 ".

(3) The Inflammable Oils Act, 1908-1935, is hereinafter referred to as " the principal Act ".

Incorporation.

2. This Act is incorporated with the principal Act and that Act and this Act shall be read as one Act.

Amendment of principal Act, s. 12—

3. Section 12 of the principal Act is amended by striking out subsection (2) thereof.

Rules as to registered premises.

Enactment of s. 17a of principal Act—

4. The following section is enacted and inserted in Part II. of the principal Act after section 17 thereof :—

Supervision of licensed stores.

17a. (1) Any person keeping a licensed store where more than one million gallons of inflammable oil are kept shall—

(*a*) appoint persons over the age of twenty-one years sufficient in number for the adequate supervision of the store at all times to act as watchmen;

(*b*) give such instructions to each of the persons so appointed as will ensure that if the instructions are properly carried out the store will be kept under adequate supervision at all times :

(*c*) take all reasonable precautions to ensure that the store is kept under adequate supervision at all times by the persons so appointed.

Penalty : One hundred pounds.

(2) Subsection (1) of this section shall be deemed to permit the appointment of persons to act as watchmen who are also required to perform duties other than that of acting as watchmen.

(3) On the hearing of any complaint under subsection (1) of this section, proof of the fact that at any time there was no person acting as watchman in any such store shall be *prima facie* evidence that the defendant is guilty of the offence charged.

(4) Any person appointed pursuant to subsection (1) of this section who without reasonable excuse fails to keep watch in accordance with the instructions given to him pursuant to that subsection shall be guilty of an offence.

Penalty : Fifty pounds.

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

R. A. GEORGE, Governor.

ANNO TERTIO

ELIZABETHAE II REGINAE

A.D. 1954

****

No. 21 of 1954.

An Act to make further and better provision for police pensions, and for that purpose to repeal the Police Pensions Act, 1929-1951, and enact other provisions in lieu thereof.

[*Assented to 11th November,* 1954.]

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

Short title.

1. This Act may be cited as the " Police Pensions Act, 1954 ".

Commencement.

2. (1) The provisions of this Act, other than sections 1 and 2 shall come into operation on a day to be fixed by the Governor by proclamation.

(2) Sections 1 and 2 of this Act shall come into operation on the day on which this Act is assented to by the Governor.

(3) In this Act " the commencement of this Act " shall mean the day fixed by proclamation under subsection (1) of this section.

Repeals.

3. The following Acts are repealed :—

Police Pensions Act, 1929—No. 1917 of 1929.

Police Pensions Act, 1932—No. 2066 of 1932.

Police Pensions Act Amendment Act, 1936—No. 2288 of 1936.

Police Pensions Act Amendment Act, 1942—No. 19 of 1942.

Police Pensions Act Amendment Act, 1943—No. 16 of 1943.

Police Pensions Act Amendment Act, 1945—No. 31 of 1945.

Police Pensions Act Amendment Act, 1947—No. 23 of 1947.

Police Pensions Act Amendment Act, 1949—No. 7 of 1949.

Police Pensions Act Amendment Act, 1950—No. 46 of 1950.

Police Pensions Act Amendment Act, 1951—No. 25 of 1951.

Interpretation.

4. (1) In this Act, unless the context otherwise requires—

" child " means child under the age of sixteen years, but does not include a child—

(*a*) of the re-marriage of the widow of a member or pensioner ; or

(*b*) of a marriage of a pensioner contracted after retirement on pension ;

" the force " means the police force of the State ;

" the fund " means the police pensions fund continued in existence by this Act ;

" member " means the Commissioner of Police and every other member of the force ;

" pension " means pension granted under this Act or any previous Police Pensions Act ;

" pensioner " means a person in receipt of a pension ;

" the Public Actuary " means the person for the time being employed as Public Actuary by the Government of the State, or the person for the time being acting in the office of Public Actuary ;

" the repealed Acts " means the Acts mentioned in section 3 of this Act.

" service " means service as a member of the force ;

" widow " does not include a wife whom a pensioner married after his retirement on pension.

Administration.

5. This Act shall be administered by the Chief Secretary.

Police Pensions Fund.

Police Pensions Fund.

6. (1) The fund called the " Police Pensions Fund " which was established under the Police Pensions Act, 1929-1951, is hereby continued in existence under that name and shall consist of the money in the fund at the time of the commencement of this Act, and all money paid into the fund pursuant to this Act.

(2) There shall be paid into the fund—

(*a*) all contributions payable by members under this Act ;

(*b*) all income arising from the investment of the fund or any part thereof ;

(*c*) all money voted by Parliament for the purposes of this Act.

(3) The fund shall be held by the Treasurer.

Exemption of fund from taxation.

7. The fund and the income thereof shall be exempt from all taxation.

Investment of fund.

8. The fund shall be invested in any one or more of the following investments, namely :—

(*a*) on deposit with the Treasurer ;

(*b*) in securities in which a trustee may, pursuant to the Trustee Act, 1936-1952, invest trust funds :

(*c*) in bonds, debentures, or other securities of any local governing body in Australia.

Report as to annual subsidy.

9. The Public Actuary shall, as early as possible in each financial year, report to the Chief Secretary what sum of money, in the opinion of the Public Actuary, should be voted by Parliament during that year for the purposes of the fund in order to make proper provision for payment of the moneys payable out of the fund.

10. The Public Actuary shall investigate the state and sufficiency of the fund at intervals of not more than five years and shall report the result of each investigation to the Chief Secretary. Quinquennial reports.

11. Pensions and other benefits prescribed by this Act and the cost of the administration of this Act shall be paid out of the fund by virtue of this section and without other appropriation. Payments from fund.

Contributions to the Fund.

12. (1) Subject to this Act, every member who is a contributor to the fund at the time of the commencement of this Act, and every person who becomes a member after the said commencement shall, after the commencement of this Act, contribute to the fund in accordance with this Act. Liability to contribute.

(2) Contributions by a member shall be payable in respect of the period commencing on the first day of the month in which the member joins the force and ending on the day when he ceases to be a member: Provided that if a member remains in the force after the last day of June next after his sixtieth birthday, he shall not be liable to contribute to the fund in respect of any period after the said last day of June.

13. Where a person joins the force after attaining the age of thirty-five years he may, by notice in writing given to the Public Actuary within two months after he so joins, elect not to contribute to the fund, in which case he shall not be a contributor. Elections not to contribute.

14. (1) The annual contribution payable by a member, other than a commissioned officer of the force, shall be in accordance with the following table:— Amount of contribution.

Age next birthday after commencing to contribute.	Amount of annual contributions.	
	Males.	Females.
	£	£
22	41	34
23	43	36
24	45	38
25	47	40
26	49	42
27 and over	52	44

(2) The annual contribution payable by a commissioned officer of the force shall be six-fifths of the amount prescribed by subsection (1) of this section.

(3) Notwithstanding subsections (1) and (2) of this section a member who was in the force on the first day of January, nineteen hundred and thirty, shall not be obliged to contribute more than the following amount :—

(*a*) in the case of a member other than a commissioned officer—forty-five pounds a year ;

(*b*) in the case of a commissioned officer—fifty-four pounds a year.

Deduction of contributions from pay.

15. The Treasurer shall deduct the amount required to be contributed annually by every member from the pay of that member by two instalments in each calendar month. Each such instalment shall be one-twenty-fourth of the member's annual contribution.

Provision as to transfers to public service.

16. (1) Where a contributor to the fund is transferred to other employment under the Crown so as to become an employee within the meaning of the Superannuation Act, 1926-1953, he may elect to remain a contributor to the fund.

(2) If he so elects—

(*a*) his contributions to the fund shall cease on his attaining the age of sixty ;

(*b*) when he retires from or otherwise leaves the public service, or dies, pensions and benefits shall be payable to him and his widow and the children of himself or his widow as if his service in the public service had been service in the force ;

(*c*) if he continues to be employed in the public service after attaining the age of sixty, half of the cash payment which would be payable to him on retirement from the force at the age of sixty, shall be payable to him on attaining the age of sixty, and half when he retires from the public service, and while he is employed in the public service after the age of sixty, he shall be entitled to pension at half the rate which would be payable to him if he had been in the force and retired therefrom at the age of sixty.

(3) A person who elects to remain a contributor to the fund pursuant to this section shall not contribute to The South Australian Superannuation Fund.

Provision as to Commissioner of Police.

17. (1) If a contributor under the Superannuation Act, 1926-1951, is appointed as Commissioner of Police he may, upon giving to the South Australian Superannuation Fund Board written notice at any time within six months after his appointment, elect to continue to contribute for pension under that Act.

(2) If such an election is made—

(*a*) the Commissioner shall not contribute or be entitled to benefits under this Act; and

(*b*) his service and salary as Commissioner of Police shall be deemed to be service and salary within the meaning of the Superannuation Act, 1926-1951.

Effect of withdrawal from fund.

18. A person who has elected not to contribute to the fund shall not be entitled to any pension or other benefit under this Act; and a person who has withdrawn from the fund shall not be entitled to any benefit under this Act other than a refund of contributions made by him under this Act or the repealed Acts.

The Retiring Age.

The retiring age.

19. A member shall retire from the force on attaining the age of sixty or, at his option, at any time between his sixtieth birthday and the first day of July next after that birthday.

Pensions and Benefits.

Pension and benefit on retirement after retiring age.

20. (1) Subject to this Act, every member who has served in the force for ten years or more and who retires after the commencement of this Act having attained the age of sixty years shall be entitled on retirement—

(*a*) to a cash payment of one thousand two hundred and fifty pounds; and

(*b*) to a pension of three hundred and sixty-four pounds a year.

Pension and benefit on retirement through injury in course of duty.

21. (1) Subject to this Act, every member who is incapacitated from performing his duties by infirmity of mind or body due to an injury received in the actual execution of his duties as a member shall be entitled to retire; and where the retirement takes effect after the commencement of this Act, he shall be entitled to receive the following benefits upon retirement, namely—

(*a*) a cash payment of the amount prescribed by subsection (2) of this section;

(*b*) a pension of three hundred and sixty-four pounds a year

(2) The amount of the cash payment shall be—

(*a*) where the member retires after having served in the force for less than ten years—twice the amount of the contributions paid by the member under this Act or the repealed Acts ;

(*b*) where the member retires after having served in the force for ten years or more—four hundred pounds plus forty pounds for each complete year (if any) of the contributor's age at retirement in excess of forty years ;

Provided that no such cash payment shall exceed twelve hundred and fifty pounds.

Pension and benefit on retirement due to invalidity, other than injury on duty.

22. (1) Subject to this Act, every member who is incapacitated from performing his duties by infirmity of mind or body, not due to an injury received in the actual execution of his duties as a member, shall be entitled to retire ; and where the retirement takes effect after the commencement of this Act he shall be entitled to receive the following benefits upon retirement, namely :—

(*a*) If the member has served in the force continuously for less than ten years—a cash payment equal to twice the contributions paid by him to the fund under this Act or the repealed Acts :

(*b*) If the member has served in the force continuously for not less than ten years and not more than fifteen years—a pension of one hundred and eighty-two pounds a year, and a cash payment of four hundred pounds, plus forty pounds for each complete year (if any) of the member's age at retirement in excess of forty years :

(*c*) If the member has served in the force continuously for not less than fifteen years—a pension of one hundred and eighty-two pounds a year, plus nine pounds a year for each complete year (if any) of the member's age at retirement in excess of forty years, but in no case exceeding three hundred and sixty-four pounds a year, and a cash payment of four hundred pounds, plus forty pounds for each complete year (if any) of the member's age at retirement in excess of forty years.

(2) No cash payment under this section shall exceed twelve hundred and fifty pounds.

No payment where infirmity due to misconduct.

23. No pension or benefit under the two preceding sections shall be payable if the infirmity of mind or body is consequent on or attributable to misconduct on the part of the member.

Abatement of pension on restoration to health, and offer of employment.

24. If a pensioner under sixty years of age—

(*a*) becomes so restored to health that he is able to perform duties as a member of the force; and

(*b*) is offered and refuses employment in the force suitable to his condition of health at a salary not less than that payable, at the time of the offer, to a member of the force holding the rank and seniority which the pensioner held at the time of his retirement on pension—

the amount of pension payable each month to the pensioner shall be reduced by one pound for every two pounds of the monthly rate of pay at which the employment was offered.

Re-employment of pensioner.

25. If a person who has been in receipt of a pension is re-employed in the force—

(*a*) he shall not be entitled to pension during his re-employment;

(*b*) he shall, during his re-employment contribute to the fund at the rate at which he was contributing immediately prior to his retirement on pension;

(*c*) the period of his service before his first retirement but not the period between his first retirement and re-employment, shall be taken into account in ascertaining to what pension or cash payment he is entitled on subsequently leaving the force for any reason.

Benefits on retrenchment.

26. (1) Subject to this Act, a member who, before reaching the retiring age leaves the force owing to retrenchment shall be entitled to receive twice the amount of the contributions paid by him to the fund under this Act or the repealed Acts.

(2) "Retrenchment" means termination by the Commissioner of Police or the Government of the service of a member who is not entitled to retire on pension, where such termination is not due to any default or misconduct on the part of the member.

(3) If a retrenchment of the force is at any time made, those members shall be retrenched who have served for the shortest time in the force.

Benefits on leaving force in cases not otherwise provided for.

27. (1) Subject to this Act, any member who leaves the force before attaining the age of sixty years and who is not entitled to pension or benefit under any other provision of this Act shall be entitled to receive the amount of the contributions paid by him to the fund under this Act, or the repealed Acts.

(2) A member whose resignation from the force has been accepted but who is entitled to long service leave of absence before ceasing to be a member of the force shall, if he so elects in writing, be entitled to be paid the amount due to him under this section, at the commencement of or during the period of that leave of absence.

If that amount is so paid to him, he and his dependants shall not be entitled to any pension or other benefit under this Act in respect of death or incapacity occurring after the payment.

Payment on death of member without wife or children.

28. Where a member dies leaving neither a wife nor any children there shall be payable to his personal representative the amount of the contributions paid by the member to the fund under this Act, or the repealed Acts.

Benefits for widows and children of members and pensioners.

29. (1) Subject to this Act, if a member dies after the commencement of this Act leaving a widow she shall be entitled to the following benefits :—

(*a*) a pension at the rate of one hundred and eighty-two pounds a year ; and

(*b*) a cash payment of four hundred pounds plus forty pounds for each complete year (if any) by which the member's age at the time of his death exceeded forty years ; and

(*c*) an allowance of thirty-nine pounds a year for each child of the deceased member or of the widow.

(2) If a pensioner dies after the commencement of this Act eaving a widow, she shall be entitled to the following benefits :—

(*a*) a pension at the rate of one hundred and eighty-two pounds a year ; and

(*b*) an allowance of thirty-nine pounds a year for each child of the deceased pensioner or of the widow.

(3) Where a member or pensioner who is a widower dies leaving children of himself or his deceased wife, or where the widow of a member or pensioner dies leaving children of herself or her deceased husband, there shall be payable to the guardian of the children, or to such person as the Chief Secretary directs, an allowance of seventy-eight pounds a year for the maintenance of each such child.

(4) The allowance for a child shall be payable only in respect of the period before the child attains the age of sixteen years.

(5) The pension of a widow shall cease on her re-marriage, but the re-marriage shall not affect the allowance to children.

Rates of pension and benefits for commissioned officers.

30. The amount of any cash payment (other than a refund of contributions or of twice the amount of contributions) and of any limit of a cash payment and the amount of any pension payable pursuant to this Act to a commissioned officer who retires from the force on or after the day of the commencement of this Act and the rate of pension and cash payment (if any) payable to the widow of a commissioned officer who on or after that day retires from the force or dies while still a member of the force, shall be six-fifths of the amounts or rates fixed by the other provisions of this Act.

Refund of contributions in excess of pensions and allowances.

31. Where the total of the contributions paid by a member under this Act, or the repealed Acts, exceed the total of any amounts paid under this Act, or the repealed Acts as—

(*a*) pension to the member ;

(*b*) pension to the widow of the member ;

(*c*) cash payment to the member or his widow ;

(*d*) allowance for any children of the member or of his widow ;

a sum equal to the amount of the excess shall be paid—

(*a*) to the personal representatives of the member ; or

(*b*) if at least twelve months have elapsed since the death of the member, and probate of the will, or letters of administration in respect of the estate, of the member have not been granted, to all or any of the persons appearing to the Chief Secretary to be entitled to the estate of the deceased member.

Increase of pensions in force at commencement of this Act.

32. (1) On and after the day of the commencement of this Act pensions payable to pensioners who retired from the force before the commencement of this Act and to widows of members or pensioners who died before the said commencement shall be at the following rates :—

(*a*) Where the pensioner retired having attained the age of sixty years or by reason of incapacity due to an injury received in the actual execution of his duties as member—three hundred and sixty-four pounds a year ;

(*b*) Where the pensioner retired by reason of incapacity not due to an injury as aforesaid, and having served in the force for not less than ten years and not more than fifteen years—one hundred and eighty-two pounds a year ; and

(*c*) where the pensioner retired by reason of incapacity not due to an injury received in the actual execution of his duties as a member and having served in the force for fifteen years—one hundred and eighty-two pounds a year, plus nine pounds for each complete year (if any) of the member's age at retirement in excess of forty years ;

(*d*) where the pensioner is the widow of a member or pensioner—one hundred and eighty-two pounds a year in addition to the allowance for each child of the deceased member or pensioner, or of the widow ;

(*e*) where the pensioner was, before death or retirement, a commissioned officer or is the widow of a commissioned officer, the pension payable to him or her shall be at the rate of six-fifths of the amounts specified in paragraphs (*a*) to (*d*) of this subsection.

(2) Every allowance in respect of a child in respect of whom an allowance was being paid immediately before the commencement of this Act shall, on and after the day of commencement of this Act be at the rate of thirty-nine pounds a year : Provided that, where the child is an orphan, the allowance shall be at the rate of seventy-eight pounds a year.

Provision against duplication of cash payments.

33. Where a person who has received a cash payment on leaving the force is re-employed in the force, the amount of any cash payment payable to him or to his widow or personal representatives when he subsequently leaves the force or dies shall be arrived at by deducting the amount of the first-mentioned cash payment from the amount of the cash payment to which he or his widow or personal representatives would be entitled on his leaving the force or death, under the provisions of this Act.

(2) In this section " leaving the force " includes retirement, resignation, retrenchment, or other termination of service ; and " cash payment " includes refund of contributions.

Determination of questions as to incapacity, etc.

34. (1) No member shall be entitled to retire on pension on account of incapacity unless the Public Actuary is satisfied that the incapacity is likely to be permanent.

(2) If any dispute arises on the question whether a member is entitled to retire under this Act, or whether a member is so

restored to health as to be able to perform duties, or on any other question affecting the right to receive, or the amount or continuance of any pension, or other benefit under this Act, it shall be determined in the first instance by the Public Actuary upon consideration of any reports, evidence, and other information submitted by the member and any reports and information obtained by the Public Actuary.

(3) There shall be right of appeal against any determination of the Public Actuary to the Local Court of Full Jurisdiction at Adelaide. All matters relating to such appeals shall be prescribed by rules under the Local Courts Act, 1926-1947.

(4) No member shall be entitled to any pension or instalment of pension or cash payment if, on request by the Public Actuary, he neglects or refuses to undergo at any reasonable time fixed by the Public Actuary, examination by a medical officer nominated by the Public Actuary.

Pensions to be inalienable.

35. (1) No pension, cash payment, or allowance for children under this Act, and no part thereof, shall—

(*a*) be anticipated, assigned, transferred, charged, encumbered, or otherwise parted with before the actual receipt thereof by the person entitled or prospectively entitled thereto ; or

(*b*) be attached or taken in execution under the process of any court before the receipt thereof as aforesaid ;

but every such pension or allowance and every part thereof shall, until the actual receipt thereof, be an inalienable personal provision for every person entitled or prospectively entitled thereto.

(2) The Chief Secretary may, at any time, and in any amounts or instalments which he thinks proper, deduct from any money (other than an allowance for children) due to any person under this Act—

(*a*) any money owing by that person to the Crown :

(*b*) the amount of any damages to which the Crown is entitled by reason of any wrongful act or default of that person.

Power to pay moneys to persons apparently entitled.

36. On the death of any person to whom a sum not exceeding one hundred pounds is due under this Act the Chief Secretary may, notwithstanding that neither probate nor letters of administration have been granted, pay or distribute that sum to or among the persons appearing to him to be

beneficially entitled to the personal estate of the deceased. The receipt of any person to whom any money is paid under this section shall be a good discharge to the Chief Secretary as against the claim of any other person.

Desertion by pensioner of wife or child.

37. (1) If a pensioner deserts his wife the Chief Secretary may in his discretion and for such period as he thinks fit—

(*a*) pay pension to the wife in accordance with this Act as if the pensioner were dead ; and

(*b*) discontinue payment of pension to the pensioner.

(2) If a pensioner whose wife is dead or divorced deserts any of his children the Chief Secretary may, in his discretion and for such period as he thinks fit—

(*a*) pay to the children or the guardian of the children on their behalf an allowance for each deserted child in accordance with this Act as if the pensioner were dead ; and

(*b*) discontinue payment of pension to the pensioner.

Imprisonment of pensioner.

38. If a pensioner is sentenced to imprisonment for any period exceeding one month, payment of his pension under this Act shall be discontinued during the period of his imprisonment ; and

(*a*) if his wife is alive, she shall during that period be entitled to pension for herself and her or the pensioner's children, as if the pensioner were dead, unless the Chief Secretary is satisfied, after making such inquiry as he thinks fit, that payment to the wife is undesirable ; or

(*b*) if the wife is dead or divorced, allowances for her or the pensioner's children shall, during that period, be payable in accordance with this Act as if the pensioner were dead.

Insanity of pensioner.

39. If a pensioner becomes a patient in a hospital for the insane, the Chief Secretary may cause his pension or any part thereof to be paid, while he is such a patient, to his wife, if alive, or if his wife is dead or divorced, to some person for the use of the children of himself or of his late wife in such proportions as the Chief Secretary thinks fit.

Payment of child allowance.

40. Where any allowance in respect of a child is payable under this Act to a widow, and the widow dies, the allowance shall be payable to the guardian of the child, or if the Chief Secretary so directs, to some other person, upon trust to be used for the benefit of the child.

Pensions payable for life.

41. Except where otherwise provided in this Act, a pension shall be payable during the life of the person entitled thereto.

Pensions payable at intervals.

42. Pensions and allowances in respect of children shall be payable by two equal instalments in each calendar month. Each such instalment shall be one twenty-fourth of the annual rate of the pension or child allowance.

Offences and Regulations.

Fraud.

43. If any person obtains or attempts to obtain for himself or for any other person any pension, benefit, or allowance under this Act, or any payment on account thereof by means of any false declaration, false certificate, false misrepresentation, false evidence, malingering, or feigning disease or infirmity, or by maiming or injuring himself, or causing himself to be maimed or injured, or by otherwise producing disease or infirmity, or by any other fraudulent conduct, he shall be guilty of an offence punishable summarily and liable to imprisonment for a term not exceeding six months or a fine not exceeding one hundred pounds, and in either case to forfeit any rights which he has under this Act.

Regulations.

44. The Governor may make any regulations which are necessary or convenient for the administration of this Act, and may by any such regulation provide what is to be done in circumstances arising in connection with matters dealt with in this Act and not expressly provided for by this Act; and may, by any regulation create offences punishable summarily and impose penalties not exceeding fifty pounds.

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

R. A. GEORGE, Governor.

ANNO TERTIO

ELIZABETHAE II REGINAE

A.D. 1954

****

No. 22 of 1954

An Act to amend the Prisons Act, 1936.

[*Assented to 11th November,* 1954.]

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

Short titles.

1. (1) This Act may be cited as the " Prisons Act Amendment Act, 1954 ".

(2) The Prisons Act, 1936, as amended by this Act, may be cited as the " Prisons Act, 1936-1954 ".

(3) The Prisons Act, 1936, is hereinafter referred to as " the principal Act ".

Incorporation.

2. This Act is incorporated with the principal Act and that Act and this Act shall be read as one Act.

Amendment of principal Act, s. 14—Regulations for labour prisons.

3. (1) Section 14 of the principal Act is amended—

(*a*) by inserting after paragraph (*b*) thereof the following paragraph :—

(*b*1) for the crediting and payment of earnings and gratuities to prisoners ;

(*b*) by adding at the end thereof the following paragraph :—

(*f*) for prescribing the duties, liabilities, privileges, and conditions of detention in prison, of—

1. any person detained in prison by virtue of section 77a of the Criminal Law Consolidation Act, 1935-1952 :

II. any person transferred to the custody of the comptroller by virtue of section 122a of the Maintenance Act, 1926-1952:

and without limiting the generality of the foregoing—

(i.) for the remission of any part of the period for which any such person may be detained in prison:

(ii.) for the application to any such person of any provision of this Act or the regulations thereunder.

(2) Regulations may be made under paragraph (*f*) of section 14 of the principal Act providing for a person mentioned in that paragraph who is detained in prison at the commencement of this Act to be granted remission of the period for which he may be detained, and earnings, computed from the time of the commencement of his detention in prison by virtue of section 77a of the Criminal Law Consolidation Act, 1935-1952, or the time of his transfer to the custody of the comptroller by virtue of section 122a of the Maintenance Act, 1926-1952, as the case may be.

(3) Paragraph (*a*) of subsection (1) of this section shall be deemed to have been in force at the time of the making of any regulations made under the principal Act before the passing of this Act for the crediting or payment of earnings or gratuities to prisoners.

Amendment of principal Act, s. 22—

Power to commit persons to police prisons.

4. Section 22 of the principal Act is amended by striking out the words "the Coroners Act, 1935, or" in the first line thereof.

Enactment of s. 42a of principal Act—

5. The following section is enacted and inserted in Part IV of the principal Act after section 42 thereof:—

Release on licence.

42a. (1) The Governor may at any time on the recommendation of the comptroller release on licence a person serving a term of imprisonment for life subject to compliance with such conditions, if any, as the Governor may from time to time determine.

(2) The Governor may at any time by order recall to prison a person released on licence under this section, but without prejudice to the power of the Governor to

release him on licence again; and when any person is so recalled, his licence shall cease to have effect and he shall if at large, be deemed to be unlawfully at large.

Amendment of principal Act, s. 46—Offences by prisoners.

6. Section 46 of the principal Act is amended—

(*a*) by striking out the words "or wilfully damage the same" in paragraph (*c*) thereof:

(*b*) by striking out paragraph (*e*) thereof and inserting in its place the following paragraphs:—

(*e*) use any indecent, profane, abusive, insolent, threatening, provoking or other improper language; or

(*e*1) behave in an indecent manner; or

(*e*2) commit any assault; or

(*c*) by striking out paragraph (*i*) thereof:

(*d*) by striking out paragraphs (*j*) and (*k*) thereof and inserting in their place the following paragraph:—

(*j*) wilfully and without lawful authority destroy, disfigure or damage any real or personal property of any kind whether owned by Her Majesty, or any public or local authority, or by any other person;

(*e*) by adding at the end thereof the following subsections (the preceding portion of section 46 being read as subsection (1) thereof):—

(2) Any prisoner who contravenes any provision of subsection (1) of this section shall be guilty of an offence.

(3) Any prisoner who attempts to commit any such offence, or aids, abets, counsels, or procures the commission of any such offence shall be guilty of an offence.

Repeal and re-enactment of s. 47 of principal Act—

7. Section 47 of the principal Act is repealed and the following section is enacted and inserted in its place:—

Punishment.

47. (1) The comptroller or a visiting justice may inquire into the commission by a prisoner of any offence under section 46 of this Act, and if the offence is proved may make any one or more of the following orders:—

(*a*) that the prisoner be closely or otherwise confined in a dark or light cell for any term not exceeding seven days ;

(*b*) that the prisoner be fed on bread and water only for any term not exceeding seven days ;

(*c*) that the prisoner forfeit any number of marks earned by him not exceeding the number necessary to earn one month's remission of sentence ;

(*d*) that the prisoner forfeit privileges or indulgences for a period not exceeding twenty-eight days ;

(*e*) that the prisoner forfeit past or future earnings to an amount not exceeding five pounds ;

(*f*) that the prisoner pay to the owner of any real or personal property damaged by the prisoner such sum by way of compensation for the damage as the comptroller or visiting justice, as the case may be, thinks proper.

(2) The comptroller or the visiting justice may, in lieu of making an order under subsection (1) of this section caution the prisoner.

(3) The comptroller or a visiting justice may, in conducting an inquiry under subsection (1) of this section take evidence on oath or affirmation.

(4) For the purpose of conducting an inquiry under subsection (1) of this section, sections 23 to 28 (inclusive) of the Justices Act, 1921-1943, shall apply as if the inquiry were the hearing of a complaint and as if the comptroller were a justice.

Amendment of principal Act, s. 48— Repeated and other offences.

8. Section 48 of the principal Act is amended—

(*a*) by inserting after the word " discretion " in the first line of subsection (3) thereof the words " do any one or more of the following things " ;

(*b*) by striking out the word " and " in the last line of paragraphs (*a*), (*b*) and (*c*) thereof ;

(*c*) by adding at the end thereof the following paragraph :—

(*e*) caution the prisoner or make any order which the comptroller or a visiting justice is authorized to make under section 47 of this Act.

Enactment of s. 48a of principal Act—

9. The following section is enacted and inserted in the principal Act after section 48 thereof:—

Forfeiture of earnings and compensation.

48a. Notwithstanding anything contained in this Act the amount of any earnings ordered to be forfeited or of any compensation ordered to be paid under section 47 or 48 of this Act may be debited by the comptroller against any earnings which are credited to the prisoner at the time of the making of the order or which may be subsequently credited to the prisoner, and in a case where a person other than the Crown is entitled to any compensation the comptroller may, if he thinks proper, pay any compensation so debited to the person entitled.

Amendment of principal Act, s. 58—Offenders attempting to escape.

10. Section 58 of the principal Act is amended by striking out in the first, second and third lines of subsection (1) thereof the words "person legally imprisoned for any crime, misdemeanour, or offence, by the sentence of any court of competent jurisdiction" and inserting in their place the word "prisoner".

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

R. A. GEORGE, Governor.

ANNO TERTIO

ELIZABETHAE II REGINAE

A.D. 1954

****

No. 23 of 1954

An Act to amend the Swine Compensation Act, 1936-1951.

[*Assented to 11th November,* 1954.]

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

Short titles.

1. (1) This Act may be cited as the " Swine Compensation Act Amendment Act, 1954 ".

(2) The Swine Compensation Act, 1936-1951, as amended by this Act, may be cited as the " Swine Compensation Act, 1936-1954 ".

(3) The Swine Compensation Act, 1936-1951, is hereinafter referred to as " the principal Act ".

Amendment of principal Act, s. 6—
Amount of compensation.

2. Section 6 of the principal Act is amended by striking out the word " fifteen " in the last line of subsection (3) thereof and by inserting in lieu thereof the word " thirty ".

Amendment of principal Act, s. 8—
Payment of compensation.

3. Section 8 of the principal Act is amended—

(*a*) by striking out the word " tuberculosis " in the second line of paragraph (*b*) of subsection (4) thereof and by inserting in lieu thereof the word " disease " ;

(*b*) by adding at the end of paragraph (*d*) of subsection (4) thereof the word " or " ;

(*c*) by adding at the end of subsection (4) thereof the following paragraph :—

(*e*) where the owner of any pig has failed to carry out any instruction in writing given to the owner by an inspector for the control or eradication of any disease in the piggery of the owner and the chief inspector is satisfied that the pig has died or has been destroyed because of that disease as a result of that failure.

Amendment of principal Act, s. 14— Duty on sales of pigs.

4. Section 14 of the principal Act is amended—

(*a*) by striking out the words " ten shillings or part of ten shillings " in the first line of subsection (2) thereof and by inserting in lieu thereof the words " one pound or part of one pound " ;

(*b*) by striking out the words " one penny " in the sixth line of subsection (2) thereof and by inserting in lieu thereof the words " one and a half pence " ;

(*c*) by striking out the words " five shillings " in the last line of subsection (2) thereof and by inserting in lieu thereof the words " three shillings and nine pence ".

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

R. A. GEORGE, Governor.

ANNO TERTIO

ELIZABETHAE II REGINAE

A.D. 1954

****

No. 24 of 1954

An Act to amend the Vermin Act, 1931-1953.

[*Assented to 11th November,* 1954.]

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

Short titles.

1. This Act may be cited as the " Vermin Act Amendment Act, 1954 ".

(2) The Vermin Act, 1931-1953, as amended by this Act, may be cited as the " Vermin Act, 1931-1954 ".

(3) The Vermin Act, 1931-1953, is hereinafter referred to as " the principal Act ".

Amendment of principal Act s. 23—

Penalty for failing to destroy vermin.

2. Section 23 of the principal Act is amended—

(*a*) by striking out the word " two " in the eighth line thereof and by inserting in lieu thereof the word " five " :

(*b*) by striking out the word " five " in the ninth line thereof and by inserting in lieu thereof the word " ten " ;

(*c*) by striking out the word " five " in the tenth line thereof and by inserting in lieu thereof the word " fifteen " ;

(*d*) by striking out the word " twenty " in the tenth line thereof and by inserting in lieu thereof the word " thirty " ;

(*e*) by striking out the word " twenty " in the eleventh line thereof and by inserting in lieu thereof the word " twenty-five " ;

(*f*) by striking out the word "two" in the sixth line of subsection (1a) thereof and by inserting in lieu thereof the word "five";

(*g*) by striking out the word "five" in the seventh line of subsection (1a) thereof and by inserting in lieu thereof the word "ten";

(*h*) by striking out the word "five" in the eighth line of subsection (1a) thereof and by inserting in lieu thereof the word "fifteen";

(*i*) by striking out the word "twenty" in the eighth line of subsection (1a) thereof and by inserting in lieu thereof the word "thirty";

(*j*) by striking out the word "twenty" in the tenth line of subsection (1a) thereof and by inserting in lieu thereof the word "twenty-five".

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

R. A. GEORGE, Governor.

ANNO TERTIO

ELIZABETHAE II REGINAE

A.D. 1954

****

No. 25 of 1954.

An Act to amend the Anatomy Act, 1884-1954.

[*Assented to 2nd December*, 1954.]

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

1. (1) This Act may be cited as the "Anatomy Act Amendment Act (No. 2), 1954". Short titles.

(2) The Anatomy Act, 1884-1954, as amended by this Act, may be cited as the "Anatomy Act, 1884-1954".

(3) The Anatomy Act, 1884-1954, is hereinafter referred to as "the principal Act".

2. This Act is incorporated with the principal Act and that Act and this Act shall be read as one Act. Incorporation.

3. The following heading and section are enacted and inserted in the principal Act between section 18a thereof and the heading "*Miscellaneous.*" therein:— Enactment of s. 18b of principal Act—

Transplanting of Tissue other than Eyes.

18b. An authority may be given for the removal of tissue other than eyes from a body for therapeutic purposes in the same way and subject to the same conditions as an authority may be given under section 18a of this Act for the removal of eyes from a body for those purposes, and references in that section to the eyes of a body shall be deemed to include tissue of the body other than eyes: Provided that where the deceased person has expressed a Removal of tissue other than eyes from body of deceased person.

request that any specified tissue of his body be used for therapeutic purposes, that request shall not be deemed to permit authority to be given for the removal of any other tissue.

Commencement.

4. Section 3 of this Act shall come into force at the same time as the Anatomy Act Amendment Act, 1954.

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

R. A. GEORGE, Governor.

ANNO TERTIO

ELIZABETHAE II REGINAE

A.D. 1954

****

No. 26 of 1954

An Act for the general appropriation of the revenue of the State for the year ending on the thirtieth day of June, nineteen hundred and fifty-five, and for other purposes.

[*Assented to 2nd December,* 1954.]

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

Short title.

1. This Act may be cited as the " Appropriation Act (No. 2), 1954 ".

Further issue.

2. Out of the moneys paid to the State by the Commonwealth of Australia, and any other General Revenue of the said State, not otherwise by law specially appropriated, there may be further issued the sum of twenty-three million, five hundred and twenty-five thousand three hundred and twenty-six pounds.

Appropriation of General Revenue.

3. (1) Out of the sum of six million pounds issued under the authority of the Supply Act (No. 1), 1954, and the sum of six million pounds issued under the authority of the Supply Act (No. 2), 1954, and the sum of five million pounds issued under the authority of Supply Act (No. 3), 1954, and the said sum of twenty-three million, five hundred and twenty-five thousand, three hundred and twenty-six pounds by this Act authorized to be issued, there may be applied and paid for defraying the charges of the State Government for the year

Estimates, 1953-54.

ending the thirtieth day of June, nineteen hundred and fifty-five the sum of forty million, five hundred and twenty-five thousand, three hundred and twenty-six pounds, the said amount being appropriated as follows, viz. :—

	£
Legislative Council	8,465
House of Assembly	11,275
Parliamentary Library	4,139
Joint House Committee	9,069
Electoral	11,372
Government Reporting	26,525
Parliamentary Standing Committee on Public Works	3,031
Parliamentary Committee on Land Settlement	3,182
Legislature, Miscellaneous	32,768
State Governor's Establishment	5,324
Chief Secretary	15,740
Statistical	49,340
Audit	46,604
Printing and Stationery	196,795
Police	1,354,000
Sheriff and Gaols and Prisons	208,187
Hospitals	3,051,000
Children's Welfare and Public Relief	472,000
Public Health	121,000
Chief Secretary, Miscellaneous	1,124,842
Attorney-General	9,283
Registrar of Companies	8,841
Crown Solicitor	25,151
Parliamentary Draftsman	5,559
Public Trustee	45,670
Supreme Court	68,259
Adelaide Local Court	26,217
Adelaide Police Court	26,570
Country and Suburban Courts	39,910
Coroners	3,560
Registrar-General of Deeds	83,527
Attorney-General, Miscellaneous	8,919
The Treasury	26,015
Superannuation	37,068
Motor Vehicles	152,224
Agent-General in England	23,750
Land Tax	75,436
Stamp and Succession Duties	28,394
Publicity and Tourist Bureau and Immigration	239,450
Prices Control	70,500
Treasurer, Miscellaneous	4,436,865
Lands	513,015
Government Motor Garage	24,285
Advances to Settlers, Vermin Proof Fencing and Loans for Fencing and Water Piping	1,282
Minister of Lands, Miscellaneous	84,764
Public Works (Office of the Minister)	6,683
Engineering and Water Supply	1,821,000
Architect-in-Chief	212,000

	£
Government Offices	117,000
Cemetery	17,000
Public Stores	99,674
Aborigines	145,500
Public Works	853,000
Minister of Works, Miscellaneous	28,049
Education	4,981,000
The Libraries	97,335
The Museum	34,486
The Art Gallery	15,063
Minister of Education, Miscellaneous	767,200
Industry	55,837
Factories and Steam Boilers	42,088
Minister of Industry, Miscellaneous	1,450
Minister of Agriculture	7,411
Agriculture	478,900
Agricultural College	95,521
Produce	208,000
Fisheries and Game	9,794
Chemistry	36,243
Minister of Agriculture, Miscellaneous	96,500
Department of Lands—Irrigation and Drainage	423,770
Mines	650,000
Harbors Board	1,460,850
Minister of Marine, Miscellaneous	150
Railways	14,628,982
Transport Control Board	15,892
Minister of Railways, Miscellaneous	102
Office of Minister of Roads and Local Government	4,646
Highways and Local Government	210,078
Minister of Roads and Local Government, Miscellaneous	84,950
Total	£40,525,326

(2) If—

(*a*) during the financial year ending on the thirtieth day of June nineteen hundred and fifty-five any increases of salaries or wages become payable by the State Government pursuant to any return made under the Acts relating to the public service, or any regulation, or any award, order, or determination of a court or other body empowered to fix wages or salaries; and

(*b*) such increases were not provided for in the estimates of expenditure for the said financial year,

the Governor may, by warrant under section 32a of the Public Finance Act, 1936-1954 appropriate out of the general revenue of the State any money required to pay the said increases.

The aggregate amount of money which may be appropriated under the said section 32a for the said financial year shall be increased by the amount of money appropriated pursuant to this subsection.

(3) Sections 48 and 187 of the Industrial Code, 1920-1951, except so far as they require awards, orders and determinations to be laid before Parliament, shall not apply to any award, order or determination made between the passing of this Act and the passing of the Act for the general appropriation of revenue for the year ending on the thirtieth day of June, nineteen hundred and fifty-six.

Treasurer to pay the orders of Governor, and discharge by receipt of party.

4. The issue and payment by the Treasurer, from time to time, of any sums of money for the purposes hereinbefore mentioned, not exceeding in the whole the amount hereinbefore specified, in such portions as the Governor directs by any orders in writing signed by him and countersigned by the Chief Secretary, is hereby authorized; and the Treasurer shall, in his accounts, be allowed credit for all sums paid by him in pursuance of such orders accordingly; and the receipts of the persons to whom such sums are so paid shall be to him a full discharge for the sums for which the receipts are given, and the amounts thereof shall be passed to his credit in account accordingly.

Power to issue money other than revenue or money received from the Commonwealth.

5. If the moneys paid by the Commonwealth of Australia and the General Revenue of the State are insufficient to make the payments authorized by section 3 of this Act, moneys may be issued to make good the deficiency out of loan funds or other public funds or out of moneys raised by way of bank overdraft.

Power to make payments.

6. The Treasurer may out of the money appropriated by this Act make any payment for which money has been included in the estimates of expenditure of the Government of South Australia, passed by the House of Assembly for the financial year ending on the thirtieth day of June, nineteen hundred and fifty-five notwithstanding that the payment is—

(*a*) in respect of a period prior to the first day of July, nineteen hundred and fifty-four; or

(*b*) at a rate in excess of the rate which, during the period in respect of which the payment is made, was in force under any return made by the Public Service Board, pursuant to the Public Service Act, 1936-1953, or under any regulation of the South Australian Railways Commissioner.

7. Any amount appropriated by this Act may be paid for the purpose for which it is so appropriated, in addition to any other amount appropriated by law for that purpose. Payments to be in addition to other payments.

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

R. A. GEORGE, Governor.

ANNO TERTIO

ELIZABETHAE II REGINAE

A.D. 1954

****

No. 27 of 1954

An Act to amend the Cattle Compensation Act, 1939-1951.

[*Assented to 2nd December,* 1954.]

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

Short titles.

1. (1) This Act may be cited as the "Cattle Compensation Act Amendment Act, 1954".

(2) The Cattle Compensation Act, 1939-1951, as amended by this Act, may be cited as the "Cattle Compensation Act, 1939-1954".

(3) The Cattle Compensation Act, 1939-1951, is hereinafter referred to as "the principal Act".

Amendment of principal Act, s. 13—
Duty on sales of cattle.

2. Section 13 of the principal Act is amended—

(*a*) by striking out the words "three farthings" in the sixth line of subsection (2) thereof and by inserting in lieu thereof the words "one halfpenny";

(*b*) by striking out the words "tenpence half-penny: Provided further that if the amount of any cattle stamp duty payable in respect of the sale of any cattle does not consist of a multiple of one-halfpenny, the amount of cattle stamp duty so payable shall

be the amount which would otherwise be payable pursuant to this section plus one farthing" in subsection (2) thereof and by inserting in lieu thereof the words "three pence".

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

R. A. GEORGE, Governor.

ANNO TERTIO

ELIZABETHAE II REGINAE

A.D. 1954

****

No. 28 of 1954

An Act to amend the Renmark Irrigation Trust Act, 1936-1952.

[*Assented to 2nd December,* 1954.]

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

Short titles.

1. (1) This Act may be cited as the " Renmark Irrigation Trust Act Amendment Act, 1954 ".

(2) The Renmark Irrigation Trust Act, 1936-1952, as amended by this Act, may be cited as the " Renmark Irrigation Trust Act, 1936-1954 ".

(3) The Renmark Irrigation Trust Act, 1936-1952, is hereinafter referred to as the " principal Act ".

Enactment of ss. 115a and 115b of principal Act—

2. The following sections are enacted and inserted in the principal Act after section 115 thereof :—

Notice of benefited land.

115a. (1) After the completion of the construction of any such drain or drainage work the trust shall, in respect of any land included in the assessment book which in the opinion of the trust will benefit, either directly or indirectly, by the drain or drainage work, give notice in writing to the owner of the land stating the date upon which the drain or drainage work was completed and that, in the opinion of the trust, the land will benefit, either directly or indirectly, by the drain or drainage work.

(2) Any such notice shall be conclusive evidence that the drain or drainage work was completed upon the date stated therein.

Appeal against notice.

115b (1) Any owner of land to whom notice is given as provided by section 115a may appeal against the notice on the ground that the land will not benefit, either directly or indirectly, by the drain or drainage work.

(2) Any such appeal may be made either to the trust or directly to the local court of full jurisdiction nearest to the trust office.

(3) From the decision of the trust on any such appeal there may be a further appeal to the said local court.

(4) The decision of the local court shall be final, whether the appeal is to the local court direct or after a previous appeal to the trust.

(5) Every appeal to the trust or to the local court direct shall be commenced within twenty-one days after the notice is given as provided by section 115a. The appeal shall be commenced by a notice of appeal in writing. If the appeal is to the trust the notice of appeal shall be served on the secretary, and if the appeal is to the local court, shall be served on the clerk of the local court and also to the secretary.

(6) Every appeal from the decision of the trust given on the hearing of any appeal to the trust shall be commenced by a notice of appeal in writing which shall, within ten days after the giving of the decision by the trust, be served on the secretary and the clerk of the local court.

(7) The provisions of section 90 shall, *mutatis mutandis*, apply to every such appeal.

(8) If the result of any appeal is that the land or any part thereof will not benefit, either directly or indirectly, from the drain or drainage works, the notice given to the owner under section 115a shall be deemed to have been null and void *ab initio* as regards the whole or part of the land, as the case may require.

Amendment of principal Act, s. 116—Special drainage rate.

3. Section 116 of the principal Act is amended :—

(*a*) by inserting therein after subsection (2) thereof the following subsection :—

(2a) For the purpose of maintaining any such drain or drainage work the trust may declare on land in respect of which notice is given as provided by section 115a a special drainage rate for the half year ending on the thirtieth day of June and another drainage rate for the half year

ending on the thirty-first day of December next after the declaring of the rate, each rate not to exceed ten shillings for each acre of such land.

(*b*) by inserting after the word " rate " in the first line of subsection (4) thereof the words " or special drainage rate ".

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

R. A. GEORGE, Governor.

ANNO TERTIO

ELIZABETHAE II REGINAE

A.D. 1954

****

No. 29 of 1954

An Act to amend the Stamp Duties Act, 1923-1953.

[*Assented to 2nd December,* 1954.]

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

Short titles.

1. (1) This Act may be cited as the " Stamp Duties Act Amendment Act, 1954 ".

(2) The Stamp Duties Act, 1923-1953, as amended by this Act, may be cited as the " Stamp Duties Act, 1923-1954 ".

(3) The Stamp Duties Act, 1923-1953, is hereinafter referred to as " the principal Act ".

Incorporation.

2. This Act is incorporated with the principal Act and that Act and this Act shall be read as one Act.

Amendment of second schedule to principal Act.

3. The second schedule to the principal Act is amended by inserting after sub-paragraph 4 of the exemptions shown in the paragraph therein commencing " RECEIPT—Every receipt for forty shillings or upwards " the following sub-paragraph :—

4a. Receipt for money paid as a contribution to an organization registered or deemed to be registered under the National Health Act, 1953 of the Parliament of the Commonwealth.

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

R. A. GEORGE, Governor.

ANNO TERTIO

ELIZABETHAE II REGINAE

A.D. 1954

****

No. 30 of 1954

An Act to amend the Building Contracts (Deposits) Act, 1953.

[*Assented to 9th December,* 1954.]

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

Short titles.

1. (1) This Act may be cited as the " Building Contracts (Deposits) Act Amendment Act, 1954 ".

(2) The Building Contracts (Deposits) Act, 1953, as amended by this Act, may be cited as the " Building Contracts (Deposits) Act, 1953-1954 ".

(3) The Building Contracts (Deposits) Act, 1953, is hereinafter referred to as " the principal Act ".

Amendment of principal Act, s. 4—Time for taking proceedings.

2. Section 4 of the principal Act is amended by adding at the end thereof the following subsection (the preceding portion of the said section being read as subsection (1) thereof) :—

(2) The complaint in respect of any offence against this Act shall be made within twelve months from the time when the matter of complaint arose.

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

R. A. GEORGE, Governor.

ANNO TERTIO

ELIZABETHAE II REGINAE

A.D. 1954

****

No. 31 of 1954

An Act to repeal the Commonwealth Water Agreement Ratification Act, 1940, and for other purposes.

[*Assented to 9th December,* 1954.]

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 " Commonwealth Water Agreement Ratification Act Repeal Act, 1954 ". Short title.

2. The Act No. 37 of 1940 entitled the " Commonwealth Water Agreement Ratification Act, 1940 " is repealed. Repeal of Act 37 of 1940.

3. The Agreement set out in the Schedule to the said Act shall not apply and shall be deemed not to have applied to water supplied to the Commonwealth from the Morgan-Whyalla waterworks on or after the first day of July, nineteen hundred and fifty-two. Cessation of operation of Agreement.

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

R. A. GEORGE, Governor.

ANNO TERTIO

ELIZABETHAE II REGINAE

A.D. 1954

****

No. 32 of 1954

An Act to amend the Friendly Societies Act, 1919-1952.

[*Assented to 9th December*, 1954.]

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

Short titles.

1. (1) This Act may be cited as the " Friendly Societies Act Amendment Act, 1954 ".

(2) The Friendly Societies Act, 1919-1952, as amended by this Act, may be cited as the " Friendly Societies Act, 1919-1954 ".

(3) The Friendly Societies Act, 1919-1952, is hereinafter referred to as " the principal Act ".

Incorporation.

2. This Act is incorporated with the principal Act and that Act and this Act shall be read as one Act.

Amendment of principal Act, s. 7a—

3. Section 7a is amended by inserting after paragraph 1 of subsection (1) thereof the following paragraph :—

Payment of hospital expenses.

1a. For providing payments to registered nurses for attendance elsewhere than in hospital on members, their husbands, wives, children or dependents or for reimbursing to members payments so made by them : Provided that no society or branch shall contract with any member to make such payments in respect of any person other than the member,

the husband or wife of the member, and any specified child or children or other specified dependent or dependents of the member; and

Amendment of principal Act, s. 37— Public Actuary's duties.

4. (1) Section 37 of the principal Act is amended by striking out the words " and a half " in the fifth line of subsection (2) thereof.

(2) Subsection (2) of section 37 of the principal Act as amended by subsection (1) of this section shall apply to interest accruing at any time after the commencement of this Act whether the report by the Public Actuary on the last quinquennial valuation was made or the scale of contributions for new members was certified to be sufficient before or after the commencement of this Act.

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

R. A. GEORGE, Governor.

ANNO TERTIO

ELIZABETHAE II REGINAE

A.D. 1954

****

No. 33 of 1954

An Act to suspend the levy and collection of amusements duty under the Stamp Duties Act, 1923-1953.

[*Assented to 16th December,* 1954.]

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

Short title.

1. This Act may be cited as the "Amusements Duty (Further Suspension) Act, 1954 ".

Interpretation.

2. In this Act "amusements duty", "amusement" and " admission " have the meanings assigned to them in Part IV of the Stamp Duties Act, 1923-1953.

Suspension of amusements duty.

3. No amusements duty shall be charged, levied, or paid on any payment for admission to any amusement held before the first day of July, nineteen hundred and fifty-eight.

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

R. A. GEORGE, Governor.

ANNO TERTIO

ELIZABETHAE II REGINAE

A.D. 1954

****

No. 34 of 1954

An Act to repeal the Bread Act, 1936, and to enact other provisions relating to bread.

[*Assented to 16th December,* 1954.]

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

Short title.

1. This Act may be cited as the " Bread Act, 1954 ".

Repeal of Bread Act, 1936.

2. The Bread Act, 1936, is repealed.

Interpretation and application of Act.

3. (1) In this Act, unless the context otherwise requires, or some other meaning is clearly intended—

" bakery " means any premises or place where bread is made for sale :

" bread " means a foodstuff which—

(*a*) is in the form of a loaf, roll, or other piece weighing more than six ounces avoirdupois at the time of sale ; and

(*b*) is made of yeast-leavened dough prepared from wheaten flour or other farinaceous material, and water with or without other substances ; and

(*c*) is not declared by regulations to be excluded from the definition of " bread " in this Act.

" flour " means the product obtained by grinding wheat with or without the process of sieving :

" inspector " means inspector holding office under this Act :

s. 3. (1) SHEPHARD v. CASHMORE (1937) S.A.S.R. 525. Held that a special bread differing in its ingredients from the ordinary commodity and made by a special process was not bread within the meaning of section 6 of the Bread Act, 1936.

"Vienna bread" means bread containing not less than the prescribed amount or percentage of—

(*a*) edible fats ; and

(*b*) sugar ; and

(*c*) milk or milk solids.

(2) This Act shall not apply to—

(*a*) cakes or pastry ; or

(*b*) any other foodstuff declared by regulations under this Act to be excluded from the definition of "bread" in this Act.

(3) The Governor may make regulations declaring that any foodstuff defined or described in the regulations, or any foodstuff containing such ingredients in such quantities or percentages as are prescribed by the regulations shall be excluded from the definition of "bread" in this Act.

Inspectors.

4. (1) Every person appointed as an inspector of weights and measures by a municipal or district council shall be an inspector under this Act.

(2) The Governor may appoint any fit and proper person to be an inspector under this Act on any terms and conditions which the Governor thinks fit, and either as a full time or a part time officer ; and where the Governor so directs, a person so appointed shall not be subject to the Public Service Act, 1936-1953.

Powers of inspectors.

5. (1) An inspector may—

(*a*) enter and inspect any bakery or any place which he has reasonable cause to believe to be a bakery ;

(*b*) search any such bakery or place for the purpose of discovering any dough or bread therein ;

(*c*) inspect, examine and weigh any dough or bread in any such bakery or place ;

(*d*) inspect, remove and test or cause to be tested any scales or other weighing apparatus used or kept in a bakery ;

(*e*) inspect or search any premises or place (whether a bakery or not) if he has reasonable cause to believe that such search or inspection may lead to the discovery of evidence of any offence against this Act.

(2) Any inspector—

(*a*) may request the driver of a vehicle on which bread is being carried for sale or delivery to stop the vehicle ; and

(*b*) may request such driver to sell to him such number of loaves as he reasonably requires for the purpose of the administration of this Act.

If any such driver—

(i) fails to stop his vehicle when requested to do so under this subsection ; or

(ii) having stopped his vehicle, does not cause it to remain stationary for a sufficient time to enable the inspector to purchase and take delivery of loaves of bread pursuant to this subsection ; or

(iii) fails to sell or fails to deliver to the inspector, upon tender of the usual price, the number of loaves requested by him under this subsection,

he shall be guilty of an offence and liable to a fine not exceeding fifty pounds.

(3) Any person who—

(*a*) hinders any inspector in the exercise or attempted exercise of any power conferred on him by this section or any other provision of this Act ; or

(*b*) prevents any inspector from exercising any such power,

shall be guilty of an offence and liable to a fine not exceeding fifty pounds.

(4) In this section "driver" means any person driving, or for the time being in charge of, a vehicle.

Dough weights.

6. (1) Any person who, for the purpose of making bread (other than Vienna bread) weighs out any dough into pieces other than pieces the weight of each of which is—

(*a*) not less than nine ounces and not more than ten ounces ; or

(*b*) not less than eighteen ounces and not more than twenty ounces ; or

(*c*) not less than thirty-six ounces and not more than forty ounces ; or

(*d*) not less than seventy-two ounces,

shall be guilty of an offence.

(2) Any person who, for the purpose of making Vienna bread, weighs out any dough into pieces, other than pieces the weight of each of which is not less than twenty-seven ounces and not more than thirty ounces, shall be guilty of an offence.

(3) Any person guilty of an offence against subsection (1) or subsection (2) of this section shall be liable to a fine of not less than ten pounds and not more than one hundred pounds.

(4) For the purpose of ascertaining the weight of a piece of dough for the purposes of this section, twelve pieces of dough appearing to be composed of the same ingredients and to be of approximately the same size shall be selected at random in the bakery and the average weight of the twelve pieces shall be taken to be the weight of each of them.

(5) Any person who—

(*a*) bakes into bread (other than Vienna bread) any piece of dough the weight of which does not comply with subsection (1) of this section ; or

(*b*) bakes into Vienna bread any piece of dough the weight of which does not comply with subsection (2) of this section,

shall be guilty of an offence and liable to a fine not exceeding one hundred pounds.

(6) Notwithstanding any other enactment to the contrary, no court shall have power to reduce the fine for an offence against subsection (1) or subsection (2) of this section below the minimum prescribed in subsection (3) of this section.

Amount of dry matter in bread.

7. (1) The Governor may by regulations prescribe the minimum amount or proportion of dry matter to be contained in loaves of bread of any size, weight or kind specified in the regulations, or in pieces of dough intended to be baked into such loaves.

(2) Any person who—

(*a*) sells any loaf of bread not complying with the regulations under this section ;

(*b*) weighs out for the purpose of making bread or bakes into bread any piece of dough not complying with the regulations under this section,

shall be guilty of an offence and liable to a fine not exceeding one hundred pounds.

(2) In this section " dry matter " includes all substances other than water.

Evidence and proof of offences.

8. In proceedings for an offence against section 6 or 7 of this Act—

(*a*) the allegation that the purpose for which any dough was weighed out or baked was that of making

bread shall be *prima facie* evidence of the fact so alleged ; and

(*b*) any pasty substance proved to have been in a bakery in such circumstances as to lead to the inference that it was there for the purpose of being converted into bread by baking shall be deemed to be dough unless the contrary is proved ; and

(*c*) it shall not be necessary to prove *mens rea* on the part of the defendant : Provided that where the defendant is a person other than the proprietor or manager of the bakery it shall be a defence if he proves that he did not know and could not by reasonable diligence have discovered that the dough was not in accordance with this Act, or as the case may be, the regulations.

Complaint for multiple offence.

9. (1) Where any number of pieces of dough which do not comply with this Act are found on the same premises at or about the same time, one complaint under this Act may be laid in respect of all or any of such pieces of dough, but particulars of the deficiency or excess of weight of each piece of dough shall be specified in the complaint.

(2) A complaint relating to a number of pieces of dough which do not comply with this Act and are found on the same premises at or about the same time shall be deemed to disclose a single offence.

Exemption from Act.

10. (1) Nothing in this Act shall apply to any dough made for the purpose of producing bread not intended for sale.

(2) In any proceedings under this Act it shall lie upon the defendant to prove that dough was made for such a purpose.

Duty to put baker's name on vehicles.

11. (1) Every vehicle used for the carriage of bread for sale or delivery to retail buyers shall have conspicuously and prominently marked on it in clearly legible letters the true name or registered business name, and the address of the place of business of the seller of the bread.

(2) If any person drives or causes or permits to be driven, for the purpose of carrying bread for sale or for delivery on sale, any vehicle not marked as required by subsection (1) of this section he shall be guilty of an offence and liable to a fine not exceeding fifty pounds.

(3) In this section the expression " true name " as applied to an individual person means his surname preceded by each of his christian names or the initial letter thereof ; and as applied to a company it means the name by which the company is registered.

Application of Weights and Measures Act to dough weighing machines.

12. (1) Any machine used by a baker for the purpose of weighing out pieces of dough (whether or not that is the sole purpose of the machine) shall be deemed to be a weighing instrument within the meaning of the Weights and Measures Act, 1934-1944.

(2) The use of any machine by a baker for the purpose of weighing out pieces of dough shall be deemed to be the use of that machine for trade within the meaning of the Weights and Measures Act, 1934-1944.

Summary procedure.

13. Proceedings for offences against this Act shall be disposed of summarily.

Regulations.

14. The Governor may make regulations prescribing any matters required or permitted by this Act to be prescribed, and any regulations necessary or convenient for securing the due administration and enforcement of this Act and may by any such regulation prescribe fines recoverable summarily and not exceeding fifty pounds for breach of any regulation.

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

R. A. GEORGE, Governor.

ANNO TERTIO

ELIZABETHAE II REGINAE

A.D. 1954

****

No. 35 of 1954

An Act to amend the Early Closing Act, 1926-1953.

[*Assented to 16th December,* 1954.]

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

Short titles.

1. (1) This Act may be cited as the " Early Closing Act Amendment Act, 1954 ".

(2) The Early Closing Act, 1926-1953 as amended by this Act may be cited as the " Early Closing Act, 1926-1954 ".

(3) The Early Closing Act, 1926-1953, is hereinafter referred to as " the principal Act ".

Incorporation.

2. This Act is incorporated with the principal Act and that Act and this Act shall be read as one Act.

Amendment of principal Act, s. 35—

Closing times.

3. Section 35 of the principal Act is amended—

(*a*) by striking out the words " tobacconists' shops and " in the second line of subsection (1) thereof ;

(*b*) by striking out the words " tobacconists' shops and " in the first line of subsection (2) thereof.

Amendment of principal Act, s. 36—

Closing times when public holidays occur.

4. Section 36 of the principal Act is amended by striking out the words " tobacconists' shops and " in the first line of subsection (2) thereof.

Amendment of principal Act, s. 48—
Auctioneer may obtain licence to sell after hours in country districts.

5. Section 48 of the principal Act is amended by striking out the words " for shops other than tobacconists' shops " at the end of subsection (1) thereof.

Amendment of principal Act, s. 50—
Half-holiday in exempted shops.

6. Section 50 of the principal Act is amended by striking out the words " and tobacconists' shops " in the second and third lines thereof.

Amendment of principal Act, s. 72—
Only exempted goods to be sold after hours.

7. Section 72 of the principal Act is amended by striking out the words " for shops other than tobacconists' shops " in the third and fourth lines of subsection (1) thereof.

Amendment of principal Act, s. 74—
Petition as to exempted shops only to be signed by person who has notified his class of shop.

8. Section 74 of the principal Act is amended by striking out the proviso to subsection (3) thereof.

Repeal of s. 77 of principal Act—
Special provision for tobacconists' goods between six o'clock and eight o'clock.

9. Section 77 of the principal Act is repealed.

Amendment of principal Act, Second Schedule—
Exempted Goods.

10. The second schedule to the principal Act is amended by striking out paragraph 11 therein and inserting the following paragraph in its place :—

11. Tobacco, cigars, cigarettes, cigarette papers, snuff, tobacco pipes, pipe cleaners, cigar and cigarette holders and cases, matches (not exceeding one box or book of matches in any one purchase), and tobacco pouches.

Amendment of principal Act, Third Schedule—
Exempted Shops.

11. The third schedule to the principal Act is amended by adding at the end thereof the following paragraph—

13. Tobacconists' shops.

Repeal of Fifth Schedule to principal Act.

12. The fifth schedule to the principal Act is struck out.

Petition concerning tobacconists' shops.

13. No petition shall be presented under section 57 of the principal Act with regard to tobacconists' shops until after the expiration of three years from the commencement of this Act.

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

R. A. GEORGE, Governor.

ANNO TERTIO

ELIZABETHAE II REGINAE

A.D. 1954

****

No. 36 of 1954

An Act to amend Part IIA. of the Education Act, 1915-1951.

[*Assented to 16th December,* 1954.]

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

Short titles.

1. (1) This Act may be cited as the "Education Act Amendment Act, 1954".

(2) The Education Act, 1915-1951, as amended by this Act, may be cited as the "Education Act, 1915-1954".

(3) The Education Act, 1915-1951, is hereinafter referred to as "the principal Act".

Incorporation.

2. This Act is incorporated with the principal Act and that Act and this Act shall be read as one Act.

Amendment of s. 28q of principal Act—
Duration of award.

3. Section 28q of the principal Act is amended by adding at the end thereof the following proviso:—

Provided that if the board is satisfied that it is equitable to do so, it may by an award declare that any salary or payment fixed thereby shall be payable as from a specified day earlier than the day when the award comes into force. The day so specified shall not be earlier than the day when the claim or application for fixing the salary or payment was lodged with the board.

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

R. A. GEORGE, Governor.

ANNO TERTIO

ELIZABETHAE II REGINAE

A.D. 1954

****

No. 37 of 1954

An Act to provide for the appointment of a Commission to report upon the redivision of the State into electoral districts, and for purposes consequent thereon or incidental thereto.

[*Assented to 16th December,* 1954.]

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

Short title.

1. This Act may be cited as the " Electoral Districts (Redivision) Act, 1954 ".

Interpretation.

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

" the commission " means the Electoral Commission appointed under this Act :

" commissioner " means a member of the Electoral Commission :

" district " means an electoral district :

" the metropolitan area " means the House of Assembly districts of Adelaide, Torrens, Prospect, Thebarton, Hindmarsh, Semaphore, Port Adelaide, Norwood, Burnside, Unley, Mitcham, Goodwood, and Glenelg, as existing at the time of the passing of this Act :

" the country areas " means all parts of the State which are outside the metropolitan area.

The Electoral Commission.

Appointment of commission.

3. (1) The Governor may appoint an Electoral Commission consisting of three commissioners.

(2) The Governor shall appoint one of the commissioners to be the chairman of the commission.

(3) The commissioners shall hold office until the commission has completed its duties under this Act.

Procedure at meetings.

4. (1) At every meeting of the commission the chairman, if present, shall preside, and in his absence the commissioners present shall appoint one of their number to preside.

(2) Two commissioners shall constitute a quorum of the commission for the transaction of business.

(3) A decision of the commission shall be valid if it is concurred in by at least two commissioners, but not otherwise.

Redivision of State into Electoral Districts.

Redistribution.

5. (1) Subject as hereinafter mentioned, the commission shall—

(*a*) re-divide the metropolitan area into thirteen approximately equal Assembly districts ; and

(*b*) re-divide the country areas into twenty-six approximately equal Assembly districts ; and

(*c*) divide each proposed Assembly district into subdivisions.

(2) For the purpose of this Act Assembly districts within the metropolitan area shall be regarded as being approximately equal to each other if no such district contains a number of electors more than twenty per cent above or below the average of the respective numbers of electors in all such districts ; and the same principle, *mutatis mutandis*, shall apply to Assembly districts in the country areas.

Redivision of Council districts.

6. (1) The commission shall also redivide the State into five Council districts. Each Council district shall consist of two or more whole Assembly districts.

(2) In making the redivision under this section, the Commission shall provide for two Council districts in the metropolitan area, and three in the country areas, and shall as far as practicable retain the existing boundaries of Council districts.

Matters to be considered.

7. (1) In re-dividing the State into Assembly districts the Commission, so far as is compatible with the provisions of section 5 of the Act, shall endeavour to create districts in each of which respectively the electors have common interests.

(2) The Commission shall also, so far as is compatible with the provisions of section 5 of this Act, and with subsection (1) of this section, endeavour to create Assembly districts, each of which—

(*a*) is of convenient shape and has reasonable means of access between the main centres of population therein ; and

(*b*) retains as far as possible, boundaries of existing districts and subdivisions.

Representations to Commission.

8. (1) Before making its report the commission shall by such advertisements as the commission deems necessary, inserted in newspapers circulating generally throughout the State, invite written representations from individuals and organizations as to the redivision of the State into electoral districts and shall by such advertisements fix a time within which such representations must be made.

(2) Representations to the commission shall be in writing and shall include a short summary of the matters intended to be brought to the notice of the commission.

(3) The commission shall consider all relevant representations made to it in accordance with subsections (1) and (2) of this section ; and may, at its discretion, hear and consider any evidence, information and arguments submitted to it orally by or on behalf of any person or organization.

(4) Nothing in this section shall be deemed to restrict any power conferred on the commission by the Royal Commissions Act, 1917.

Report.

9. (1) The commission shall present copies of its report to the Governor and to the President of the Legislative Council and the Speaker of the House of Assembly.

(2) The President and Speaker shall lay copies of the report on the table of the Legislative Council and House of Assembly respectively.

Application of Royal Commissions Act.

10. The Royal Commissions Act, 1917, shall apply to the commission and its proceedings as if—

(*a*) the commission were a commission to whom a commission of inquiry had been issued by the Governor ;

(*b*) the chairman and each other member of the commission were the chairman and a member respectively of such a commission ;

(*c*) the secretary of the commission were the secretary of such a commission.

Financial provision.

11. The money required for the expenses of or incidental to the appointment and work of the commission shall be paid out of the money provided by Parliament for those purposes.

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

R. A. GEORGE, Governor.

ANNO TERTIO

ELIZABETHAE II REGINAE

A.D. 1954

****

No. 38 of 1954

An Act to provide for compensation for loss arising from measures to eradicate fruit fly.

[*Assented to 16th December,* 1954.]

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

Short title.

1. This Act may be cited as the " Fruit Fly (Compensation) Act, 1954 ".

Incorporation.

2. This Act is incorporated with the Fruit Fly Act, 1947-1953, and that Act and this Act shall be read as one Act.

Compensation.

3. (1) Any person who suffers loss by reason of—

(*a*) any of the acts to which this section applies ; or

(*b*) being prohibited from removing fruit from any land by the proclamation made under the Vine, Fruit, and Vegetable Protection Act, 1885-1936, on the first day of October, nineteen hundred and fifty-three and published in the *Gazette* of that date at page 892 (hereinafter called "the first-mentioned proclamation") ; or

(*c*) being prohibited by the proclamation made under the Vine, Fruit, and Vegetable Protection Act, 1885-1936, on the eighth day of October, nineteen hundred and fifty-three and published in the *Gazette* of that date at page 938 (hereinafter called " the second-mentioned proclamation ") from growing on any land any plant mentioned in the second schedule to the second-mentioned proclama-

tion if that plant was planted or being grown on that land before the eighth day of October, nineteen hundred and fifty-three,

shall, subject to subsection (4) of this section, be entitled to compensation for that loss as provided in the Fruit Fly Act, 1947-1953.

(2) This section shall apply to—

(*a*) any act done pursuant to or in the intended exercise of powers conferred by the fruit fly regulations, if such act is done on land while the removal of fruit therefrom is prohibited by the first-mentioned proclamation ;

(*b*) any act done in the course of or incidentally to the doing of any such act as mentioned in paragraph (*a*) of this subsection.

(3) This section shall apply to acts done and loss or damage caused whether before or after the passing of this Act.

(4) Compensation for loss arising from the destruction pursuant to the fruit fly regulations of any plant mentioned in the second schedule to the second-mentioned proclamation or for loss mentioned in paragraph (*c*) of subsection (1) of this section shall not exceed an amount equal to the expenses incurred by the person claiming compensation in planting and tending the plant.

Claim for compensation.

4. Notwithstanding the provisions of section 5 of the Fruit Fly Act, 1947-1953, a notice of claim under that section for compensation under section 3 of this Act—

(*a*) if the claim is for loss resulting from any act or from the prohibition of growing any plant, shall be delivered to the committee before the first day of February, nineteen hundred and fifty-five ; or

(*b*) if the claim is for loss resulting from the prohibition of removing fruit from any land, shall be delivered to the committee before the first day of July, nineteen hundred and fifty-five.

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

R. A. GEORGE, Governor.

ANNO TERTIO

ELIZABETHAE II REGINAE

A.D. 1954

****

No. 39 of 1954

An Act to suspend the operation of certain provisions of the Hide and Leather Industries Act, 1948.

[*Assented to 16th December,* 1954.]

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

Short title.

1. This Act may be cited as the "Hide and Leather Industries Act Suspension Act, 1954".

Commencement of Act.

2. This Act shall be deemed to have come into operation on the sixteenth day of August, nineteen hundred and fifty-four.

Interpretation.

3. In this Act—

"the board" means the Australian Hide and Leather Industries Board constituted under the Hide and Leather Industries Act, 1948, of the Commonwealth, as amended;

"the principal Act" means the Act of the Parliament of the State, entitled the "Hides and Leather Industries Act, 1948".

Suspension of provisions of Hide and Leather Industries Act.

4. Until Parliament otherwise provides—

(*a*) the operation of the following provisions of the principal Act is suspended, namely, sections 3, 4, 5, 6, 7, 9, 14, 15, paragraph (*a*) of section 19, and section 20;

(*b*) the operation of subsection (1) of section 8 of the principal Act, to the extent that it empowers the the board to license a person to buy hides on behalf of the board, and to buy, sell and otherwise deal in hides on his own behalf, is suspended;

(*c*) the operation of subsection (3) of section 8 of the principal Act, to the extent that it provides that a person or firm licensed under the Commonwealth Act to buy hides shall be deemed to be licensed under that section, is suspended.

Savings.

5. Section 16 of the Acts Interpretation Act, 1915-1949, shall apply in relation to a provision of the principal Act, the operation of which is suspended by this Act, as if that provision had been repealed on the date of the commencement of this Act.

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

R. A. GEORGE, Governor.

ANNO TERTIO

ELIZABETHAE II REGINAE

A.D. 1954

****

No. 40 of 1954

An Act to amend the Highways Act, 1926-1953.

[*Assented to 16th December,* 1954.]

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

Short titles.

1. (1) This Act may be cited as the " Highways Act Amendment Act, 1954 ".

(2) The Highways Act, 1926-1953, as amended by this Act, may be cited as the " Highways Act, 1926-1954 ".

(3) The Highways Act, 1926-1953, is hereinafter referred to as " the principal Act ".

Re-enactment of principal Act, s. 36a—

2. Section 36a of the principal Act is amended so as to read as follows :—

Payment by Municipal Tramways Trust.

36a. (1) The Municipal Tramways Trust shall, by way of contribution towards the cost of the maintenance and lighting of such roads as are hereinafter mentioned in this section, pay to the Commissioner the amounts following :—

1. During the month next occurring after the passing of the Highways Act Amendment Act, 1954, the Municipal Tramways Trust shall pay to the Commissioner an amount equal to ·17 pence for every mile travelled upon any road by every motor omnibus, trolley omnibus or other omnibus of the Municipal Tramways Trust during the period of five months ending the thirtieth day of June, nineteen hundred and fifty-four, and an amount equal to one penny for every mile travelled as aforesaid during the period between the first day of July,

nineteen hundred and fifty-four, and the end of the month during which the said Act was passed :

II. During every month subsequent to the month first mentioned in paragraph I hereof, the Municipal Tramways Trust shall pay to the Commissioner an amount equal to one penny for every mile travelled as aforesaid during the previous month.

(2) The payments provided by subsection (1) shall be deemed to discharge fully the obligations of the Municipal Tramways Trust with respect to the maintenance and lighting of the roads aforesaid so far as those obligations relate to the use of the said roads by motor omnibuses, trolley omnibuses and other omnibuses of the Municipal Tramways Trust, but nothing in this subsection shall affect any obligation of the Municipal Tramways Trust under The Municipal Tramways Trust Act, 1935-1952, with respect to roads in which any tramway is or was laid by the Municipal Tramways Trust.

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

R. A. GEORGE, Governor.

ANNO TERTIO

ELIZABETHAE II REGINAE

A.D. 1954

****

No. 41 of 1954

An Act to amend the Landlord and Tenant (Control of Rents) Act, 1942-1953.

[*Assented to 16th December,* 1954.]

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

Short titles.

1. (1) This Act may be cited as the "Landlord and Tenant (Control of Rents) Act Amendment Act, 1954".

(2) The Landlord and Tenant (Control of Rents) Act, 1942-1953, as amended by this Act, may be cited as the "Landlord and Tenant (Control of Rents) Act, 1942-1954".

References to principal Act.

2. The Landlord and Tenant (Control of Rents) Act, 1942-1951, as reprinted pursuant to the Amendments Incorporation Act, 1937, and section 46 of the Landlord and Tenant (Control of Rents) Act Amendment Act, 1951, and as amended by the Landlord and Tenant (Control of Rents) Act Amendment Act, 1952, and the Landlord and Tenant (Control of Rents) Act Amendment Act, 1953, is hereinafter referred to as "the principal Act" and any reference in this Act to any provision of the principal Act shall be construed as a reference to that Act as so reprinted and amended.

Amendment of principal Act, s. 6—Exemptions from Act.

3. Section 6 of the principal Act is amended—

(*a*) by inserting therein after paragraph (*c*) of subsection (2) thereof the following paragraphs:—

(*d*) with respect to any lease in writing of any dwellinghouse the lease of which is for

two years or more and which is entered into after the passing of the Landlord and Tenant (Control of Rents) Act Amendment Act, 1954;

(*e*) with respect to any lease in writing of any premises to which this Act applies any part of which is let or used as a shop the term of which is for one year or more and which is entered into after the passing of the Landlord and Tenant (Control of Rents) Act Amendment Act, 1954.

(*b*) by inserting therein after subsection (2) thereof the following subsection:—

(2a.) The provisions of this Act relating to the recovery of possession of premises shall not apply with respect to a lease of any dwellinghouse (whether entered into before or after the passing of the Landlord and Tenant (Control of Rents) Act Amendment Act, 1954) in any case where the lessee is an employee of the lessor and the dwellinghouse is let to the lessee in consequence of his employment by the lessor.

Amendment of principal Act, s. 21—Basis of fixing rent.

4. Section 21 of the principal Act is amended by striking out the words "twenty-two and one-half" in the eighth line of subsection (2) thereof and by inserting in lieu thereof the words "twenty-seven and one-half".

Amendment of principal Act s. 42.—Grounds for giving notice to quit.

5. Section 42 of the principal Act is amended—

(*a*) by inserting after the word "lessor" in the last line of subparagraph (i) of paragraph (*g*) of subsection (6) thereof the words "or by a brother or sister of the lessor or of the wife or husband of the lessor";

(*b*) by inserting after the word "purchaser" in the last line of subparagraph (i) of paragraph (*m*) of subsection (6) thereof the words "or by a brother or sister of the purchaser or of the wife or husband of the purchaser";

(*c*) by striking out the words "and the premises are required by the lessor for re-conversion to a shop or business premises" in paragraph (*r*) of subsection (6) thereof.

6. Section 49 of the principal Act is amended— Amendment of principal Act, s. 49—

(*a*) by striking out the word "twelve" in the last line of paragraph (*e*) of subsection (6) thereof and by inserting in lieu thereof the word "six"; Period of giving notice to quit in certain cases.

(*b*) by striking out the word "twelve" in the last line of paragraph (*d*) of subsection (7) thereof and by inserting in lieu thereof the word "six";

(*c*) by striking out the word "twelve" in the penultimate line of paragraph (*d*) of subsection (9) thereof and by inserting in lieu the word "six";

(*d*) by adding at the end thereof the following subsection:—

(10) If in any such proceedings where application is made on the ground that the lessee has sublet the premises or some part thereof by a sublease which has not been consented to or approved by the lessor, proof is given to the satisfaction of the court that the lessor has since the passing of the Landlord and Tenant (Control of Rents) Act Amendment Act, 1954, given notice to quit to the lessee for a period of not less than six months, then the court shall not take into consideration any of the matters mentioned in subsection (1) of this section.

Nothing in this subsection shall limit any right of the lessor under any other provision of this Act.

7. The following section is enacted and inserted in the principal Act after section 54 thereof:— Enactment of s. 54a of principal Act—

54a. (1) Notwithstanding section 42 but subject to this section, the lessor of any dwellinghouse may give notice to quit to the lessee of the dwellinghouse without specifying any ground therein. Recovery of possession of dwellinghouse comprised in estate.

(2) A notice to quit shall not be given under this section except subject to the following provisions:—

I. The lessor shall be the lessor of the dwellinghouse as the executor or administrator of an estate in which the dwellinghouse is included;

II. The gross value of the dwellinghouse shall be an amount which is at least one-half the amount of the gross value of the total estate;

III. The purpose for which the notice to quit is given shall be to facilitate the sale of the dwellinghouse either for the purpose of giving effect to a testamentary disposition or trust affecting the dwellinghouse or to prevent hardship to any person entitled to a beneficial interest in the estate;

IV. The lessor shall give notice to quit for a period of at least six months.

Every such notice to quit shall, in addition to containing such other matters as are necessary, give notice to the lessee of the matters referred to in paragraphs I, II and III of this subsection but if, in any proceedings by the lessor for an order for recovery of possession of the dwellinghouse or for the ejectment of the lessee therefrom, an appearance is entered by the defendant, the validity of the notice to quit shall not be affected by the fact only that the notice to quit has not given notice of the matters aforesaid.

(3) On the hearing of any proceedings by the lessor for an order for the recovery of possession of the dwellinghouse or for the ejectment of the lessee therefrom if proof is given (the onus of which proof shall be on the lessor) to the court that the lessor was entitled under this section to give the notice to quit, then the court shall make the order without taking into consideration any of the matters mentioned in subsection (1) of section 49.

Amendment of principal Act, s. 55— Period of notice to quit in certain case.

8. Section 55 of the principal Act is amended by striking out the word "twelve" in the last line of paragraph III of subsection (2) thereof and by inserting in lieu thereof the word "six".

Enactment of s. 55b of principal Act—

9. The following section is enacted and inserted in the principal Act after section 55a thereof:—

Recovery of possession of dwellinghouse in certain cases.

55b. (1) Notwithstanding section 42 but subject to this section, the lessor of any dwellinghouse may give notice to quit to the lessee of the dwellinghouse without specifying any ground therein.

(2) A notice to quit shall not be given under this section except subject to the following provisions:—

I. The lessor shall be the owner of another dwellinghouse in which he resides at the time of the giving of the notice to quit and shall not, at that time, be the owner of any other dwellinghouse;

II. The purpose for which the notice to quit is given shall be to facilitate the sale of the dwellinghouse;

III. The lessor shall give notice to quit for a period of at least six months.

Every such notice to quit shall, in addition to containing such other matters as are necessary, give notice to the lessee of the matters referred to in paragraphs I and II of this subsection but if, in any proceedings by the lessor for an order for the recovery of possession of the dwellinghouse or the ejectment of the lessee therefrom, an appearance is entered by the defendant, the validity of the notice to quit shall not be affected by the fact only that the notice to quit has not given notice of the matters aforesaid.

(3) On the hearing of any proceedings by the lessor for an order for the recovery of possession of the dwellinghouse or for the ejectment of the lessee therefrom if proof is given (the onus of which proof shall be on the lessor) to the court that the lessor was entitled under this section to give the notice to quit, then the court shall make the order without taking into consideration any of the matters mentioned in subsection (1) of section 49.

Repeal of s. 109a of principal Act—Provisions applicable to business premises.

10. Section 109a of the principal Act is repealed.

Amendment of principal Act s. 123—Duration of Act.

11. Section 123 of the principal Act is amended by striking out the word "fifty-four" in the second line thereof and by inserting in lieu thereof the word "fifty-five".

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

R. A. GEORGE, Governor.

ANNO TERTIO

ELIZABETHAE II REGINAE

A.D. 1954

****

No. 42 of 1954

An Act to approve an agreement made between the Commonwealth and the State respecting the construction of a standard gauge railway between Leigh Creek North Coalfield and Marree.

[*Assented to 16th December,* 1954.]

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

Short title.

1. This Act may be cited as the " Leigh Creek North Coalfield to Marree Railway Agreement Act, 1954 ".

Interpretation.

2. In this Act " the Agreement " means the agreement a copy of which is set out in the schedule to this Act.

Approval of agreement.

3. The agreement is hereby approved.

Consent to construction of railway.

4. The State hereby consents to the construction of the railway from Leigh Creek North Coalfield to Marree in accordance with the agreement.

Operation of agreement.

5. The Government of the State shall perform or cause to be performed the obligations imposed on it by the agreement.

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

R. A. GEORGE, Governor.

THE SCHEDULE.

AGREEMENT made the 27th day of October, one thousand nine hundred and fifty-four BETWEEN the COMMONWEALTH OF AUSTRALIA (in this agreement referred to as "the Commonwealth") of the one part and the STATE OF SOUTH AUSTRALIA (in this agreement referred to as "the State") of the other part.

WHEREAS by the agreement dated the 20th day of October, 1949, the execution of which on behalf of the Commonwealth was authorized by the Railway Standardization (South Australia) Agreement Act, 1949, of the Commonwealth and which was approved by the State by the Railways Standardization Agreement Act, 1949, of the State the Commonwealth and the State agreed upon the carrying out and execution of various works and undertakings directed to the conversion to 4ft. 8½in. gauge (in this agreement referred to as "standard gauge") of the railways in the State of South Australia including the conversion to standard gauge of the 3ft. 6in. gauge lines of the Commonwealth Railways from Port Augusta to Alice Springs:

AND WHEREAS in pursuance of the agreement between the Commonwealth and the State dated the 7th day of July, 1954, the execution of which on behalf of the Commonwealth was authorized by the Brachina to Leigh Creek North Coalfield Railway Act, 1950 of the Commonwealth and on behalf of the State by the Brachina to Leigh Creek North Coalfield Railway Agreement Act, 1950 of the State, the Commonwealth is constructing a standard gauge railway beginning at Brachina and terminating at Leigh Creek North Coalfield which will be operated and maintained by the Commonwealth Railways Commissioner as an integral part of the Commonwealth Railways:

AND WHEREAS the Commonwealth proposes to proceed with and effect the conversion to standard gauge of the existing 3ft. 6in. gauge railway from Leigh Creek North Coalfield to Marree (in this agreement referred to as "the existing railway" and being portion of the said 3ft. 6in. gauge lines of the Commonwealth from Port Augusta to Alice Springs) but with such deviations, not exceeding five miles, on either side of the route of the existing railway as the Commonwealth Railways Commissioner may deem necessary or reasonable for the better conversion to standard gauge of the existing railway or for the working of the railway upon the altered gauge:

AND WHEREAS by reason of the said deviations or otherwise it is desirable for the purposes of the Constitution of the Commonwealth that the State should signify its consent to the conversion of the existing railway by the Commonwealth as aforesaid and the State has agreed to signify its consent accordingly:

AND WHEREAS the State has agreed to grant to the Commonwealth the rights conferred by this Agreement:

NOW THIS AGREEMENT WITNESSETH as follows:—

1. This agreement shall have no force or effect and shall not be binding upon either party unless and until it is approved by the Parliament of the Commonwealth and the Parliament of the State.

2. The State in so far as its consent thereto is necessary under the Constitution of the Commonwealth hereby consents to the conversion of the existing railway by the Commonwealth in the manner aforesaid.

3. The State will grant to the Commonwealth free of charge—
   (*a*) any Crown lands and any leased lands of the Crown in respect of which the Commonwealth shall have acquired the rights of the lessees; and
   (*b*) any stone, soil and gravel, upon any Crown lands or leased lands of the Crown from which the State has a right to take the same,

certified by the Commonwealth Railways Commissioner to be required by the Commonwealth in connection with the conversion of the existing railway as aforesaid or the maintenance or working of the railway upon the altered gauge.

IN WITNESS whereof the Commonwealth of Australia and the State of South Australia have executed these presents the day and year first above written.

SIGNED by the Prime Minister of the Commonwealth of Australia for and on behalf of the said Commonwealth in the presence of—G. J. YEEND } (Sgd.) ROBERT MENZIES.

SIGNED by the Premier of the State of South Australia for and on behalf of the said State in the presence of—
L. KING. } (Sgd.) T. PLAYFORD.

ANNO TERTIO

ELIZABETHAE II REGINAE

A.D. 1954

****

No. 43 of 1954

An Act to amend the Police Pensions Act, 1954.

[*Assented to 16th December,* 1954.]

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

Short titles.

1. (1) This Act may be cited as the "Police Pensions Act Amendment Act, 1954".

(2) The Police Pensions Act, 1954, as amended by this Act, may be cited as the "Police Pensions Act, 1954".

(3) The Police Pensions Act, 1954, is hereinafter referred to as "the principal Act".

Incorporation.

2. This Act is incorporated with the principal Act and that Act and this Act shall be read as one Act.

Commencement of Act.

3. This Act shall come into operation on the day on which the principal Act came into operation pursuant to a proclamation under section 2 thereof.

Amendment of s. 32 of principal Act—Pensions in force at time of commencement of principal Act.

4. Section 32 of the principal Act is amended by adding at the end of paragraph (*c*) of subsection (1) thereof the words "or seven-sixths of the rate of his pension immediately before the commencement of this Act, whichever is greater".

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

R. A. GEORGE, Governor.

ANNO TERTIO

ELIZABETHAE II REGINAE

A.D. 1954

****

No. 44 of 1954

An Act to amend the Prevention of Cruelty to Animals Act, 1936-1949.

[*Assented to 16th December,* 1954.]

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

Short titles.

1. (1) This Act may be cited as the " Prevention of Cruelty to Animals Act Amendment Act, 1954 ".

(2) The Prevention of Cruelty to Animals Act, 1936-1949, as amended by this Act, may be cited as the " Prevention of Cruelty to Animals Act, 1936-1949 ".

(3) The Prevention of Cruelty to Animals Act, 1936-1949, is hereinafter referred to as " the principal Act ".

Incorporation.

2. This Act is incorporated with the principal Act and that Act and this Act shall be read as one Act.

Enactment of s. 5a of principal Act—

3. The following section is enacted and inserted in the principal Act after section 5 thereof :—

Prohibition of shooting at captive birds.

5a. (1) Any person who—

(*a*) promotes, arranges, conducts, assists in, receives money for, or takes part in, any event in the course of which captive birds are liberated from captivity for the purpose of being shot at ; or

(*b*) being the owner, occupier, or person in charge of any premises, permits such premises to be used for any purpose specified in paragraph (*a*) of this subsection,

shall be guilty of an offence and liable to a fine not exceeding fifty pounds.

(2) In this section "event" means any meeting, competition, exhibition, display, practice, or pastime.

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

R. A. GEORGE, Governor.

ANNO TERTIO

ELIZABETHAE II REGINAE

A.D. 1954

****

No. 45 of 1954

An Act to amend the Public Service Act, 1936-1953.

[*Assented to 16th December,* 1954.]

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

Short titles.

1. (1) This Act may be cited as the " Public Service Act Amendment Act, 1954 ".

(2) The Public Service Act, 1936-1953, as amended by this Act, may be cited as the " Public Service Act, 1936-1954 ".

(3) The Public Service Act, 1936-1953, is hereinafter referred to as " the principal Act ".

Incorporation.

2. This Act is incorporated with the principal Act and that Act and this Act shall be read as one Act.

Amendment of s. 8 of principal Act—Appointment of member for hearing appeals.

3. Section 8 of the principal Act is amended by adding after the word " under " in the second line of subsection (2) the words " subsection (4) of section 29 or ".

Amendment of s. 57 of principal Act—Retirement.

4. Section 57 of the principal Act is amended—

(*a*) by inserting at the end of subsection (2) thereof the words " and the persons who are exempt from subsection (1) pursuant to subsection (4) of this section " :

(*b*) by adding at the end thereof the following subsections :—

(4) Except as mentioned in subsection (5) of this section :—

(*a*) a person holding or purporting to hold office as a member of a statutory body at the time of the passing of the Public Service Act Amendment Act, 1954, shall not be required, or be deemed to have at any time been required, to retire pursuant to subsection (1) of this section :

(*b*) a person appointed as a member of a statutory body after the passing of the Public Service Act Amendment Act, 1954, shall not be required to retire pursuant to subsection (1) of this section.

(5) The following members only of statutory bodies shall be required to retire pursuant to subsection (1) of this section—

(*a*) A member of The Public Service Board or a member of a statutory body whose office on such body is required by law to be held by an officer of the public service :

(*b*) A member holding an office which is declared by proclamation under subsection (6) of this section to be an office the holder of which is subject to subsection (1) of this section.

(6) The Governor may by proclamation specify offices on statutory bodies the holders of which shall be subject to subsection (1) of this section and may from time to time, by proclamation, revoke or vary any proclamation specifying such offices.

(7) Where a person holds an office to which a proclamation under subsection (6) of this section applies and is at the date of the proclamation over the age for retirement fixed by subsection (1) of this section, he shall retire from such office upon the expiration of two months after the date of the proclamation.

(8) An Act or proceeding of a statutory body, done or taken before the passing of the Public Service Act Amendment Act, 1954, shall not be invalid on the ground that any member of that body had not retired under subsection (1) of this section, or was at the time of his appointment to the statutory body over the age for retirement fixed by subsection (1) of this section, but shall be as valid as if such member had not been subject to any retiring age.

(9) In this section " statutory body " includes any board, council, committee, commission, or other like body created or established by or pursuant to any Act of the State ; and " member" means a person appointed by the Governor or a Minister as the chairman or a commissioner, councillor, committeeman, trustee or other member of a statutory body.

Amendment of s. 75 of principal Act—Long leave of absence.

5. Section 75 of the principal Act is amended by inserting after section 6b thereof the following subsection :—

(6c) Where the service of an officer is terminated otherwise than by resignation, or dismissal for misconduct or mental or physical incapacity, and the officer is within two years after such termination re-employed in the public service, his service shall be deemed to be continuous notwithstanding the termination thereof, but the period between such termination and the re-employment of the officer shall not be counted as service.

This subsection applies in relation to all long service leave granted after the passing of the Public Service Act Amendment Act, 1954, notwithstanding that the termination, the re-employment, or the service in respect of which the leave is granted, or any of them, may have taken place before the enactment of this subsection.

Amendment of s. 76a of principal Act—Payment for leave not taken.

6. Section 76a of the principal Act is amended—

(*a*) by striking out the words " who has attained the retiring age " in the first and second lines of subsection (1) ;

(*b*) by adding after the word " retires " in the second line of subsection (1) the words " or resigns ";

(*c*) by adding after the word " retirement " at the end of subsection (1) the words " or resignation ";

(*d*) by striking out the definition of " the retiring age " in subsection (2) thereof ;

(*e*) by adding after the word " retirement " (twice occurring) in subsection (3) the words " or resignation ".

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

R. A. GEORGE, Governor.

ANNO TERTIO

ELIZABETHAE II REGINAE

A.D. 1954

****

No. 46 of 1954

An Act to amend the Public Service Act, 1936-1953.

[*Assented to 16th December,* 1954.]

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

Short titles.

1. (1) This Act may be cited as the "Public Service Act Amendment Act (No. 2) 1954".

(2) The Public Service Act, 1936-1953, as amended by this Act and any other Act passed in the year nineteen hundred and fifty-four, may be cited as the "Public Service Act, 1936-1954".

(3) The Public Service Act, 1936-1953, is hereinafter referred to as "the principal Act".

Incorporation.

2. This Act is incorporated with the principal Act and that Act and this Act shall be read as one Act.

Amendment of s. 75a of principal Act—Special leave.

3. (1) Section 75a of the principal Act is amended by adding at the end of subsection (2) thereof the following proviso:—

Provided that where the leave is granted because of sickness arising from war service the abovementioned limitation shall not apply and the leave may be granted for any period which the Minister deems proper.

(2) The following subsection is inserted at the end of the said section 75a:—

(6) Where an officer has between 31st December, 1953, and the passing of the Public Service Act Amendment Act (No. 2), 1954, been granted any leave without pay under this section and the Minister is satisfied that such leave was applied for and taken because of sickness arising from war service, the Minister may, in his discretion, direct that a payment be made to the officer of an amount equal to the salary of the officer for the period of the leave, less the amount of the war pension (if any) paid to him by the Commonwealth in respect of the same period.

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

R. A. GEORGE, Governor.

ANNO TERTIO

ELIZABETHAE II REGINAE

A.D. 1954

****

No. 47 of 1954

An Act to ratify and approve an agreement for the further variation of the agreement entered into between the Prime Minister of the Commonwealth and the Premiers of the States of New South Wales, Victoria, and South Australia, respecting the River Murray and Lake Victoria and other waters, and for other purposes.

[*Assented to* 16*th December,* 1954.]

Preamble.

WHEREAS on the ninth day of September, nineteen hundred and fourteen, the Prime Minister of the Commonwealth of Australia, acting for and on behalf of the Commonwealth, and the Premiers of the States of New South Wales, Victoria, and South Australia, acting for and on behalf of those States respectively, entered into an agreement (in this Act referred to as " the principal agreement ") respecting the River Murray and Lake Victoria and other waters, subject to ratification by the Parliament of the Commonwealth and the Parliaments of the said States :

AND WHEREAS the Parliament of the Commonwealth and the Parliaments of the said States have ratified and approved the principal agreement :

AND WHEREAS the said agreement has been amended by further agreements dated respectively the tenth day of August, nineteen hundred and twenty-three, the twenty-third day of July, nineteen hundred and thirty-four, and the twenty-sixth day of November, nineteen hundred and forty-eight :

AND WHEREAS the Parliaments of the Commonwealth and the Parliaments of the said States have ratified and approved the said further agreements :

AND WHEREAS the Prime Minister of the Commonwealth of Australia, acting for and on behalf of the Commonwealth, and the Premiers of the said States, acting for and on behalf of those States respectively, have entered into an agreement (in this Act referred to as " the fourth amending agreement ") to vary the principal agreement as varied by the said frst second and third amending agreement, subject to ratification by the Parliament of the Commonwealth and the Parliaments of the said States :

AND WHEREAS it is desirable to ratify and approve the fourth amending agreement :

BE IT THEREFORE ENACTED by the Governor of the State of South Australia, with the advice and consent of the Parliament thereof, as follows :

Short titles.

1. (1) This Act may be cited as the " River Murray Waters Act Amendment Act, 1954 ".

(2) The River Murray Waters Act, 1935-1948, as amended by this Act may be cited as the " River Murray Waters Act, 1935-1954 ".

(3) The River Murray Waters Act, 1935-1948, is hereinafter referred to as " the principal Act ".

Commencement.

2. This Act shall come into force on a day to be fixed by proclamation.

Incorporation.

3. This Act is incorporated with the principal Act and that Act and this Act shall be read as one Act.

Act to bind the Crown.

4. This Act shall bind the Crown.

Ratification of fourth amending agreement.

5. The fourth amending agreement, a copy of which is set out in the schedule to this Act, is hereby ratified and approved.

Meaning of the term " the agreement ".

6. Any reference to " the agreement " in the principal Act shall be construed as a reference to the agreement set out in the first schedule to the principal Act as amended by all subsequent amending agreements.

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

R. A. GEORGE, Governor.

THE SCHEDULE

AGREEMENT made the second day of November, One thousand nine hundred and fifty-four BETWEEN THE RIGHT HONOURABLE ROBERT GORDON MENZIES Prime Minister of the Commonwealth of Australia for and on behalf of the Commonwealth of Australia of the first part THE HONOURABLE JOHN JOSEPH CAHILL Premier of the State of New South Wales for and on behalf of that State of the second part THE HONOURABLE JOHN CAIN Premier of the State of Victoria for and on behalf of that State of the third part and THE HONOURABLE THOMAS PLAYFORD Premier of the State of South Australia for and on behalf of that State of the fourth part:

WHEREAS on the ninth day of September One thousand nine hundred and fourteen an Agreement was entered into by the Prime Minister of the Commonwealth of Australia and the Premiers of the States of New South Wales, Victoria and South Australia with regard to the economical use of the waters of the River Murray and its tributaries for irrigation and navigation and to the reconciling of the interests of the Commonwealth of Australia and the said States which Agreement was ratified by the Parliament of the Commonwealth of Australia and the Parliaments of the said States and which Agreement is in this Agreement referred to as " the Principal Agreement ":

AND WHEREAS by further Agreements dated the tenth day of August, One thousand nine hundred and twenty-three, the twenty-third day of July One thousand nine hundred and thirty-four and the twenty-sixth day of November, One thousand nine hundred and forty-eight (in this Agreement respectively referred to as " the first Amending Agreement ", " the second Amending Agreement " and " the third Amending Agreement ") all made between the Prime Minister of the Commonwealth of Australia and the Premiers of the States of New South Wales, Victoria and South Australia certain provisions of the Principal Agreement were modified:

AND WHEREAS the first Amending Agreement, the second Amending Agreement and the third Amending Agreement were all subsequently ratified by the Parliament of the Commonwealth of Australia and by the Parliaments of the said States:

AND WHEREAS at a Conference between THE HONOURABLE WILFRED SELWYN KENT HUGHES Minister for Works of the Commonwealth of Australia THE HONOURABLE JOHN BROPHY RENSHAW Minister for Public Works and Local Government of the State of New South Wales THE HONOURABLE AMBROSE GEORGE ENTICKNAP Minister for Conservation of the State of New South Wales THE HONOURABLE CLIVE PHILIP STONEHAM Minister for Water Supply of the State of Victoria and THE HONOURABLE MALCOLM MCINTOSH, Minister of Works of the State of South Australia held on the nineteenth day of July, One thousand nine hundred and fifty-four, certain resolutions were agreed to with a view to further modifying certain of the provisions of the Principal Agreement as amended by the first Amending Agreement, the second Amending Agreement and the third Amending Agreement:

NOW IT IS HEREBY FURTHER AGREED as follows:—

I. RATIFICATION AND ENFORCEMENT.

1. THIS Agreement is subject to ratification by the Parliaments of the Commonwealth of Australia and of the States of New South Wales Victoria and South Australia and shall come into effect when so ratified.

2. THE Contracting Governments hereby agree to submit this Agreement for ratification to the respective Parliaments of the Commonwealth of Australia and of the said States during the present session of any such Parliament or if any such Parliament is not in session at the date of this Agreement then at the first session of that Parliament held after the date of this Agreement.

3. EACH of the Contracting Governments so far as its jurisdiction extends and so far as it may be necessary shall provide for or secure the execution and enforcement of the provisions of this Agreement and any Acts ratifying it.

4. ON and after the date of ratification of this Agreement the Principal Agreement as amended by the first Amending Agreement, the second Amending Agreement and the third Amending Agreement shall be read and construed as if the amendments made by this Agreement were incorporated in the Principal Agreement as so amended.

II. AMENDMENT OF PRINCIPAL AGREEMENT AS AMENDED BY FIRST, SECOND AND THIRD AMENDING AGREEMENTS.

5. CLAUSE 20 of the Principal Agreement as amended by clause 5 of the second Amending Agreement and clause 7 of the third Amending Agreement is further amended—

(*a*) by omitting paragraph (i) and inserting in its stead the following paragraph :—

"(i) the provision of a storage on the upper River Murray (in this Agreement referred to as the 'Upper Murray Storage') with a capacity of approximately two and one-half million acre feet of water and with a roadway along the top of the containing dam;"; and

(*b*) by inserting after paragraph (v) the following new paragraph :—

"(vi) the construction or execution of such works or work on the River Murray between Tocumwal and Echuca and on the effluents of that river between those two points as the Commission from time to time determines as necessary to prevent the loss of the regulated flow of the river."

6. CLAUSE 32 of the Principal Agreement is omitted and the following clause is inserted in its stead :—

"32. The cost of carrying out the works mentioned in clause twenty of this Agreement is estimated at Nineteen million seven hundred and fifty thousand pounds and shall be borne by the Contracting Governments in equal shares PROVIDED ALWAYS that, in the event of a contribution or contributions being received from the Snowy Mountains Hydro-electric Authority towards the cost of the works necessary to increase the capacity of the Upper Murray Storage from approximately two million acre feet of water to approximately two and one-half million acre feet of water, that contribution or those contributions shall be applied in reduction of the amounts which would otherwise have been contributed jointly by the Contracting Governments pursuant to this clause towards the cost of the works mentioned in clause 20 of this Agreement."

7. CLAUSE 50 of the Principal Agreement is omitted and the following clause is inserted in its stead :—

"50. After the completion of the works specified in clause 20 of this Agreement other than those specified in paragraph (vi) of that clause, the discharge from the Upper Murray Storage and the inflow to and discharge from the Lake Victoria Storage shall be regulated to provide a reserve of water in storage for use in dry years, that reserve to be fixed from time to time by, and drawn upon at the discretion of, the Commission PROVIDED THAT the quantity of water so held in reserve shall be not less than one million acre feet at any time (of which not less than two hundred thousand acre feet shall be in the Lake Victoria Storage) unless the Commission declares a period of restriction in pursuance of clause fifty-one of this Agreement in which case the said reserve may be drawn upon PROVIDED FURTHER HOWEVER that the volume in Lake Victoria may be reduced with a corresponding reduction in the combined volume in both storages at times other than periods of restriction if the Commission is satisfied that the supply to South Australia from upstream will be sufficient to ensure that the full allocation to that State can be met until the thirtieth day of June next ensuing and that there will be a combined reserve at that date of one million acre feet including not less than two hundred thousand acre feet in the Lake Victoria Storage."

IN WITNESS whereof the said parties to these presents have hereunto set their hands and seals the day and year first above-written.

SIGNED SEALED AND DELIVERED by the abovenamed ROBERT GORDON MENZIES in the presence of: G. S. YEEND — ROBERT MENZIES.

SIGNED SEALED AND DELIVERED by the abovenamed JOHN JOSEPH CAHILL in the presence of: W. A. GLEESON — J. J. CAHILL.

SIGNED SEALED AND DELIVERED by the said JOHN CAIN in the presence of: L. R. EAST — JOHN CAIN.

SIGNED SEALED AND DELIVERED by the said THOMAS PLAYFORD in the presence of: L. F. LODER — T. PLAYFORD.

ANNO TERTIO

ELIZABETHAE II REGINAE

A.D. 1954

****

No. 48 of 1954

An Act to amend the Road Traffic Act, 1934-1953.

[*Assented to 16th December,* 1954.]

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

Short titles.

1. (1) This Act may be cited as the "Road Traffic Act Amendment Act, 1954".

(2) The Road Traffic Act, 1934-1953, as amended by this Act, may be cited as the "Road Traffic Act, 1934-1954".

(3) The Road Traffic Act, 1934-1953, is hereinafter referred to as "the principal Act".

Incorporation.

2. This Act is incorporated with the principal Act and that Act and this Act shall be read as one Act.

Amendment of principal Act, s. 61—Regulations.

3. Section 61 of the principal Act is amended by adding at the end thereof the following subsection:—

(3) Regulations made under paragraph XII of subsection (1) of this section may apply to any class of vehicles specified in such regulations, and such class may be specified either by reference to the weight, power, power-weight, carrying capacity, purpose, construction, or any other characteristic of vehicles.

This subsection shall not be deemed to restrict the operation or meaning of any provision of this section.

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

R. A. GEORGE, Governor.

ANNO TERTIO

ELIZABETHAE II REGINAE

A.D. 1954

****

No. 49 of 1954

An Act to amend the Succession Duties Act, 1929-1952.

[*Assented to 16th December,* 1954.]

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

Short titles.

1. (1) This Act may be cited as the " Succession Duties Act Amendment Act, 1954 ".

(2) The Succession Duties Act, 1929-1952, as amended by this Act, may be cited as the " Succession Duties Act, 1929-1954 ".

(3) The Succession Duties Act, 1929-1952, is hereinafter referred to as " the principal Act ".

Incorporation.

2. This Act is incorporated with the principal Act and that Act and this Act shall be read as one Act.

Enactment of s. 9a of principal Act—

3. The following section is enacted and inserted in the principal Act after section 9 thereof :—

Duty free gifts.

9a. Where a will, settlement or deed of gift directs that property derived, given, or accruing thereunder is to be taken free of duty, the net present value of that property and of all other property derived, given or accruing under the will, settlement or deed of gift shall for the purpose of assessing the duty payable thereon be calculated as if there were no such direction.

Amendment of second schedule to principal Act—

Rates of duty on property taken by widows and lineal relatives.

4. (1) Paragraph 1 of the Second Schedule to the principal Act is amended by striking out the first five lines under the

headings in the table therein (being the lines indicating the rate of duty on property of a net present value of up to £20,000) and inserting in their place the following lines :—

Net Present Value of Property Derived or Taken.	Amount of Duty.
Not exceeding £3,500	Nil
£3,500-£4,500	20 per cent of the excess over £3,500
£4,500-£20,000	£200 plus 15 per cent of the excess over £4,500

(2) Paragraph 2 of the Second Schedule to the principal Act is amended by striking out the first eight lines under the headings in the table therein (being the lines indicating the rates of duty on property of a net present value up to £10,000) and inserting in their place the following lines :—

Net Present Value of Property Derived or Taken.	Amount of Duty.
Not exceeding £1,500	Nil
£1,500-£3,000	10 per cent of the excess over £1,500
£3,000-£10,000	£150 plus 12½ per cent of the excess over £3,000

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

R. A. GEORGE, Governor.

ANNO TERTIO

ELIZABETHAE II REGINAE

A.D. 1954

****

No. 50 of 1954

An Act to amend the Waterworks Act, 1932-1936.

[*Assented to 16th December,* 1954.]

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

Short titles.

1. (1) This Act may be cited as the "Waterworks Act Amendment Act, 1954".

(2) The Waterworks Act, 1932-1936, as amended by this Act, may be cited as the "Waterworks Act, 1932-1954".

(3) The Waterworks Act, 1932-1936, is hereinafter referred to as "the principal Act".

Incorporation.

2. This Act is incorporated with the principal Act and that Act and this Act shall be read as one Act.

Amendment of principal Act, s. 4—Interpretation.

3. Section 4 of the principal Act is amended—

(*a*) by striking out the definition of "Commissioner" therein;

(*b*) by inserting after the definition of "fittings" therein the following definition:—

"Minister" means the Minister of Works.

Repeal of ss. 7 and 8 of principal Act.

4. Sections 7 and 8 of the principal Act are repealed.

Amendment of principal Act, s. 69—Power to inspect assessment books.

5. Section 69 of the principal Act is amended by striking out the words "Commissioner of Taxes" in the ninth and tenth lines of paragraph (*a*) in subsection (1) thereof and inserting in their place the words "Commissioner of Land Tax".

Amendment of principal Act, s. 71—
Lands assessed.

6. Section 71 of the principal Act is amended by striking out all the words therein after the word " premises " in the second line thereof and inserting in their place the words " (not being such lands or premises as are described in section 37 of this Act) within a water district mentioned in the second schedule to this Act ".

Amendment of principal Act, s. 89—
Land subject to water rates.

7. Section 89 of the principal Act is amended—

(*a*) by inserting after the word " district " in the third line of subsection (1) thereof the words " mentioned in the second schedule to this Act " ;

(*b*) by inserting after the word " district " in the second line of subsection (2) thereof, the words " mentioned in the second schedule to this Act ".

Amendment of principal Act, s. 90—
Imposition of water rates.

8. Section 90 of the principal Act is amended by inserting after the word " district " in the second line of subsection (1) thereof, the words " mentioned in the second schedule to this Act ".

Amendment of principal Act, s. 102—
Scope of Part.

9. Section 102 of the principal Act is amended—

(*a*) by striking out subsection (1) thereof and inserting the following subsection in its place :—

(1) In this Part the expression " country lands " means lands within a water district not mentioned in the second schedule to this Act.

(*b*) by striking out the word " Part " in the fifth line of subsection (2) thereof and inserting in its place the word " Act ".

Amendment of principal Act, s. 103—
Power to levy annual construction rates on country lands.

10. Section 103 of the principal Act is amended—

(*a*) by striking out subsections (1) and (2) thereof and inserting in their place the following subsections :—

(1) The Minister may in any year declare and levy a construction rate on any country lands.

The rate shall be—

(*a*) an amount per acre fixed by the Minister by notice published in the *Gazette* ; and

(*b*) payable on such country lands as are indicated or described in the notice.

(2) The rate shall be based on, and may vary according to, the unimproved value per acre of the land on which the rate is payable.

(2a) The Minister may fix by the notice a minimum rate payable in respect of any land on which the rate is payable.

(*b*) by striking out the words "Commissioner of Taxes" wherever appearing therein and inserting in their place the words "Commissioner of Land Tax";

(*c*) by striking out the words "Taxation Act, 1927" wherever appearing therein and inserting in their place the words "Land Tax Act, 1936-1952".

Repeal of third schedule to principal Act.

11. The third schedule to the principal Act is struck out.

Alteration of title.

12. The principal Act is amended by striking out the word "Commissioner" wherever used therein to denote the Minister formerly known as the Commissioner of Waterworks and by inserting in its place the word "Minister".

Commencement of ss. 3 to 12 of Act.

13. Sections 3 to 12 (inclusive) of this Act shall be deemed to have come into operation on the first day of July, nineteen hundred and and fifty-four.

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

R. A. GEORGE, Governor.

ANNO TERTIO

ELIZABETHAE II REGINAE

A.D. 1954

****

No. 51 of 1954

An Act to amend the Uranium Mining Act, 1949-1952.

[*Assented to 16th December,* 1954.]

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

Short titles.

1. (1) This Act may be cited as the "Uranium Mining Act Amendment Act, 1954".

(2) The Uranium Mining Act, 1949-1952, as amended by this Act, may be cited as the "Uranium Mining Act, 1949-1954".

(3) The Uranium Mining Act, 1949-1952, is hereinafter referred to as "the principal Act".

Incorporation.

2. This Act is incorporated with the principal Act and that Act and this Act shall be read as one Act.

Enactment of s. 2a of principal Act—

3. The following section is enacted and inserted in the principal Act after section 2 thereof:—

Officers and servants.

2a. (1) The Minister of Mines may for the purpose of exercising any of his powers under this Act employ officers and servants on such terms and conditions as he thinks fit.

(2) The terms and conditions of employment of any officer or servant or class of officers or servants employed under this section may provide—

(*a*) that any specified provisions of the Public Service Act, 1936-1953, shall not apply, or shall apply with or without modifications, in relation to that employment;

(*b*) for any other matters.

(3) Where at or after the time of the enactment of this section any persons who are subject to the provisions of the Public Service Act, 1936-1953, are employed in works or undertakings carried on under this Act, the Minister of Mines may declare that any specified provisions of the Public Service Act, 1936-1953, shall not apply to those persons or shall apply to them with or without modifications.

(4) If a person employed in works or undertakings carried on under this Act (whether such employment commenced before or after the enactment of this section) is subsequently transferred to or applies for a position under the Public Service Act, 1936-1953, then for the purpose of determining his seniority under the Public Service Act, 1936-1953—

(*a*) his service in the said works or undertakings shall be deemed to have been service under the Public Service Act, 1936-1953; and

(*b*) the Public Service Board shall determine whether the whole or a portion of the salary received by him at any time shall be regarded as salary under the Public Service Act, 1936-1953.

(5) Except as provided in this section, the Public Service Act, 1936-1953, shall not apply to any officer or servant while he is employed under this section.

(6) The provisions of this section shall apply notwithstanding the provisions of any other Act.

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

R. A. GEORGE, Governor.

ANNO TERTIO

ELIZABETHAE II REGINAE

A.D. 1954

****

No. 52 of 1954

An Act to authorize the Treasurer to enter into an agreement with the Commonwealth and other States of Australia for the amendment of the Commonwealth and State Housing Agreement.

[*Assented to 23rd December,* 1954.]

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

Short title.

1. This Act may be cited as the "Commonwealth and State Housing Supplemental Agreement Act, 1954".

Power of Treasurer to execute agreement.

2. The Treasurer, on behalf of the State, may enter into, execute and cause to be carried out an agreement with the Commonwealth and with other States of Australia in the form of or substantially in accordance with the agreement set out in the schedule to this Act.

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

R. A. GEORGE, Governor.

SCHEDULE

AGREEMENT FOR AMENDMENT OF THE COMMONWEALTH AND STATE HOUSING AGREEMENT

AN AGREEMENT made the day of one thousand nine hundred and fifty— BETWEEN THE COMMONWEALTH OF AUSTRALIA (in this Agreement called " the Commonwealth ") of the first part THE STATE OF NEW SOUTH WALES of the second part THE STATE OF VICTORIA of the third part THE STATE OF QUEENSLAND of the fourth part THE STATE OF SOUTH AUSTRALIA of the fifth part and THE STATE OF WESTERN AUSTRALIA of the sixth part, and intended to be supplemental to the Agreement (in this Agreement called " the Principal Agreement ") made on the nineteenth day of November, one thousand nine hundred and forty-five, between the Commonwealth and the States of New South Wales, Victoria, Queensland, South Australia, Western Australia and Tasmania and referred to as the Commonwealth and State Housing Agreement.

WHEREAS the Principal Agreement was authorized or approved by the Parliaments of the Commonwealth and of the said States:

AND WHEREAS in or about the month of August in the year one thousand nine hundred and fifty the State of Tasmania withdrew from the rental housing scheme referred to in the Principal Agreement and is no longer regarded as a party to the Principal Agreement:

AND WHEREAS it is provided by clause 14 of the Principal Agreement that a dwelling erected under the Principal Agreement may be sold by a State subject to the conditions contained in that clause, and that thereupon the State shall pay to the Commonwealth the full purchase price of the dwelling payable by the purchaser and the Principal Agreement shall as from the date of sale of a dwelling cease to apply to that dwelling:

AND WHEREAS it has been agreed between the parties to this Agreement that tenants of dwellings erected under the Principal Agreement may be allowed to purchase the dwellings on the terms and conditions set out in this Agreement, and that the Principal Agreement be amended accordingly:

NOW IT IS HEREBY AGREED as follows:—

1. (1) This Agreement is subject to approval by the Parliament of the Commonwealth.

(2) Notwithstanding that the States of New South Wales, Victoria, Queensland, South Australia and Western Australia are named as parties to this Agreement—

(*a*) the Agreement shall, in the event of the Parliament of one or more of those States failing to authorize or approve the Agreement, operate as an agreement between the Commonwealth and the State or States which authorize or approve the Agreement as fully and effectually as if the State or States so authorizing or approving the Agreement were the only State or States named as a party or parties to the Agreement and the State or States failing to authorize or approve the Agreement were not named as a party or parties to the Agreement; and

(*b*) the Agreement shall as between the Commonwealth and any State come into force upon being authorized or approved by the Parliaments of the Commonwealth and that State.

(3) In this Agreement, and in clause 14 of the Principal Agreement, as amended by this Agreement, each State which is named as a party to this Agreement and the Parliament of which shall authorize or approve this Agreement is referred to as a " State ", and the expression " the States " shall mean, where the context so permits or requires, all of those States so authorizing or approving this Agreement.

2. The Commonwealth shall provide for or secure the execution by it and its instrumentalities of the obligations of the Commonwealth arising pursuant to this Agreement and each of the States shall provide for or secure the execution by that State and by its instrumentalities of the obligations of that State arising pursuant to this Agreement.

3. Clause 6 of the Principal Agreement is amended—

(*a*) by omitting from sub-clause (2) the words " sub-clause (2) of "; and

(*b*) by omitting from sub-clause (3) the word " Each " and inserting in its stead the words " Subject to clause 14 of this Agreement, each ".

4. Clause 14 of the Principal Agreement is omitted and the following clause inserted in its place :—

14. (1) A dwelling may be sold by a State at any time after its completion to the tenant of the dwelling on such terms and conditions, not inconsistent with this clause, as are prescribed or fixed by that State.

(2) The purchase price of a dwelling sold under this clause shall be fixed by the State.

(3) A dwelling sold under this clause, otherwise than for cash, to the tenant of the dwelling, not being an eligible person within the meaning of the *War Service Homes Act* 1918-1954 (which expression in this Agreement includes the wife of an eligible person who is temporarily or permanently insane) obtaining an advance under that Act, shall be sold subject to the following terms and conditions :—

(*a*) the minimum deposit shall be five per centum of the first Two thousand pounds of the purchase money plus ten per centum of the amount by which the purchase money exceeds Two thousand pounds ;

(*b*) the total repayments of principal (included in the annual amortization allowance mentioned in sub-paragraph (*a*) of paragraph 4 of the First Schedule to this Agreement) paid by the purchaser as the tenant of the dwelling up to the date of the sale, or such part thereof as is determined by the State, may be credited to the purchaser and may be regarded as part of the deposit, but the purchaser shall pay in cash by way of deposit not less than five per centum of the purchase price ;

(*c*) the rate of interest to be charged to a purchaser in respect of any purchase money owing to a State shall be Four pounds ten shillings per centum per annum or such other rate as may be agreed from time to time between the Treasurer of the Commonwealth and the Treasurer of the State ;

(*d*) the balance of purchase money remaining after payment of the cash deposit and crediting the purchaser with repayments of principal in accordance with paragraph (*b*) of this sub-clause shall not exceed Two thousand seven hundred and fifty pounds ; and

(*e*) the period of repayment of the balance of purchase money shall not exceed forty-five years.

(4) In respect of a dwelling which is sold for cash, a State shall pay to the Commonwealth forthwith the capital cost of the dwelling ascertained in accordance with the First Schedule to this Agreement, less the total repayments of principal (included in the annual amortization allowance mentioned in sub-paragraph (*a*) of paragraph 4 of the First Schedule to this Agreement) in respect of the dwelling up to the date of sale.

(5) Where the tenant of a dwelling is an eligible person within the meaning of the *War Service Homes Act* 1918-1954 who desires to purchase the dwelling from the Director of War Service Homes (in this clause called " the Director ") in pursuance of that Act, or to obtain an advance under that Act to enable him to purchase the dwelling, the State may, if requested so to do by the Director, sell the dwelling to the Director or to that eligible person, in which event no amount of money shall be payable to the State by the Director or the eligible person, as the case may be, but the State shall transfer to the Director or the eligible person, as the case may be, an unencumbered estate in fee simple in the land on which the dwelling is erected and the amount of the State's indebtedness to the Commonwealth under the sub-clause (2) of clause 6 of this Agreement shall be reduced by the amount of the purchase price of the dwelling less the repayments of principal credited to the purchaser in accordance with paragraph (*b*) of sub-clause (3) of this clause.

(6) Where a State sells a dwelling under this clause, otherwise than for cash, not being a dwelling sold in accordance with sub-clause (5) of this clause—

(*a*) the State will pay to the Commonwealth the cash deposit received from the purchaser ; and

(*b*) the State will pay to the Commonwealth the capital cost of the dwelling ascertained in accordance with the First Schedule to this Agreement, less—

(i) the total repayments of principal (included in the annual amortization allowance mentioned in sub-paragraph (*a*) of paragraph 4 of the First Schedule to this Agreement) in respect of the dwelling up to the date of sale ; and

(ii) the cash deposit paid by the State to the Commonwealth under the last preceding paragraph

and interest thereon, computed from the date of sale, by equal annual instalments of principal and interest over a period of forty-five years or such less period as may be agreed between the Treasurer of the Commonwealth and the Treasurer of the State.

(7) The rate of interest payable by the State to the Commonwealth under the last preceding sub-clause in respect of a dwelling sold shall be the rate charged by the Commonwealth pursuant to clause 6 of this Agreement in respect of advances at the date on which the construction of that dwelling was completed, or such other rate as may be agreed between the Treasurer of the Commonwealth and the Treasurer of the State, but the rate of interest payable in respect of a dwelling the construction of which is or was completed on or before the 30th day of June, 1955, shall not exceed that charged as aforesaid on the 1st day of July, 1954.

(8) As from the date of sale, this Agreement, other than this clause, shall cease to apply to a dwelling sold under this clause.

(9) The accounting arrangements under which payments due by a State to the Commonwealth under this clause shall be made shall be as agreed from time to time between the Treasurer of the Commonwealth and the Treasurer of that State.

IN WITNESS whereof the parties to these presents have executed these presents the day and year first above-written.

SIGNED SEALED AND DELIVERED by The Right Honourable ROBERT GORDON MENZIES Prime Minister of the Commonwealth for and on behalf of the Commonwealth in the presence of—

SIGNED SEALED AND DELIVERED by The Honourable JOHN JOSEPH CAHILL Premier of the State of New South Wales for and on behalf of that State in the presence of—

SIGNED SEALED AND DELIVERED by The Honourable JOHN CAIN Premier of the State of Victoria for and on behalf of that State in the presence of—

SIGNED SEALED AND DELIVERED by The Honourable VINCENT CLAIR GAIR Premier of the State of Queensland for and on behalf of that State in the presence of—

SIGNED SEALED AND DELIVERED by The Honourable THOMAS PLAYFORD Premier of the State of South Australia for and on behalf of that State in the presence of—

SIGNED SEALED AND DELIVERED by The Honourable ALBERT REDVERS GEORGE HAWKE Premier of the State of Western Australia for and on behalf of that State in the presence of—

ANNO TERTIO

ELIZABETHAE II REGINAE

A.D. 1954

****

No. 53 of 1954

An Act to amend the Electricity Trust of South Australia Act, 1946-1952.

[*Assented to 23rd December,* 1954.]

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

Short titles.

1. (1) This Act may be cited as the " Electricity Trust of South Australia Act Amendment Act, 1954 ".

(2) The Electricity Trust of South Australia Act, 1946-1952, as amended by this Act, may be cited as the " Electricity Trust of South Australia Act, 1946-1954".

(3) The Electricity Trust of South Australia Act, 1946-1952, is hereinafter referred to as " the principal Act ".

Incorporation.

2. This Act is incorporated with the principal Act and that Act and this Act shall be read as one Act.

Amendment of s. 6 of principal Act—Members of trust.

3. Section 6 of the principal Act is amended by striking out paragraph (*b*) of subsection (2) thereof.

Repeal of s. 8a of principal Act.

4. Section 8a of the principal Act is repealed.

Enactment of ss. 26a-26d of principal Act—

5. The following sections are enacted and inserted in the principal Act after section 26 thereof :—

Electricity districts.

26a. The Governor may by notice in the *Gazette*—

(*a*) declare any part of the State to constitute an Electricity District ;

(*b*) alter any Electricity District ;

(*c*) assign a name to any Electricity District.

District Electricity Committees.

26b. (1) The Governor may appoint a committee for any Electricity District.

(2) The name of each committee shall be The Electricity Advisory Committee, the blank space being filled by the name of the district for which the committee is appointed.

(3) Every committee shall consist of such number of members as the Governor determines.

(4) The Governor shall appoint a member of each committee to be its chairman.

(5) Subject to this Act, every member of a committee shall hold office for four years calculated as from the first day of July in the year in which he was appointed: Provided that a member appointed to a casual vacancy shall hold office for the balance of the term of the member in whose place he was appointed.

(6) The Governor may dismiss a member of the committee from his office if he has been guilty of any act or conduct which, in the Governor's opinion, shows him to be unfit to be a member of the committee.

(7) The office of a member of a committee shall become vacant if—

(*a*) he dies;

(*b*) he resigns by notice in writing addressed to the Treasurer;

(*c*) he is dismissed from office by the Governor.

(8) A member of a committee shall not be subject to the Public Service Act, 1936-1954, by reason only of his office as such member.

(9) The Trust may pay to members of a committee allowances for travelling to and from meetings of the committee at such rates as the Trust deems proper. Such allowances shall be paid out of the revenue of the Trust.

Duties and functions of committees.

26c. (1) It shall be the duty of a committee to investigate and report to the Trust on any matter which relates to the supply of electricity within the district of the committee and is referred to the committee by the Trust.

(2) A committee may of its own motion make reports and recommendations to the Trust on any matter relating to the supply of electricity within the committee's district.

Business of committees.

26d. (1) Subject to any regulations made under this Act the business of a committee shall be conducted in such manner and at such times and places as the committee determines.

(2) A decision of a committee shall be valid if concurred in by a majority of the members of the committee.

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

R. A. GEORGE, Governor.

ANNO TERTIO

ELIZABETHAE II REGINAE

A.D. 1954

****

No. 54 of 1954

An Act to authorize the Corporation of the Town of Brighton to lease to the Somerton Yacht Club Incorporated portion of the John Miller Park.

[*Assented to 23rd December,* 1954.]

Preamble.

WHEREAS in pursuance of an indenture made the twenty-second day of December, one thousand nine hundred and thirty-nine, Bessie Edith Miller transferred to the Corporation of the Town of Brighton certain land in the Hundred of Noarlunga, County of Adelaide, which is known as the John Miller Park to be held for all time by the said Corporation for use as and for a public park garden and pleasure ground: AND WHEREAS the said Corporation is desirous of leasing to the Somerton Yacht Club Incorporated portion of the said land and the said Bessie Edith Miller has agreed thereto: BE IT THEREFORE ENACTED by the Governor of the State of South Australia, with the advice and consent of the Parliament thereof, as follows:

Short title.

1. This Act may be cited as the "John Miller Park Act, 1954".

Power of Corporation to lease portion of John Miller Park.

2. (1) Notwithstanding the trusts upon which the John Miller Park is held by the Corporation of the Town of Brighton, the said Corporation may, from time to time, but subject to this section, lease to the Somerton Yacht Club Incorporated any portion of the land comprised in the said Park.

(2) The land so leased shall not exceed one-quarter of an acre in area.

(3) Any such lease may be for any term not exceeding fifteen years and may, subject to this section, be granted upon such terms, conditions and restrictions as are deemed fit by the said Corporation. Any such lease may authorize the said Club to erect buildings on the land leased and every such lease shall provide that no buildings, fences or other structures shall be erected on the land leased except with the prior approval in writing of the said Corporation and, during her lifetime, of the aforementioned Bessie Edith Miller.

(4) No such lease shall be granted during the lifetime of the aforementioned Bessie Edith Miller unless the said Bessie Edith Miller approves of the terms, conditions and restrictions thereof and consents in writing to the granting of the lease.

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

R. A. GEORGE, Governor.

ANNO TERTIO

ELIZABETHAE II REGINAE

A.D. 1954

****

No. 55 of 1954

An Act to amend the Licensing Act, 1932-1953.

[*Assented to 23rd December,* 1954.]

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

Short titles.

1. (1) This Act may be cited as the "Licensing Act Amendment Act, 1954".

(2) The Licensing Act, 1932-1953, as amended by this Act, may be cited as the "Licensing Act, 1932-1954".

(3) The Licensing Act, 1932-1953, is hereinafter referred to as "the principal Act".

Incorporation.

2. This Act is incorporated with the principal Act and that Act and this Act shall be read as one Act.

Amendment of s. 3 of principal Act—Repeal and savings.

3. Section 3 of the principal Act is amended—

(*a*) by striking out the words "and local option district" in the first line of subsection (2); and

(*b*) by striking out "local option resolution" in the third and fourth lines of subsection (4).

Amendment of s. 16 of principal Act—Storekeeper's licence.

4. Section 16 of the principal Act is amended by striking out the words "one kind of" in the fourth line of subsection (1).

Amendment of s. 22 of principal Act—Brewer's Australian ale licence.

5. Section 22 of the principal Act is amended by striking out the words "one kind of" in the fourth line of subsection (1).

Amendment of s. 23 of principal Act—Distiller's storekeeper's licence.

6. Section 23 of the principal Act is amended by striking out the words "one kind of" in the fourth line of subsection (1).

Application of sections of this Act.

7. The amendments made by sections 4, 5, and 6, of this Act shall apply in relation to licences in force at the time of the passing of this Act as well as to licences granted after that time.

Amendment of s. 61 of principal Act—

Removal of licence from one local option district to another.

8. Section 61 of the principal Act is amended by adding at the end thereof the following proviso :—

Provided that the foregoing provisions of this section shall not apply to a storekeeper's licence, a distiller's storekeeper's licence, or a brewer's Australian ale licence.

Amendment of s. 182 of principal Act—

Restriction of women to serve liquor.

9. Section 182 of the principal Act is amended by inserting at the end thereof the following subsection :—

(5) A female shall not be deemed to sell supply or serve liquor at, in or about a bar-room within the meaning of this section or section 186 or 187 by reason only of the fact that she takes orders from and serves liquor to persons who are not in a bar-room.

Amendment of principal Act, s. 197a—

Permits to sell liquor in restaurants.

10. (1) Section 197a of the principal Act is amended by striking out the word " eight " in paragraph (*b*) of subsection (5) and inserting in lieu thereof the word " nine ".

(2) Every permit in force under section 197a of the principal Act at the time of the passing of this Act shall be read as if every reference therein to eight o'clock in the evening were a reference to nine o'clock in the evening.

Amendment of s. 198 of principal Act—

Permit to supply liquor with meals on licensed premises.

11. (1) Section 198 of the principal Act is amended—

(*a*) by striking out the word " eight " in the eighth line of subsection (1), and in the second and sixth lines of paragraph (*a*) of subsection (3), and in the first line of paragraph (*d*) of subsection (3) and inserting in lieu thereof in each case the word " nine "; and

(*b*) by inserting the word " or " after the word " Sunday " in the seventh line of paragraph (*a*) of subsection (3) ;

(*c*) by striking out the word " or " in the seventh line of paragraph (*a*) of subsection (3) and inserting in lieu thereof the words " and between the hours of one o'clock in the afternoon and half past three o'clock in the afternoon and between the hours of six o'clock in the evening and nine o'clock in the evening on any " ;

(*d*) by striking out the words " one shilling and sixpence " at the end of subsection (8) and inserting in lieu thereof the words " five shillings ".

(2) Every permit in force under section 198 of the principal Act at the time of the passing of this Act shall be read as if every reference therein to eight o'clock in the evening were a reference to nine o'clock in the evening.

Enactment of s. 198a of principal Act—

12. The following section is inserted in the principal Act after section 198 :—

Supply of liquor at expense of guests.

198a. (1) It shall be lawful for the holder of a publican's licence who holds a permit under section 198 of this Act to supply liquor on his licensed premises to a non-excepted person : Provided that—

(*a*) the liquor is supplied at the expense of a bona fide lodger whose ordinary residence is outside the State of South Australia ;

(*b*) the liquor is consumed on the premises in the presence of such lodger ;

(*c*) a written order for the liquor is given by such lodger and it is not paid for in cash but the cost thereof is entered on the account of the lodger with the holder of a licence ;

(*d*) not more than six non-excepted persons are so supplied at any one time ;

(*e*) the liquor is not supplied to any person in contravention of any provision of sections 172 to 181 (inclusive) of this Act.

(2) Any person who for the purpose of procuring the supply of liquor under subsection (1) of this section makes any false statement shall be guilty of an offence and liable to a fine not exceeding fifty pounds.

(3) It shall be a defence to a charge under paragraph (*a*) or (*b*) of section 202 of this Act if it is proved that the liquor to which that charge applies was supplied to the defendant in accordance with this section.

Amendment of s. 203 of principal Act—Persons unlawfully on licensed premises.

13. Section 203 of the principal Act is amended by adding at the end of subsection (1) and subsection (2) thereof the words " otherwise than as allowed by this Act ".

Amendment of s. 203 of principal Act—Persons unlawfully on licensed premises.

14. Section 203 of the principal Act is amended by striking out the word " eight " in the fifth and tenth lines of subsection (2) and inserting in lieu thereof the word " nine ".

Amendment of s. 209 of principa]Act—

Liability of licensee for persons on premises.

15. Section 209 of the principal Act is amended by striking out the word " eight " in the sixth and tenth lines and inserting in lieu thereof the word " nine ".

Repeal of ss. 223 and 224 of principal Act and enactment of other provisions—

16. Sections 223 and 224 of the principal Act are repealed and the following sections are enacted and inserted in lieu thereof :—

Local option districts.

223. (1) Subject to subsections (2), (3), and (4) of this section, every subdivision of an electoral district shall be a local option district.

(2) Where in any year in which local option polls are held any electoral subdivisions are altered after the last day of January in that year, the local option districts as constituted before that alteration shall be deemed to remain in force without alteration for the purpose of holding polls pursuant to petitions presented in that year.

(3) A local option resolution carried in any local option district shall be carried into effect in the area which at the time of the passing of the resolution constitutes that district, notwithstanding any alteration made in the electoral subdivision after the carrying of the resolution.

(4) In this section " alteration " includes abolition and " alter " has a corresponding meaning.

Restriction on alteration of number of licences.

224. The number of licences of each class in force for the time being in each local option district shall not be increased or decreased except as follows :—

(*a*) the number of licences of any class in force at the time of the passing of the Licensing Act Amendment Act, 1954, may be increased for the purpose of giving effect to any local option resolution in favour of an increase carried before the passing of that Act as if the local option districts had not been altered ;

(*b*) the number of licences of any class shall, subject to the provisions of Part IV of this Act, be increased for the purpose of giving effect to a local option resolution carried after the passing of the Licensing Act Amendment Act, 1954 ;

(*c*) the number of licences of any class shall be reduced for the purpose of giving effect to a local option resolution carried after the passing of the Licensing Act Amendment Act, 1954. Provided that the number of licences of any one class shall not be reduced to less than one.

Amendment of s. 225 of principal Act—Right to petition for poll.

17. Section 225 of the principal Act is amended by striking out subsection (1) thereof and inserting in lieu thereof the following subsections :—

(1) A quorum of electors in any local option district may at any time in the month of February or March in the year nineteen hundred and fifty-five or in the same months in any third year thereafter, cause to be presented to the Governor a local option petition praying that a local option poll be taken within that local option district.

The petition shall set out the resolution on which the petitioners desire the poll to be taken, and every such resolution shall be one of the resolutions authorized by this Division to be submitted to the electors.

(1a) At the time of presenting the petition to the Governor the petitioners shall pay to the Treasurer in aid of the general revenue of the State a fee of fifty pounds.

(1b) The persons who have paid the fee on a petition may at any time before the first day of April next after the presentation of the petition withdraw the petition by notice to the Minister and shall upon such withdrawal be entitled to a refund of the fee paid by them.

(1c) If the Minister certifies in writing that the effect of any resolution, if carried, would be to reduce the number of licences of any one class in the local option district to less than one, the persons who have paid the fee on the petition shall be entitled on application by them to a refund of the fee.

Amendment of s. 226 of principal Act—Validity of petition.

18. Section 226 of the principal Act is amended by striking out the words " the petition " in the first and second lines and inserting in lieu thereof the words " a petition complying with and presented in accordance with section 225 of this Act ".

Repeal of s. 227 of principal Act and enactment of other provisions—Duty to take poll.

19. Section 227 of the principal Act is repealed and the following section is enacted in lieu thereof :—

227. The Minister shall, upon publication in the *Gazette* of the certificate mentioned in the next preceding section, by order direct the returning officer for the electoral district in which the local option district is situated to take a poll of the electors in that local option district on the last Saturday in June next after the presentation of the petition, and at the House of Assembly polling places in that district.

20. Section 228 of the principal Act is repealed and the following section is enacted and inserted in lieu thereof :— Repeal of s. 228 of principal Act and enactment of other provisions—

228. (1) The following persons only shall be entitled to vote at a local option poll, namely, every person who on the closing day was registered as an elector in respect of an address within the local option district in which the poll is taken. Persons entitled to vote at polls.

(2) The Minister may by notice in the *Gazette* fix the closing day for any local option district for purposes of this section.

21. Sections 230, 231 and 232 of the principal Act are repealed and the following sections are enacted in lieu thereof :— Repeal of ss. 230, 231 and 232 of principal Act, and enactment of other provisions—

230. (1) A petition under this Division may set out any one of the following resolutions :— Resolutions which may be submitted.

(*a*) That the number of licences of any specified class in the local option district be reduced by any specified number ;

(*b*) That the number of licences of any specified class in the local option district be increased by any specified number.

Provided that no petition shall set out a resolution the effect of which would be if carried to reduce the number of licences of the class in the local option district to less than one.

(2) All the resolutions in respect of which valid petitions are presented in the same local option district shall be included in the same ballot paper : Provided that where two or more petitions set out the same resolution, that resolution shall only be set out once in the ballot paper.

(3) Every resolution shall be stated in the ballot paper in the following form :—

Are you in favour of a reduction (or increase) in the number of (here state the type of licence) licences by (here state the number by which it is proposed to reduce or increase the number of licences) ?

231. Each elector may vote on all or any of the resolutions included in the ballot paper ; and his vote on any resolution shall be recorded by writing the word " Yes " or " No " in a space to be provided opposite that resolution. Mode of voting.

232. The following provisions shall apply in regard to the votes recorded at the local option poll :— Effect of votes.

(*a*) The votes on each resolution shall be counted separately ;

(*b*) If the votes in favour of any resolution are greater in number than the votes against that resolution that resolution shall be carried ;

(*c*) If two or more resolutions in favour of an increase of licences of any particular class or two or more resolutions in favour of a reduction of licences of any particular class are carried, the resolution which provides for the greatest increase or reduction (as the case may be) shall be binding on the Court.

Amendment of heading to Division II of Part VIII.

22. The heading to Division II of Part VIII occurring after section 237 of the principal Act is amended by striking out the words " THE FIRST RESOLUTION " and inserting " A RESOLUTION IN FAVOUR OF REDUCING LICENCES.".

Amendment of s. 238 of principal Act—Court for giving effect to resolutions.

23. Section 238 of the principal Act is amended—

(*a*) by striking out the words " the first resolution " in the first line and inserting in lieu thereof " a resolution in favour of reducing licences (hereinafter called a ' reduction resolution ')",

(*b*) by striking out the words " the first resolution " in the second line of subsection (2) and inserting in lieu thereof " a reduction resolution ".

Consequential amendment of s. 241 of principal Act—How reduction to be effective.

24. Section 241 of the principal Act is amended by striking out the words " as explained by subsection (2) of section 230 " in the second line and inserting in their place the words " subject to section 224 of this Act ".

Amendment of s. 244 of principal Act—Effect of reduction of licences after poll.

25. Section 244 of the principal Act is amended by striking out the words " one third of the number of those licences current at the date of the poll " in the last two lines and inserting in lieu thereof the words " the number indicated in the resolution : Provided that the court shall not provide for the reduction of the number of any one class of licence to less than one ".

Consequential amendment of s. 246 of principal Act—Licensing Court to give effect to the determination.

26. Section 246 of the principal Act is amended by striking out the words " as explained by subsection (2) of section 230 " in the fifth line of subsection (2) and inserting in their place the words " subject to section 224 of this Act ".

27. Section 247 of the principal Act is repealed. Repeal of s. 247 of principal Act.

28. Section 248 of the principal Act is repealed and the following section is enacted and inserted in lieu thereof:— Repeal of s. 248 of principal Act, and enactment of other provisions—

248. If a resolution is adopted at a local option poll for a local option district for an increase of licences of any class, additional licences of that class, not exceeding the number authorized by the resolution, may be granted in the discretion of the Licensing Court in respect of premises situated within that district which were not licensed at the time of the poll. Effect of resolution for increase.

29. Section 249 of the principal Act is amended by striking out the words " constituting or " in the third line. Consequential amendment of s. 249 of principal Act.

30. Sections 250 and 251 of the principal Act are repealed. Repeal of ss. 250 and 251 of principal Act.

31. Section 275 of the principal Act is amended by adding at the end of subsection (2) thereof the following words " except so far as an alteration is rendered necessary by any amendment of this Act or any other law ". Amendment of s. 275 of principal Act—Forms.

32. (1) The Schedule B to the principal Act is amended by striking out in the sixth line of the Form 2 (Storekeeper's Licence), the sixth line of the Form 7 (Brewer's Australian Ale Licence) and the sixth line of Form 8 (Distiller's Storekeeper's Licence) the words " one kind of ". Amendment of schedule B of principal Act—Forms of licences.

(2) Every Storekeeper's Licence, Brewer's Australian Ale Licence, and Distiller's Storekeeper's Licence in force at the time of the passing of this Act shall be read as if they were amended in accordance with this section.

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

R. A. GEORGE, Governor.

ANNO TERTIO

ELIZABETHAE II REGINAE

A.D. 1954

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No. 56 of 1954

An Act to amend the Local Government Act, 1934-1952.

[*Assented to 23rd December,* 1954.]

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

Short titles.

1. (1) This Act may be cited as the "Local Government Act Amendment Act (No. 2), 1954".

(2) The Local Government Act, 1934-1952, as amended by this Act, may be cited as the "Local Government Act, 1934-1954".

(3) The Local Government Act, 1934-1952, is hereinafter referred to as "the principal Act".

Amendment of principal Act, s. 5—Interpretation.

2. Subsection (1) of section 5 of the principal Act is amended—

(*a*) by inserting therein after the definition of "financial year" the following definition:—

"foreshore" means the foreshore of the sea along the coastline of the State and, except as hereinafter provided, the foreshore shall be deemed to extend from low water mark to the nearest road or section boundary or to a distance of one and a half chains from high water mark, whichever is the lesser, but the foreshore shall not include any land which has been alienated from the Crown or which

is subject to any agreement, lease or licence granted by or on behalf of the Crown :

(*b*) by inserting therein after the definition of " township " the following definition—

" urban farm land " means any parcel of land in a municipality which is more than two acres in area and which is wholly or mainly used for the time being by the occupier for carrying on one or more of the businesses or industries of grazing, dairying, pig-farming, poultry-farming, viticulture, fruit growing, bee-keeping, horticulture, or vegetable growing or the growing of crops of any kind and from which businesses or industries the occupier derives the whole or a substantial part of his livelihood :

Amendment of principal Act, s. 137— Supplementary election.

3. Section 137 of the principal Act is amended by adding at the end of subsection (3) thereof the following passage :—

If the day appointed as nomination day is within three months before the first Saturday in July in any year and if any such person so nominated holds office in the council as mayor, alderman or councillor and the term of that office would expire by effluxion of time upon the said first Saturday in July, then, notwithstanding the preceding provisions of this subsection, the returning officer shall declare that candidate to be elected as from the said first Saturday in July.

Amendment of principal Act, s. 169— Assessment of certain areas used for sporting purposes.

4. Section 169 of the principal Act is amended by striking out the words " during the five financial years next occurring after the passing of the Local Government Act Amendment Act, 1951," in the second, third and fourth lines of subsection (3) thereof.

Amendment of principal Act, s. 172— Alteration of assessment book.

5. Section 172 of the principal Act is amended by adding at the end thereof the following subsection (the preceding portion of the said section being read as subsection (1) thereof):—

(2) If, pursuant to this section, any alteration is made to the assessment book with respect to the assessed value of any ratable property the council shall give notice in writing of the alteration to the owner and the occupier of the ratable property.

Enactment of ss. 184a and 184b of principal Act—

6. The following sections are enacted and inserted in the principal Act after section 184 thereof:—

Provisions as to urban farm land in municipalities.

184a. In every assessment made by a municipal council (whether by adopting the Government assessment or otherwise) there shall be included in the assessment with respect to any ratable property which is urban farm land a statement that the ratable property is urban farm land.

Application to council by owner of urban farm lands.

184b. (1) The owner of any ratable property in any municipality which is urban farm land and which is not included in the assessment as urban farm land may by notice in writing given to the council request that there be included in the assessment a statement that the ratable property is urban farm land.

(2) The council shall forthwith consider the request. If the council decides that the ratable property is urban farm land the assessment book shall be altered accordingly. If the council decides that the ratable property is not urban farm land the clerk shall forthwith give to the owner notice in writing of the decision of the council.

Amendment of principal Act, ss. 193 and 198—

Voting at polls.

7. (1) Section 193 of the principal Act is amended by striking out subsection (2) thereof and by inserting in lieu thereof the following subsection:—

(2) The following provisions shall apply to any such poll:

I. If the area is divided into wards, every owner of ratable property shall, subject to paragraphs III and IV hereof, be entitled to one vote, and only one vote in every ward in which he has ratable property:

II. If the area is not divided into wards, every owner of ratable property shall, subject to paragraphs III and IV hereof, be entitled to one vote, and only one vote:

III. If two or more persons are enrolled on the voters' roll as owners of the same ratable property then subsections (2) and (3) of section 115 shall, *mutatis mutandis*, apply to the voting of such persons and for the said purpose the said subsections shall be read as if the words "poll" or "polls" had been inserted therein in lieu of the words "election" or "elections" respectively whenever they occur in the said subsections:

IV. If pursuant to section 100, a company or body corporate has nominated more than one person to be

enrolled on the voters' roll as provided by section 100, then such number of and such of those persons shall be entitled to vote as is provided by section 100.

(2) Section 198 of the principal Act is amended by striking out subsection (2) thereof and by inserting in lieu thereof the following subsection :—

(2) The following provisions shall apply to any such poll :

I. If the area is divided into wards, every owner of ratable property shall, subject to paragraphs III and IV hereof, be entitled to one vote, and only one vote in every ward in which he has ratable property :

II. If the area is not divided into wards, every owner of ratable property shall, subject to paragraphs III and IV hereof, be entitled to one vote and only one vote :

III. If two or more persons are enrolled on the voters' roll as owners of the same ratable property then subsections (2) and (3) of section 115 shall, *mutatis mutandis*, apply to the voting of such persons and for the said purpose the said subsections shall be read as if the words " poll " or " polls " had been inserted therein in lieu of the words " election " or " elections " respectively whenever they occur in the said subsections :

IV. If pursuant to section 100, a company or body corporate has nominated more than one person to be enrolled on the voters' roll as provided by section 100, then such number of and such of those persons shall be entitled to vote as is provided by section 100.

Amendment of principal Act, s. 205—Provision as to appeals against assessment.

8. Section 205 of the principal Act is amended by inserting therein at the end of paragraph I thereof the following proviso :—

Provided that, in any case where the valuator has omitted to give the appellant a note of the particulars of any ratable property assessed as required by section 174 or where the particulars set out in any note given by the valuator under section 174 or section 187 differ from the assessment of the ratable property as approved by the council, the assessment revision committee or, as the case may be, the local court may allow the appeal in respect of that ratable property to be commenced at any time after the expiration of the said twenty-one days :

Amendment of principal Act, s. 212—Appeals.

9. Section 212 of the principal Act is amended by inserting therein after subsection (2) thereof the following subsection :—

(2a) Where the council, pursuant to section 181, has caused an assessment to be made adopting the Government assessment or, pursuant to sections 182, 183, or 184 has made or caused to be made an assessment, any person may appeal against the assessment on the ground that any ratable property which is urban farm land is not described as such in the assessment or that any ratable property described in the assessment as urban farm land is not urban farm land.

Enactment of s. 212a, of principal Act—Appeal against decision of council as to urban farm land.

10. The following section is enacted and inserted in Division III of Part XI of the principal Act after section 212 thereof :—

212a. (1) If after a request to the council by an owner of ratable property that it be included in the assessment as urban farm land, the council decides that the ratable property is not urban farm land, the owner making the request may appeal against the decision of the council.

(2) The appeal shall be instituted, heard and determined as if it were an appeal against an assessment and the provisions of section 203 to 210, both inclusive, shall, *mutatis mutandis*, apply to the appeal. For the purpose of any such appeal, paragraph 1 of section 205 shall be read as if the words " decision of the council " were substituted for the words " notice of any alteration or addition to the assessment ".

Amendment of principal Act, s. 214—Differential general rate.

11. Section 214 of the principal Act is amended by adding at the end thereof the following proviso :—

Provided that for the purpose of deciding what is the number of the whole of the members of a municipal council the mayor shall not be included as one of those members.

Amendment of principal Act, ss. 234, 243, 244, 246, 247—Increase of maximum rates.

12. (1) Section 234 of the principal Act is amended by inserting after the word " shillings " in subparagraph (*b*) of paragraph (ii) thereof the words " and fourpence ".

(2) Section 243 of the principal Act is amended by striking out the words " one shilling and eight pence " in the second line thereof and by inserting in lieu thereof the words " two shillings ".

(3) Section 244 of the principal Act is amended by inserting after the word " shillings " the words " and four pence ".

(4) Section 246 of the principal Act is amended by striking out the words "one shilling and eight pence" in the third line thereof and by inserting in lieu thereof the words "two shillings".

(5) Section 247 of the principal Act is amended by inserting after the word "shillings" the words "and four pence".

13. The following section is enacted and inserted in the principal Act after section 244 thereof:— Enactment of s. 244a of principal Act—

244a. (1) The general rate in respect of any urban farm land in any municipality shall be less in amount than the general rate declared in respect of other land in the municipality and any special rate declared under section 216 shall, in respect of any urban farm land, be less in amount than the special rate declared in respect of other land in the municipality. When the council declares any general rate or any such special rate it shall, if any ratable property is included in the assessment as urban farm lands, declare the general or special rate, as the case may be, for urban farm lands in the municipality. Any such general rate or special rate which is declared for urban farm lands shall not be deemed to be a differential rate for the purposes of subsection (2) of section 214. Amount of rates to be levied on urban farm land in municipalities. cf. N.S.W. 9, 1934, s. 29.

(2) The maximum amount in the pound of the general rate declared in respect of urban farm land shall not exceed one half of the amount in the pound of the general rate declared in respect of other land in the municipality. The maximum amount in the pound of any such special rate declared in respect of urban farm land shall not exceed one half of the amount in the pound of the special rate declared in respect of other land in the municipality.

14. Section 287 of the principal Act is amended by inserting after paragraph (*f* 4) of subsection (1) thereof the following paragraph:— Amendment of principal Act, s. 287— Expenditure of revenue.

(*f* 5) subscribing for the purpose of the provision or maintenance of any hearse within the area:

15. Section 289a of the principal Act is amended by inserting after the word "planting" in subsection (2) thereof the words "or maintaining". Amendment of principal Act, s. 289a— Tree planting fund.

16. The following section is enacted and inserted in the principal Act after section 290b thereof:— Enactment of s. 290c of principal Act—

290c. In addition to the powers conferred by section 287, a council may expend its moneys in providing a reserve fund or funds for the purpose of— Power of council to establish reserve funds.

(*a*) making provision for the payment of retiring allowances to or for providing long service leave benefits for any of its officers or employees;

(*b*) providing for the depreciation or replacement of any real or personal property of the council.

Amendment of principal Act, s. 358—
Erection of traffic islands, etc.

17. Section 358 of the principal Act is amended—

(*a*) by inserting after the word "zones" in the fourth line thereof the words "traffic islands, roundabouts,";

(*b*) by inserting therein after subsection (1) thereof the following subsection:—

(1a) Before commencing to erect any traffic island or roundabout in the roadway of any public street, road, or place, the council shall give to the Commissioner of Highways notice in writing of its intention and shall supply to the Commissioner a plan of the locality at which it is proposed to erect the traffic island or roundabout and full particulars of the situation, shape, dimensions and manner of construction thereof.

The Commissioner may approve of the erection of the traffic island or roundabout in the manner proposed by the council or may approve thereof subject to such modifications thereof as the Commissioner deems advisable or may refuse to approve thereof. The Commissioner shall not approve of any traffic island or roundabout unless satisfied that it is necessary for the proper regulation of traffic and that it will be constructed so that, so far as is reasonably possible, it will not damage vehicles driven onto or against it.

If the Commissioner does not approve of the proposal of the council or if the Commissioner approves thereof subject to modifications and the council is not satisfied with the decision of the Commissioner, the council may submit the matter to the Minister, whose decision shall be final.

No traffic island or roundabout shall be erected in the roadway of any public street, road, or place unless the approval of the Commissioner or Minister is given thereto as provided by this subsection.

(*c*) by striking out the word "or" last occurring in the third line of subsection (2) thereof;

(*d*) by inserting after the word " zone " in the penultimate line thereof the words " , traffic island or roundabout ".

18. The following section is enacted and inserted in the principal Act after section 362a thereof :— Enactment of s. 362b of principal Act—

362b. (1) Subject to subsection (2) the council may by notice in writing authorize any person to erect any weighbridge upon any public street or road and to do such things as are necessary to use and operate the weighbridge whether as a public weighbridge or otherwise but no such weighbridge shall be erected in any place where it will or is likely to cause damage or to impede traffic unnecessarily. Power to authorize erection of private weighbridge upon street or road.

(2) Before granting any such authority, the council shall give to the Commissioner of Highways notice thereof in writing, including particulars of the principal dimensions of the weighbridge and of the site at which it is proposed to erect the weighbridge and the council shall not authorize the erection of the weighbridge unless its erection is approved by notice in writing given to the council by the Commissioner of Highways.

(3) Any authority granted by the council under this section may be granted subject to such conditions and the payment of such annual or other fees as the council may, from time to time, determine and, without limiting the generality of any of the foregoing provisions of this subsection, the authority may be granted upon the condition that the property in the weighbridge shall remain in the person to whom the authority is granted. Any authority granted by the council under this section may be subsequently revoked by the council.

19. Section 373 of the principal Act is amended— Amendment of principal Act, s. 373—

(*a*) by inserting at the end of subsection (1) thereof the words " Any such resolution may declare that the part of the public street or road is a prohibited area generally or only during such days or such hours of the day as are specified in the resolution "; Prohibited area.

(*b*) by inserting after the word " area " in the third line of subsection (3) thereof the words " during any time specified in the resolution of the council ".

20. (1) The following section is enacted and inserted in Division II of Part XVIII of the principal Act after section 382b thereof :— Provision as to motor omnibus terminal points.

Power of council as to motor omnibus terminal depots.

382c. (1) The council may construct, purchase and establish terminal depots and other facilities for motor omnibuses used for the transport of passengers and motor vehicles used for the transport of goods and for use by any persons engaged in the transport of passengers or goods by motor omnibuses or motor vehicles.

(2) The council may, from time to time, lease to any person the whole or any portion of any such terminal depot or facility for such period not exceeding twenty-one years and upon such terms and conditions as the council thinks fit.

(3) The council may from time to time license or otherwise authorize any person to use any such terminal depot or facility or any part thereof upon such terms, conditions and restrictions, including the charges for the use thereof, as the council thinks fit.

(2) Section 383 of the principal Act is amended by adding at the end of subsection (1) thereof the following paragraph :—

XXII. Construct, purchase and establish terminal depots and other facilities for motor omnibuses used for the transport of passengers and motor vehicles used for the transport of goods.

(3) Section 667 of the principal Act is amended by inserting after paragraph (32) thereof the following paragraph :—

Omnibus terminal points.

(32a) I. For regulating and controlling the use of terminal depots and other facilities established by the council pursuant to section 382c : for fixing and regulating the number and class of motor vehicles which may use any such terminal depot or facilities :

II. For providing for the charges to be made for the use of any such terminal depot of facilities and providing that such charges may be from time to time fixed by resolution of the council :

III. For regulating and controlling the general management of any such terminal depot or facilities :

IV. For regulating and controlling the conduct of persons in any such terminal depot or facilities :

(4) Section 667 of the principal Act is amended by inserting after subparagraph XI of paragraph (47) thereof the following subparagraph :—

XII. Subject to the Municipal Tramways Trust Act, 1935-1952, and the Road and Railway Transport Act, 1930-1939, for prohibiting vehicles used as motor omnibuses from remaining stationary in any street or road for the purpose of picking up or setting down passengers :

Amendment of principal Act, s. 459—Cultivation of park lands.

21. (1) Section 459 of the principal Act is amended—

(*a*) by striking out the words " district council " in the first line thereof and by inserting in lieu thereof the words " council (other than a metropolitan council) " ;

(*b*) by striking out the word " district " occurring in the fourth and sixth lines thereof and in the first and third lines of subsection (3) thereof, and by inserting in lieu thereof in every case the word " area ".

(2) The principal Act is amended—

(*a*) by striking out the heading " Division II—Provisions applicable to districts only " appearing before section 459 thereof ;

(*b*) by inserting therein before section 460 thereof the heading " Division II—Provisions applicable to districts only ".

Repeal of certain provisions relating to depasturing on Crown lands.

22. (1) Sections 460, 462 and 463 of the principal Act are repealed.

(2) Section 670 of the principal Act is amended by striking out the words " the Crown lands, or lands let to the council, or public roads within the district " occurring after the word " upon " in the second line of paragraph (2) thereof.

(3) Section 691 of the principal Act is amended by striking out the passage " sections 366 or 460 " in paragraph (*e*) thereof and by inserting in lieu thereof the passage " section 366 ".

Amendment of principal Act, ss. 528 and 529—Septic tanks.

23. (1) Section 528 of the principal Act is amended—

(*a*) by striking out the word " municipality " in the second line thereof and by inserting in lieu thereof the word " area ";

(*b*) by striking out the words " , or, as the case may be, all the buildings within any township, or any part thereof, in the district," in the third and fourth lines thereof ;

(*c*) by striking out the words " municipality or township," in the eighth line thereof and by inserting in lieu thereof the word " area " ;

(*d*) by striking out the word " municipality " in the third line of subsection (1a) thereof and by inserting in lieu thereof the word " area " ;

(*e*) by striking out the words " , or, as the case may be, all the buildings within any township, or part thereof, in the district," in the fourth and fifth lines of subsection (1a) thereof ;

(*f*) by striking out the words " municipality or township " in the penultimate line of subsection (1a) thereof and by inserting in lieu thereof the word " area " ;

(*g*) by inserting therein after subsection (1a) thereof the following subsection :—

(1b) Before any resolution is passed under subsection (1) or subsection (1a), the proposal shall be submitted by the council to the Central Board of Health and the Central Board of Health shall, after making such inquiries as it deems necessary, report to the council whether or not, in the opinion of the Central Board of Health, the area or part thereof to which it is proposed that the resolution shall apply, is suitable for the installation of bacteriolytic tanks and whether or not the Central Board of Health approves of the passing of the resolution. No resolution of the council under subsection (1) or subsection (1a) shall have any force or legal effect unless the passing of the resolution is approved as aforesaid by the Central Board of Health.

(*h*) by inserting after the word " resolution " in subsection (2) thereof the words " , together with the approval of the Central Board of Health to the passing of the resolution,".

(2) Section 529 of the principal Act is amended by striking out the words " municipality or township " in the fourth line thereof and by inserting in lieu thereof the word " area ".

Amendment of principal Act, s. 536a—Waste liquids.

24. Section 536a of the principal Act is amended—

(*a*) by striking out the word " five " in subsection (2) thereof and by inserting in lieu thereof the word " fifty " ;

(*b*) by striking out the word "shillings" in subsection (2) thereof and by inserting in lieu thereof the word "pounds";

(*c*) by adding at the end of subsection (2) thereof the words "Any person who offends against paragraph (*b*) of subsection (1) shall also be liable to pay to the council the amount of any damage caused to any street, road or public place, or any drain or channel therein by the deposit or flow of water or liquid matter, as the case may be. Payment of any such amount may be ordered by a court imposing any penalty for any such offence or may be recovered by the council by action in any court of competent jurisdiction".

Amendment of principal Act, s. 665—Drainage from roofs.

25. Section 665 of the principal Act is amended—

(*a*) by inserting after the word "flows" in the third line thereof the words "or is likely to flow";

(*b*) by inserting therein after subsection (2) thereof the following subsection:—

(2a) In any case in which the council thinks fit, the council may construct any such drain without giving notice as provided by subsection (1) and may recover the cost of the work from the owner or owners. In any case in which the drain so constructed is a common drain, the council shall apportion the cost thereof between the owners.

Amendment of principal Act, ss. 667, 669 and 789—Blasting.

26. (1) Paragraph (38a) of section 667 of the principal Act is amended by adding at the end thereof the words—

Provided that no by-law made under this paragraph shall apply to any blasting operations in any mine within the meaning of the Mines and Works Inspection Act, 1920-1935, and to which that Act applies:

(2) Paragraph (12) of section 669 of the principal Act is amended by adding at the end thereof the words—

Provided that no by-law made under this paragraph shall apply to the use of any explosive substance in any mine within the meaning of the Mines and Works Inspection Act, 1920-1935, and to which that Act applies:

(3) Section 789 of the principal Act is amended by adding at the end thereof the following subsection (the preceding portion of the said section being read as subsection (1) thereof):—

(2) This section shall not apply with respect to any blasting with explosives in any mine within the meaning of the Mines and Works Inspection Act, 1920-1935, and to which that Act applies.

Consequential amendment of principal Act, s. 667—

By-laws as to unsightly chattels.

27. Paragraph (48a) of section 667 of the principal Act is amended—

(*a*) by striking out the words " unsightly chattels or any unsightly structure " in the fourth line thereof and by inserting in lieu thereof the words " chattel or structure which the council is of opinion is unsightly and " ;

(*b*) by inserting after the word " which " in the fifth line thereof the words " in the opinion of the council " ;

(*c*) by striking out the word " which " in the sixth line thereof ;

(*d*) by striking out all the words therein after the word " but " in the fourth to last line thereof and by inserting in lieu thereof the words " there shall, in manner provided by section 721a, be a right of appeal from any notice served upon any owner or occupier in pursuance of any by-law made pursuant to this paragraph ".

Amendment of principal Act, s. 669—

By-laws as to lakes, rivers, etc.

28. Paragraph (21) of section 669 of the principal Act is amended—

(*a*) by inserting after the word " any " in the second line of subparagraph IV thereof the word " lake," ;

(*b*) by inserting after the word " such " in the third line of subparagraph VI thereof the word " lake," ;

(*c*) by inserting after the word " such " in the last line thereof the word " lake,".

Enactment of s. 721a of principal Act—

29. The following section is enacted and inserted in Part XL of the principal Act after section 721 thereof :—

Appeal to local court under certain by-laws.

721a. (1) If pursuant to any by-law made pursuant to paragraph (48a) of section 667, the council by notice in writing served upon any owner or occupier of any land requires the owner or occupier to remove therefrom any chattel or any structure, the person on whom the notice is served may, within twenty-eight days after the service of the notice, appeal to the local court of full jurisdiction nearest the land.

(2) The appeal shall be commenced by notice served on the council and the clerk of the local court.

(3) The local court shall hear and determine the appeal and shall consider whether the chattel or structure is unsightly and whether its presence is likely to affect adversely the value of adjoining land or is prejudicial to the interests of the public and shall by its order confirm, vary, or set aside the notice given by the council.

(4) For the purpose of the appeal the local court may do all such matters and things relating thereto and in the same manner and to the same extent as it is empowered to do in the exercise of its ordinary jurisdiction.

(5) Rules of court may be made under the Local Courts Act, 1926-1947, for carrying into effect the provisions of this section.

Amendment of principal Act, s. 779b—Penalty for driving on road closed to prevent damage.

30. Section 779b of the principal Act is amended—

(*a*) by inserting after the word " to " in the third line of subsection (4) thereof the word " any ";

(*b*) by striking out the word " five " in the last line thereof and by inserting in lieu thereof the word " twenty ";

(*c*) by adding at the end of subsection (4) thereof the words " and shall also be liable to pay to the council the amount of any damage caused to the public street or road by the driving or propelling of the vehicle. Payment of any such amount may be ordered by a court imposing any such penalty as aforesaid or may be recovered by the council by action in any court of competent jurisdiction ".

Amendment of principal Act, s. 840—Authorized witnesses.

31. Section 840 of the principal Act is amended by striking out subsection (2) thereof and by inserting in lieu thereof the following subsection :—

(2) A person who is a candidate at any election and who has not, pursuant to paragraph II of section 106 or subsection (3) of section 137 been declared as duly elected, shall not be an authorized witness at that election : Provided that nothing in this subsection shall apply to the witnessing of an application for a postal vote certificate and postal ballot-paper.

Amendment of principal Act, s. 871a—Power to acquire land.

32. Section 871a of the principal Act is amended—

(*a*) by striking out the word " so " in the first line of subsection (2) thereof ;

(*b*) by adding at the end thereof the following subsection :—

(3) Without limiting the generality of subsection (2) the powers conferred by subsection (2) may be exercised notwithstanding that the additional land acquired thereunder—

(*a*) may or may not be required for or in connection with any of the purposes set out in subsection (1) ;

(*b*) may be so acquired for sale or resale and for the purpose of applying the proceeds thereof in defraying in whole or in part any expenses incurred by the council in carrying out any work upon land acquired for any of the purposes set out in subsection (1).

Amendment of principal Act.

33. The principal Act is amended in the manner shown in the schedule to this Act.

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

R. A. GEORGE, Governor.

THE SCHEDULE.

AMENDMENTS TO THE LOCAL GOVERNMENT ACT, 1934-1952.

Provision Amended.	How Amended.
Section 65	The word "nine" in the third line of section 65 is struck out and the word "twelve" is inserted in lieu thereof.
Section 82	The passage "(whether the total number of inhabitants within the municipality exceeds twenty thousand or not)" in subsection (1) of section 82 is struck out. The passage "and whether the total number of inhabitants within the municipality so formed by the union exceeds twenty thousand or not" in subsection (2) of section 82 is struck out.
Section 107	The words "and place or places where" in the penultimate line of section 107 are struck out.
Section 108	The following subsection is enacted and inserted at the end of section 108 :— (3) The returning officer or deputy returning officer shall, not less than seven days before the day for polling, cause public notice to be given stating the place or places where polling will take place at the election.
Section 212	The word "person" occurring in the third and the ninth lines of section 212 is struck out and the word "ratepayer" inserted in lieu thereof in each case.
Section 289	The word "the" in the second line of section 289 is struck out and the word "its" is inserted in lieu thereof.
Section 332	The words "and the succeeding sections" in the third and fourth lines of section 332 are struck out and the words "Division and in paragraph (35) of section 667" are inserted in lieu thereof. The words ", kerosene, diesel fuel or lubricating oil" are inserted after the word "spirit" in the fifth line of section 332.
Section 382	The word "operations" in the fifth line of subsection (2) of section 382 is struck out and the word "operation" is inserted in lieu thereof. The passage "with subsection (8) of section 383 or" in the penultimate line of section 382 is struck out.
Section 416	The word "the" in the fourth line of section 416 is struck out and the word "any" is inserted in lieu thereof. The following subsection is enacted and inserted at the end of section 416 (the preceding portion of the said section being read as subsection (1) thereof) :— (2) The provisions of this section shall apply in respect of any work or undertaking whether an order has been made under this Part for the execution of the work or undertaking or otherwise.
Section 692	The word "money," in the fourth line of section 692 is struck out.
Schedule to the Local Government Act Amendment Act (No. 2), 1952.	The words "are inserted in lieu thereof" are inserted after the word "continue" first occurring in the schedule to the Local Government Act Amendment Act (No. 2), 1952.

ANNO TERTIO

ELIZABETHAE II REGINAE

A.D. 1954

****

No. 57 of 1954

An Act to amend the Lottery and Gaming Act, 1936-1953

[*Assented to 23rd December,* 1954.]

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

Short titles.

1. (1) This Act may be cited as the "Lottery and Gaming Act Amendment Act, 1954".

(2) The Lottery and Gaming Act, 1936-1953, as amended by this Act, may be cited as the "Lottery and Gaming Act, 1936-1954".

(3) The Lottery and Gaming Act, 1936-1953, is hereinafter referred to as "the principal Act".

Incorporation.

2. This Act is incorporated with the principal Act and that Act and this Act shall be read as one Act.

Amendment of principal Act s. 21—
Use of totalizator at trotting races.

3. Section 21 of the principal Act is amended by striking out the word "day" in the third line of paragraph (*b*) of subsection (2) thereof and by striking out paragraph (*d*) thereof.

Amendment of principal Act, s. 22a—
Constitution of South Australian Trotting League.

4. (1) Section 22a of the principal Act is amended—

(*a*) by inserting after subsection (3) thereof the following subsection:—

(3*a*) Any member of the League or of the Executive Committee of the League may authorize any person to act as his proxy at a

meeting of the League or Executive Committee (as the case may be) and a person so authorized may do all things at the meeting which the member could do if he were present.

(*b*) by striking out subsection (7) thereof and inserting the following subsections in its place :—

(7) Subject to any directions given by the League, the affairs of the League shall be managed and controlled, and permits under sections 22 and 48 of this Act shall be issued by an Executive Committee of the League consisting of nine members nominated as follows :—

(*a*) Three shall be nominated by the Committee of the South Australian Trotting Club Incorporated ;

(*b*) Five shall be nominated at a meeting of representatives of the affiliated trotting clubs, other than the South Australian Trotting Club Incorporated. The committee of each such trotting club shall be entitled to appoint one person to represent it at the meeting, and the five persons to be nominated shall be chosen by and from those attending the meeting ;

(*c*) One shall be nominated by the Committee of The South Australian Owners, Breeders, Trainers and Reinsmen's Association Incorporated.

(7a) The League may make rules prescribing—

(*a*) any matters necessary to be prescribed for carrying subsection (7) of this section into effect ;

(*b*) the procedure for filling casual vacancies on the Executive Committee of the League ; and

(*c*) any other matters which it is necessary or convenient to prescribe in connection with the appointment, functions and duties of the Executive Committee.

(7b) It shall be the duty of the League to ensure that an Executive Committee is appointed for the purposes of this section within three months after the passing of the Lottery and Gaming Act Amendment Act, 1954, and to make any rules necessary for that purpose.

(7c) The Executive Committee of the League may appoint an Appeal Committee to hear and determine appeals against the decisions of trotting stewards.

(*c*) by inserting therein after subsection (8) the following subsection :—

(9) In this section " affiliated club " or " club affiliated with the League " means a club for the time being registered by the League pursuant to the constitution of the League.

(2) Section 22a of the principal Act is further amended—

(*a*) by striking out the word " board " in the sixth line of subsection (3) and inserting in lieu thereof the word " League " ;

(*b*) by striking out at the end of subsection (3) the words " from the first day of January next following his nomination " and inserting in lieu thereof the words " if he had been nominated by the trotting club ".

Amendment of principal Act, s. 29—

Club to render account.

5. Section 29 of the principal Act is amended by adding at the end of subsection (3) thereof the following passage :—

Where any person makes a claim to the Treasurer for payment of any such dividend within twelve months after the day when the dividend became payable, and the Treasurer is satisfied that that person is the holder of a totalizator ticket which would have entitled him to obtain payment of the dividend from the club if a claim had been made within two months after the day when the dividend became payable, the Treasurer may, out of moneys provided by Parliament for the purpose pay the amount of the dividend to the said person.

Amendment of principal Act, s. 51—

Extending provisions to gaming with coin, etc.

6. Section 51 of the principal Act is amended by striking out all the words therein after the words " shall be " in the eighth line thereof and inserting in their place the words " guilty of an offence : Penalty: Fifty pounds ".

7. Section 60 of the principal Act is amended by striking out paragraph (2) therein and inserting in its place the following paragraph :— Amendment of principal Act, s. 60— Betting and inviting to subscribe to a bet or sweepstakes.

(2) For a second or subsequent offence the court may in lieu of imposing a fine order that the defendant be imprisoned for not more than six months.

8. Section 71 of the principal Act is amended by striking out the word " four " in the second line of paragraph (*a*) of subsection (3) thereof and inserting in its place the word " twenty-one ". Amendment of principal Act, s. 71— Power of the police.

9. Section 98 of the principal Act is repealed. Repeal of s. 98 of principal Act Incriminating evidence.

10. Section 99 of the principal Act is amended by inserting after the words " horse race " in the first line of paragraph (*b*) thereof the words " trotting race ". Amendment of principal Act, s. 99— Allegation to be *prima facie* proof.

11. Section 103 of the principal Act is amended— Amendment of principal Act, s. 103— *Prima facie* evidence of unlawful gaming.

(*a*) by striking out the words " Whenever any place is entered under a warrant under the provisions of this Act " in the first and second lines thereof;

(*b*) by striking out the word " therein " in the second line thereof and inserting in its place the words " in any place ".

12. Section 111 of the principal Act is repealed. Repeal of s. 111 of principal Act— More than one offence may be charged in complaint.

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

R. A. GEORGE, Governor.

ANNO TERTIO

ELIZABETHAE II REGINAE

A.D. 1954

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No. 58 of 1954

An Act to amend the Metropolitan and Export Abattoirs Act, 1936-1952.

[*Assented to 23rd December,* 1954.]

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

Short titles.

1. (1) This Act may be cited as the " Metropolitan and Export Abattoirs Act Amendment Act, 1954 ".

(2) The Metropolitan and Export Abattoirs Act, 1936-1952, as amended by this Act, may be cited as the " Metropolitan and Export Abattoirs Act, 1936-1954 ".

(3) The Metropolitan and Export Abattoirs Act, 1936-1952, is hereinafter referred to as " the principal Act ".

Amendment of principal Act s. 10— Members of board.

2. Section 10 of the principal Act is amended—

(*a*) by striking out the word " seven " in subsection (2) thereof and by inserting in lieu thereof the word " eight " ;

(*b*) by striking out the word " six " occurring in the first line of subsection (3) thereof and in the first line of subsection (4) thereof and by inserting in lieu thereof in each case the word " seven " ;

(*c*) by striking out the words " by the South Australian Chamber of Rural Industries " in paragraph (*a*) of subsection (4) thereof and by inserting in lieu thereof the words " jointly by the committees of management of the Australian Society of Breeders of British Sheep (South Australian Branch) and the South Australian Wheat and Wool Growers' Association and the South Australian Executive of the Australian Primary Producers Union " ;

(*d*) by inserting after paragraph (*a*) of subsection (4) thereof the following paragraph :—

(*a*1) one shall be a person who in the Governor's opinion is suitable to represent breeders of sheep and cattle and is selected from three persons nominated by the Stock-owners' Association of South Australia ;

(*e*) by striking out the words " South Australian Chamber of Rural Industries " in paragraph (*b*) of subsection (4) thereof and by inserting in lieu thereof the words " committee of management of the Australian Pig Society (South Australian Branch) " ;

(*f*) by inserting after the word " organization " in the first line of subsection (5) thereof the words " or organizations " ;

(*g*) by striking out the word " fails " in the third line of subsection (5) thereof and by inserting in lieu thereof the word " fail ".

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

R. A. GEORGE, Governor.

ANNO TERTIO

ELIZABETHAE II REGINAE

A.D. 1954

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No. 59 of 1954

An Act to provide for the establishment of a Council to be known as The Metropolitan Transport Advisory Council, to prescribe the functions and powers of that Council, and for other purposes.

[*Assented to 23rd December,* 1954.]

Short title.

1. This Act may be cited as " The Metropolitan Transport Advisory Council Act, 1954 ".

Interpretation.

2. (1) In this Act, unless the context otherwise requires or some other meaning is clearly intended—

" the Chairman " means the Chairman of the Council;

" the Council " means the Metropolitan Transport Advisory Council appointed under this Act;

" member " means member of the Council and includes the chairman;

" the metropolitan area " subject to any alteration thereof made under subsection (2) of this section, means the areas which at the time of the passing of this Act, constitute the municipalities of Adelaide, Brighton, Burnside, Campbelltown, Enfield, Glenelg, Henley and Grange, Hindmarsh, Kensington and Norwood, Marion, Mitcham, Payneham, Port Adelaide, Prospect, St. Peters, Thebarton, Unley, Walkerville, West Torrens and Woodville, and the Garden Suburb, and the District council district of Salisbury.

(2) The Governor may, by proclamation, from time to time alter the metropolitan area by including additional land therein, or excluding any land therefrom.

Appointment of Council.

3. The Governor may appoint a Council to be called "The Metropolitan Transport Advisory Council", and may from time to time fill vacancies occurring in the membership of the Council.

Constitution of Council.

4. The Council shall consist of a chairman and two other persons.

Term of office.

5. (1) Subject to the other provisions of this Act, every member of the Council shall hold office until the thirty-first day of December, nineteen hundred and fifty-seven and on that day the Council shall cease to exist: Provided that a member appointed to a casual vacancy shall hold office only for the balance of the term of the member in whose place he was appointed.

(2) A retiring member shall be eligible for re-appointment.

Dismissal and resignation of members.

6. (1) The Governor may remove any member from his office if he is satisfied that reasonable cause exists for doing so.

(2) A member may resign his office by written notice delivered to the Minister of Railways.

Non-application of Public Service Act.

7. The members of the Council shall not by virtue only of their offices as such members be subject to the provisions of the Public Service Act, 1936-1953, whether relating to retirement at any prescribed age or to any other matter.

Majority decisions.

8. A decision of the Council concurred in by any two members therof shall be deemed to be a decision of the whole Council.

Remuneration.

9. The members of the Council shall be entitled to receive such remuneration for their services as is fixed by the Governor.

Validity of acts and proceedings.

10. No act or proceeding of the Council shall be invalid by reason only of the fact that at the time when such act was done or when such proceeding took place there was a vacancy in the office of any member or any defect in the title of any member to his office.

Officers.

11. The Governor may appoint a secretary to the Council, and any other officers whom he deems it necessary to appoint, to enable the Council to perform its functions.

Duty of Council.

12. The Council shall enquire into and report upon any matters relating to or connected with the public transport services or public transport requirements of the metropolitan area, which are referred to the Council by the Governor.

Reports by Council.

13. (1) The Council shall present every report made by it, to the Minister of Railways.

(2) The Minister may publish any report in such manner as he deems fit, and shall cause every report to be laid before both Houses of Parliament.

Directions concerning railways and tramways.

14. (1) For all or any of the purposes mentioned in this section, the Governor, on the recommendation of the Council, may make orders giving to The South Australian Railways Commissioner or to the Municipal Tramways Trust or to both of them directions as to the policy to be pursued by the said Commissioner or Trust in exercise of any of their respective powers or functions, or as to what is to be done or not done by the said Commissioner or Trust in any particular circumstances.

(2) Such orders may be made for all or any of the following purposes :—

(*a*) ensuring that adequate public transport services are provided for the metropolitan area or any part thereof;

(*b*) preventing duplication or overlapping of public transport services in the metropolitan area or any part thereof;

(*c*) otherwise securing economy and efficiency in public transport services in the metropolitan area or any part thereof.

(3) Any order made under subsection (1) of this section may be varied or revoked by a subsequent order made by the Governor on the recommendation of the Council.

(4) It shall be the duty of The South Australian Railways Commissioner and of the Municipal Tramways Trust to comply with every direction given to him or it under this section: Provided that where any such direction cannot be complied with except by the expenditure of money voted by Parliament it shall not be necessary to comply with such direction until money for the purpose of defraying such expenditure is so voted.

(5) No order shall be made under this section after the thirty-first day of December, nineteen hundred and fifty-seven, but any orders made on or before that day shall remain in force after that day for such period as is necessary to give effect thereto.

Application of Royal Commissions Act, 1917.

15. The Royal Commissions Act, 1917, shall apply to the Council and its proceedings as if—

(*a*) the Council were a commission to whom a commission of enquiry had been issued by the Governor :

(*b*) the chairman and each other member of the Council were the chairman and a member respectively of such a commission:

(*c*) the secretary of the Council were the secretary of such a commission:

Provided that when taking evidence the Council shall sit in public unless it is of opinion that the public interest or the interests of justice require that such evidence shall be taken in private.

Regulations.

16. The Governor may make regulations prescribing any matters necessary or convenient to be prescribed for the purpose of carrying this Act into effect, and may by any such regulations prescribe penalties, recoverable summarily and not exceeding one hundred pounds, for breach of any such regulations.

Financial provision.

17. The money required for the expenses of or incidental to the appointment and work of the Council shall be paid out of the money provided by Parliament for those purposes.

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

R. A. GEORGE, Governor.

ANNO TERTIO

ELIZABETHAE II REGINAE

A.D. 1954

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No. 60 of 1954

An Act to amend the Nurses Registration Act, 1920-1949.

[*Assented to 23rd December,* 1954.]

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

Short titles.

1. (1) This Act may be cited as the " Nurses Registration Act Amendment Act, 1954 ".

(2) The Nurses Registration Act, 1920-1949, as amended by this Act, may be cited as the " Nurses Registration Act, 1920-1954 ".

(3) The Nurses Registration Act, 1920-1949, is hereinafter called " the principal Act ".

Incorporation.

2. This Act is incorporated with the principal Act and that Act and this Act shall be read as one Act.

Amendment of principal Act, s. 4—Interpretation of terms.

3. Section 4 of the principal Act is amended—

(*a*) by inserting after the definition of " chairman " therein the following definition :—

" enrolled " means enrolled under this Act and " enrolment " has a corresponding meaning ;

(*b*) by inserting after the definition of " Minister " therein the following definition :—

" mothercraft nurses roll " means the mothercraft nurses roll kept under this Act ;

(*c*) by striking out the words " or midwives " in the third line of the definition of " training school " therein and inserting in their place the words " midwives or mothercraft nurses ".

Amendment of principal Act, s.15—Powers and duties of board.

4. Section 15 of the principal Act is amended by inserting after the word " registration " in paragraph III thereof the words " or enrolment ".

Enactment of Part IIIA of principal Act.

5. The following headings and sections are enacted and inserted in the principal Act after section 33 thereof :—

PART IIIA.

ENROLMENT OF MOTHERCRAFT NURSES.

Roll of mothercraft nurses.

33a. (1) The board shall cause to be kept by the registrar a roll of mothercraft nurses to be called " The Mothercraft Nurses Roll ".

(2) The mothercraft nurses roll shall be in the prescribed form and contain the prescribed particulars.

(3) A person shall be enrolled as a mothercraft nurse by the entering of such person's name and the prescribed particulars with respect to such person on the mothercraft nurses roll.

Persons entitled to enrol.

33b. (1) Every person shall be entitled to be enrolled as a mothercraft nurse who proves to the satisfaction of the board that—

(*a*) such person—

(i) has passed the prescribed examinations held from time to time by examiners appointed under this Act ; and

(ii) has passed through the prescribed course of training ; or

(*b*) in the case of a person already, at the commencement of the Nurses Registration Act Amendment Act, 1954, in practice as a mothercraft nurse, such person has had the training prescribed by the board in the case of such persons.

(2) Applications for enrolment by persons entitled to enrolment by virtue only of paragraph (*b*) of subsection

(1) of this section shall be made within twelve months of the commencement of the Nurses Registration Act Amendment Act, 1954.

Enrolment of persons trained outside the State.

33c. (1) Every person shall be entitled to be enrolled as a mothercraft nurse who proves to the satisfaction of the board that such person has passed through a course of training and has passed an examination for a mothercraft nurse in some other State or country, such course of training and examination being recognized by the board as not lower in standard than that required in this State: Provided that the board shall not be bound to recognize any course of training or any examination in any other State or country unless in such State or country a person enrolled under this Act is granted rights and advantages equal to those granted in such State or country to those persons who have passed through such course of training and have passed such an examination.

(2) Where a person has undergone outside the State training in mothercraft nursing but is not entitled to be enrolled under the preceding provisions of this section the board may—

(*a*) order that that person shall be entitled to be enrolled as a mothercraft nurse after undergoing such supplementary training, if any, and passing such examinations, if any, as the board directs;

(*b*) enrol any such person as a mothercraft nurse upon compliance with the requirements of any order made under paragraph (*a*) of this subsection.

Conditions of enrolment.

33d. No person shall be enrolled unless such person proves to the satisfaction of the board that such person—

(*a*) is of good character;

(*b*) has attained the age of eighteen years;

(*c*) is of sound health or of such a state of health that no danger would be involved to anyone attended by such person.

Enrolment.

33e. The provisions of sections 23, 24, 25, 26, 27, 28, 31, 32, and 33 of this Act shall apply *mutatis mutandis* to the enrolment of mothercraft nurses and for the said purpose the said sections shall be construed as if the words "enrolment", "roll", "to enrol", "mothercraft nurse"

and "mothercraft nurses roll" were substituted for "registration", "register", "to register", "nurse", and "nurses register" respectively wherever they occur, and the provisions of section 33 of this Act shall be read in addition as though the words "the Nurses Registration Act Amendment Act, 1954" were substituted for the words "this Act" in the second line of subsection (1) thereof.

Cancellation of enrolment.

33f. (1) The enrolment of any person as a mothercraft nurse—

(*a*) whose enrolment has been obtained by fraud or misrepresentation; or

(*b*) whose qualification for enrolment, or any part thereof has been withdrawn or cancelled by the institution at which it was acquired or by the institution or body by which it was awarded; or

(*c*) whose renewal fees have not been paid for two years; or

(*d*) who, either before or after such enrolment, has been convicted of any felony or misdemeanour, or of any offence, which if committed in the State, would be a felony or misdemeanour; or

(*e*) who is deemed by the board to have been guilty of disgraceful conduct in any professional respect; or

(*f*) who has been convicted of any offence against any regulations made by the board with respect to the practice of mothercraft nurses,

may be cancelled or suspended by order of the board, and upon the making of the order of cancellation or during the period specified in the order of suspension such person shall cease to be enrolled as a mothercraft nurse.

(2) The cancellation or suspension of the enrolment of any person whose enrolment has been so cancelled or suspended may, at any time and for such reason as the board thinks fit, by order of the board be annulled, and the effect of such annulment shall be as the board determines.

(3) Before cancelling or suspending the enrolment of any person, the board shall—

(*a*) give to such person by post by registered letter notice in writing of the complaint against her; and

(*b*) hold full inquiry into the matter of the complaint and afford such person an opportunity of giving an explanation personally or in writing.

(4) The provisions of section 23 of this Act as affected by this Part shall apply to the holding of an inquiry under this section in the same manner as if such inquiry were the hearing for an application for enrolment.

(5) If any person is dissatisfied with any decision of the board under this section, such person may, by motion made within three months of the giving of such decision, apply to the Supreme Court for an order directing the board to rescind or vary such decision, and on such motion the Court may make such order as it thinks just, or may decline to make any order. Any order made by the Court on such appeal shall be final and conclusive.

Return of certificates.

33g. (1) Any person whose enrolment as a mothercraft nurse is ordered by the board to be cancelled shall, within fourteen days of the notification to such person of the order, surrender to the board every certificate of such enrolment issued to such person under this Act; and any such person who fails to do so shall be liable to a penalty not exceeding twenty pounds.

(2) The cancellation of any such person's enrolment as a mothercraft nurse shall be effectual notwithstanding such person's failure to surrender the said certificates.

Amendment of principal Act, s. 38—Unregistered persons not to take or use certain titles.

6. Section 38 of the principal Act is amended by inserting after subsection (3) thereof the following subsection :—

(3a.) After the expiration of twelve months from the commencement of the Nurses Registration Act Amendment Act, 1954, no person shall be entitled to take or use the name or title of enrolled mothercraft nurse (either alone or in combination with any other word or words or letters) or any name, title, addition, or description implying that such person is an enrolled mothercraft nurse or is recognized by law as an enrolled mothercraft nurse unless such person is enrolled as a mothercraft nurse.

Amendment of principal Act, s. 39—Use of authorized badge or uniform by unregistered person.

7. Section 39 of the principal Act is amended by inserting after paragraph (*c*) of subsection (1) thereof the following paragraph :—

(*d*) an enrolled mothercraft nurse unless such person is enrolled as a mothercraft nurse.

8. (1) Section 40 of the principal Act is amended by inserting after paragraph III of subsection (1) thereof the following paragraph :— Amendment of principal Act, s. 40— Unregistered persons advertising or holding themselves out as registered nurses, mental nurses, or midwives.

IV. an enrolled mothercraft nurse unless such person is enrolled as a mothercraft nurse ;

(2) Subsection (1) of this section shall come into operation twelve months after the commencement of this Act.

9. Section 42 of the principal Act is amended— Amendment of principal Act, s. 42— Penalty for falsifying register or making false statement.

(*a*) by striking out the words " or the midwives register " in the second and third lines of paragraph (*a*) thereof and inserting in their place the words " the midwives register or the mothercraft nurses roll " ;

(*b*) by inserting after the word " register " in the fourth line of paragraph (*a*) thereof the words " or roll " ;

(*c*) by inserting after the word " registered " in the second line of paragraph (*d*) thereof the words " or enrolled " ;

(*d*) by inserting after the word " registration " in the second line of paragraph I. thereof the words " or of enrolment " ;

(*e*) by inserting after the word " registered " in the second line of paragraph IV thereof the words " or enrolled ".

10. Section 44 of the principal Act is amended— Amendment of principal Act, s. 44— Regulations.

(*a*) by inserting after the word " registration " in the first line of paragraph III of subsection (1) thereof the words " or enrolment " ;

(*b*) by inserting after paragraph V of subsection (1) thereof the following paragraph :—

va. Prescribing conditions to be complied with and qualifications to be possessed by persons about to enter upon courses of training as mothercraft nurses :

(*c*) by inserting after the word " registration " in the last line of paragraph VI of subsection (1) thereof the words " or enrolment " ;

(*d*) by inserting after the word " registration " wherever occurring in paragraph XII of subsection (1) thereof the words " or enrolment " ;

(*e*) by inserting after the word "midwives" in the third line of paragraph XIII of subsection (1) thereof the words "and the enrolment of persons who at the commencement of the Nurses Registration Act Amendment Act, 1954, are already in practice as mothercraft nurses,";

(*f*) by striking out the words "and midwives" in the third and fourth lines of paragraph XIV of subsection (1) thereof and inserting in their place the words "midwives and mothercraft nurses";

(*g*) by striking out the words "and the midwives register" in the last line of paragraph XVI of subsection (1) thereof and inserting in their place the words "the midwives register and the mothercraft nurses roll";

(*h*) by inserting after paragraph XVI of subsection (1) thereof the following paragraph:—

XVIa. Providing for the entry on the nurses register, the mental nurses register and the midwives register of the prescribed qualifications in the prescribed manner on the application of a registered nurse, mental nurse or midwife, and on payment of the prescribed fee:

(*i*) by striking out the words "and registered midwives" in the third line of paragraph XVII of subsection (1) thereof and inserting in their place the words "registered midwives and enrolled mothercraft nurses".

Amendment of principal Act, s. 47—Presumption with respect to registration.

11. Section 47 of the principal Act is amended by inserting after the word "registered" in the last line thereof the words "or enrolled".

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

R. A. GEORGE, Governor.

ANNO TERTIO

ELIZABETHAE II REGINAE

A.D. 1954

****

No. 61 of 1954

An Act to amend the Public Works Standing Committee Act, 1927-1951.

[*Assented to 23rd December,* 1954.]

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

Short titles.

1. (1) This Act may be cited as the " Public Works Standing Committee Act Amendment Act, 1954 ".

(2) The Public Works Standing Committee Act, 1927-1951, as amended by this Act, may be cited as the " Public Works Standing Committee Act, 1927-1954 ".

(3) The Public Works Standing Committee Act, 1927-1951, is hereinafter referred to as " the principal Act ".

Incorporation.

2. This Act is incorporated with the principal Act and that Act and this Act shall be read as one Act.

Amendment of s. 8 of principal Act—Voting on reports.

3. Section 8 of the principal Act is amended by adding at the end of subsection (4) thereof the following proviso :—

Provided also that the question of the adoption of a report of the Committee shall not be deemed to be decided in the affirmative unless at least four members present and entitled to vote as aforesaid vote in favour of such adoption.

Amendment of s. 9 of principal Act—Quorum.

4. Section 9 of the principal Act is amended by striking out the word " six " in the last line and inserting in lieu thereof the word " five ".

Amendment of s. 28 of principal Act—Periodical report.

5. Section 28 of the principal Act is amended—

(*a*) by striking out the words " before the commencement of each session of Parliament " in the first and second lines of subsection (1) and inserting in lieu thereof " on or before the thirty-first day of August in each year " ;

(*b*) by striking out subsection (2) and inserting in lieu thereof the following subsection :—

(2) Copies of such report shall be laid before both Houses of Parliament within fourteen days after it has been presented to the Governor, if Parliament is in session at the time of such presentation, and if Parliament is not then in session, within fourteen days after the commencement of the next ensuing session of Parliament.

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

R. A. GEORGE, Governor.

ANNO TERTIO

ELIZABETHAE II REGINAE

A.D. 1954

****

No. 62 of 1954

An Act to bar certain claims against the Transport Control Board and other public authorities, and for purposes incidental thereto.

[*Assented to 23rd December,* 1954.]

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 "Road Transport Administration (Barring of Claims) Act, 1954". Short title.

2. In this Act, "the Board" means the Transport Control Board appointed under the Road and Railway Transport Act, 1930-1939. Interpretation.

3. (1) No action or other legal proceeding whatever shall be commenced or entertained against the Crown, the Board, a Minister or any other authority or person:— Barring of claims.

(*a*) to recover any money paid before the passing of this Act to the Board for or in respect of or pursuant to any licence or permit under the Road and Railway Transport Act, 1930-1939; or

(*b*) to recover damages or compensation for loss arising from the inclusion by the Board of any term or condition in any such licence or permit granted before the passing of this Act; or

(*c*) to recover damages or compensation for loss arising from any refusal by the Board before the passing of this Act to grant any such licence or permit.

(2) All rights and claims to recover or set off any such money, damages or compensation are hereby annulled.

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

R. A. GEORGE, Governor.

ANNO TERTIO

ELIZABETHAE II REGINAE

A.D. 1954

****

No. 63 of 1954

An Act to amend the State Bank Act, 1925-1941.

[*Assented to 23rd December,* 1954.]

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

Short titles.

1. (1) This Act may be cited as the " State Bank Act Amendment Act, 1954 ".

(2) The State Bank Act, 1925-1941, as amended by this Act, may be cited as the " State Bank Act, 1925-1954 ".

(3) The State Bank Act, 1925-1941, is hereinafter referred to as " the principal Act ".

Incorporation.

2. This Act is incorporated with the principal Act and that Act and this Act shall be read as one Act.

Amendment of s. 19 of principal Act—

Appointment of officers.

3. Section 19 of the principal Act is amended—

(*a*) by striking out the figures " 1916 " in the fourth line of subsection (2) and inserting in lieu thereof " 1936-1953 " ;

(*b*) by striking out the words " Classification and Efficiency " in the sixth and seventh lines of subsection (2).

Repeal of s. 20 of principal Act—

Right of officers to borrow from bank.

4. Section 20 of the principal Act is repealed.

Amendment of s. 76j of principal Act—Repayment of advances with interest.

5. Section 76j of the principal Act is amended by striking out all words in the said section after the word " interest " first occurring in the second line thereof.

Repeal of s. 78 of principal Act and enactment of other provisions—Insurance.

6. Section 78 of the principal Act is repealed and the following section is enacted and inserted in its place :—

78. (1) Where any person to whom the bank has made a loan on the security of land is obliged or desires to insure any building, erection or improvement on such land against any risk the bank may—

(*a*) underwrite such insurance ;

(*b*) charge reasonable premiums therefor and fix the times for payment of such premiums.

(2) The bank when underwriting any such insurance shall be deemed to be an insurance company or an insurer within the meaning of any Act, covenant or agreement requiring such insurance.

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

R. A. GEORGE, Governor.

ANNO TERTIO

ELIZABETHAE II REGINAE

A.D. 1954

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Surgeons Act, 1935-1952, or other person who examines or is consulted with respect to any stock and who is of the opinion or suspects that the stock is or was suffering from any disease to which this section applies to notify the same to the Chief Inspector or an inspector by the quickest practicable means;

II. Requiring every such owner, proprietor, veterinary surgeon, veterinary practitioner, holder of a permit or other person who has been in any manner exposed to infection from any stock suffering or suspected to be suffering from any disease to which this section applies, to give to an inspector all information in his possession relating to the stock and any other stock with which he may have come into contact and of any other premises at which stock are kept which he may have visited;

III. Empowering any inspector to quarantine any stock and any farm produce, fodder, fittings, vehicle, vessel, premises or land which has in any way been exposed to infection or possible infection with any disease to which this section applies;

IV. Empowering any inspector to quarantine any stock which he suspects is affected with any disease to which this section applies and any stock, farm produce, fodder, fittings, vehicle, vessel, premises or land which has been exposed to possible infection from any stock affected or suspected to be affected with any disease to which this section applies;

V. Authorizing any inspector to require any stock or any farm produce, fodder, fitting, vehicle, vessel, premises or land which has been in any way exposed to infection with any disease to which this section applies or which is suspected to be so exposed to be disinfected or otherwise treated in the manner directed by the inspector;

VI. Authorizing an inspector to require any person who has in any way been exposed to infection with any disease to which this section applies or is suspected to have been so exposed, to disinfect his hands, boots, and clothing in the manner directed by the inspector;

VII. Prohibiting the removal, except with the written permission of an inspector and subject to such

disinfection or other treatment as may be directed by an inspector, from any premises or land quarantined by reason of any disease or suspected disease to which this section applies of any stock, farm produce, fodder, fittings or vehicle ;

VIII. Prohibiting the entry by any person into any premises or land quarantined by reason of any disease or suspected disease to which this section applies without the written permission of an inspector and authorizing an inspector to erect on any such premises or land any notice setting out such prohibition ;

IX. Prohibiting any person from leaving any premises or land quarantined by reason of any disease or suspected disease to which this section applies except with the written permission of an inspector and prescribing the conditions upon which such permission may be granted ;

X. Prohibiting, except with the written permission of the Chief Inspector, the feeding of any stock with or permitting any stock to have access to any raw or cooked food, refuse of any kind, offal or milk (including whey, buttermilk or separated milk) which has been obtained or derived elsewhere than on the premises or land on which the stock are kept ;

XI. Prohibiting any person other than an inspector or a person authorized for the purpose by the Chief Inspector from collecting or despatching any specimen of animal tissue or secretion from any stock affected or suspected to be affected with any disease to which this section applies ;

XII. Prohibiting the manufacture, distribution or use of any vaccine, serum or other product for use or intended use in connection with the treatment of any disease to which this section applies ;

XIII. Empowering the Chief Inspector, with the approval of the Minister, to cause the destruction of or to require the owner thereof to destroy any stock quarantined by reason of any disease to which this section applies, any stock which, in the opinion of the Chief Inspector, have been exposed to infection with any disease to which this section applies, and any farm produce or

fodder which is infected with or has been exposed to possible infection with any disease to which this section applies;

xiv. Empowering the Chief Inspector, with the approval of the Minister, to cause the destruction of any wild animals or wild birds which in the opinion of the Chief Inspector are necessary to be destroyed to prevent the spread of any disease to which this section applies and providing that the provisions of the Animals and Birds Protection Act, 1919-1938, shall not apply to any such destruction;

xv. Generally, for such purposes as the Governor may deem necessary or expedient for preventing the introduction or spread of any disease to which this section applies.

(2) In this section the term "disease to which this section applies" means—

(*a*) foot and mouth disease; and

(*b*) any other disease which the Governor by proclamation declares to be a disease to which this section applies.

(3) The Governor may, by proclamation, declare that this section shall apply to any disease and may by proclamation revoke or vary any such proclamation.

(4) The power to make regulations provided by this section shall be in addition to the power to make regulations provided by section 8. If any regulation made pursuant to section 8 is inconsistent with any regulation made pursuant to this section, the regulation made pursuant to this section shall prevail but, subject as aforesaid, nothing in this section or in any regulation made pursuant to this section shall affect the operation of any regulation made pursuant to section 8.

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

R. A. GEORGE, Governor.

ANNO TERTIO

ELIZABETHAE II REGINAE

A.D. 1954

****

No. 65 of 1954

An Act to amend the Superannuation Act, 1926-1951.

[*Assented to 23rd December,* 1954.]

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

Short titles.

1. (1) This Act may be cited as the " Superannuation Act Amendment Act, 1954 ".

(2) The Superannuation Act, 1926-1951, as amended by this Act, may be cited as the " Superannuation Act, 1926-1954 ".

(3) The Superannuation Act, 1926-1951, is hereinafter referred to as " the principal Act ".

Incorporation.

2. This Act is incorporated with the principal Act and that Act and this Act shall be read as one Act.

Commencement of new rates of pensions and benefits.

3. The increased rates of pensions and benefits prescribed by this Act shall apply to all payments of pensions and benefits made on or after the first day of January, nineteen hundred and fifty-five.

Amendment of s. 3 of principal Act—Interpretation.

4. Section 3 of the principal Act is amended by inserting therein after subsection (3) thereof the following subsection :—

(3a) A person shall be deemed to be employed in a permanent capacity within the meaning of the definition of " employee " in this section if—

(*a*) he is an officer of the public service appointed to his office by the Governor under the Public Service Act, 1936-1954; or

(*b*) he is a teacher appointed under the Education Act, 1916-1951, other than a teacher expressly appointed as a temporary teacher; or

(*c*) he is a salaried railways officer appointed under the South Australian Railways Commissioner's Act, 1936-1950; or

(*d*) he is employed by the Government in employment other than that mentioned in paragraphs (a) (b) and (c) of this definition which—

(i) is not casual; and

(ii) is not limited by contract to a specific term; and

(iii) is not likely to terminate on the completion of a particular work or undertaking:

Provided that the board may direct that a person who complies with the requirements of paragraph (*d*) of this subsection shall not be deemed to be employed in a permanent capacity until he has been in the employment of the Government for such period as the board directs.

Amendment of s. 22a of principal Act—Transitional provision.

5. Section 22a of the principal Act is amended by adding at the end thereof the following subsection (the previous part of section 22a being read as subsection (1) thereof):

(2) Subsection (1) of this section shall extend and apply to the alterations of pensions, benefits and contributions made by the Superannuation Act Amendment Act, 1954, in the same way as it applies to such alterations made by the Superannuation Act Amendment Act, 1951.

Enactment of s. 23a of principal Act—

6. The following section is enacted and inserted in the principal Act after section 23 thereof:—

Medical examination of contributors.

23a. (1) Notwithstanding any other provision of this Act, a person who is not a contributor to the fund at the time of the passing of the Superannuation Act Amendment Act, 1954, shall not contribute to the fund unless—

(*a*) a medical practitioner approved by the board has certified that he is of sound health; or

(*b*) he is exempted by the board from the provisions of paragraph (*a*) of this subsection; or

(*c*) he is permitted by the board to contribute as provided by subsection (2) of this section.

(2) The board may, in its discretion, permit any employee, who has not been certified as mentioned in subsection (1), to become a contributor to the fund for such benefits and subject to such conditions as are prescribed for the purposes of this subsection by regulations.

Amendment of s. 24 of principal Act—Scale of units of pension.

7. (1) Subsection (1) of section 24 of the principal Act is amended by striking out the scale therein and inserting in lieu thereof the following scale :—

Scale of Units of Pension

Column One.	Column Two.	Column Three.
Salary of Employee.	Appropriate Number of Units of Pension.	Amount of Pension.
		£ s. d.
Not exceeding £175	2	91 0 0
Exceeding £175 and not exceeding £210	2½	113 15 0
Exceeding £210 and not exceeding £245	3	136 10 0
Exceeding £245 and not exceeding £280	3½	159 5 0
Exceeding £280 and not exceeding £350	4	182 0 0
Exceeding £350 and not exceeding £420	5	227 10 0
Exceeding £420 and not exceeding £490	6	273 0 0
Exceeding £490 and not exceeding £560	7	318 10 0
Exceeding £560 and not exceeding £630	8	364 0 0
Exceeding £630 and not exceeding £700	9	409 10 0
Exceeding £700 and not exceeding £770	10	455 0 0
Exceeding £770 and not exceeding £840	11	500 10 0
Exceeding £840 and not exceeding £910	12	546 0 0
Exceeding £910 and not exceeding £980	13	591 10 0

Column One.	Column Two.	Column Three.
Salary of Employee.	Appropriate Number of Units of Pension.	Amount of Pension.
		£ s. d.
Exceeding £980 and not exceeding £1,050	14	637 0 0
Exceeding £1,050 and not exceeding £1,120	15	682 10 0
Exceeding £1,120 and not exceeding £1,190	16	728 0 0
Exceeding £1,190 and not exceeding £1,260	17	773 10 0
Exceeding £1,260 and not exceeding £1,330	18	819 0 0
Exceeding £1,330 and not exceeding £1,400	19	864 10 0
Exceeding £1,400 and not exceeding £1,470	20	910 0 0
Exceeding £1,470 and not exceeding £1,540	21	955 10 0
Exceeding £1,540 and not exceeding £1,610	22	1,001 0 0
Exceeding £1,610 and not exceeding £1,680	23	1,046 10 0
Exceeding £1,680 and not exceeding £1,750	24	1,092 0 0
Exceeding £1,750 and not exceeding £1,820	25	1,137 10 0
Exceeding £1,820	26	1,183 0 0

(2) Subsection (2) of section 24 of the principal Act is amended by striking out the words " two hundred and sixty " in the first and second lines and inserting in lieu thereof " two hundred and eighty ".

Repeal of s. 24a of principal Act and enactment of other provisions—

Rights of contributors.

8. Section 24a of the principal Act is repealed and the following section is enacted and inserted in lieu thereof :—

24a. (1) In this section the expression " appropriate to his salary " means appropriate to his salary in accordance with the scale of salaries, units, and amounts of pension set out in section 24 of this Act.

(2) If the number of units appropriate to the salary of a contributor exceeds twenty he may elect to contribute for all or some of the units appropriate to his salary in excess of twenty.

If a contributor so elects he shall as from the first day of February, 1955, contribute for the units in excess of twenty at the rate in schedule VII or VIII, appropriate to his age at his birthday next after the date of commencing to contribute for those units : Provided that if he had attained the age of fifty years at that date, the rate of contribution for half of the units for which he elects to contribute shall be the rate which would be payable for them if the age of the contributor at the time when he commenced to contribute for them was forty-nine.

(3) Every election under this section shall be made before the first day of June, 1955.

(4) If a contributor having the right to make an election under this section does not make it in the prescribed manner and within the prescribed time he shall, notwithstanding the provisions of section 24bb, be deemed to have elected not to contribute for any of the units which he could have elected to contribute for.

(5) Any contributions or increases of contributions payable in respect of the period commencing on the first day of February, 1955, and ending on the day when an election is made under this section shall be payable in such instalments as the board fixes but the contributor may pay all or any of such instalments in advance at any time.

Amendment of s. 24ba of principal Act—Election on increase of salary.

9. Section 24ba of the principal Act is amended by adding at the end thereof the following subsections :—

(4) For the purpose of this section, the number of units appropriate to a contributor's salary and the number of units by which that number may be increased shall be calculated in terms of units of forty-five pounds ten shillings each.

(5) Nothing in this section shall entitle any contributor to contribute for units in excess of the number appropriate to his salary in accordance with the scale in section 24 of the Act.

Amendment of s. 24bd—Effect of election not to take units.

10. Section 24bd is amended by adding at the end thereof the following subsection :—

(3) For the purpose of this section, the number of units appropriate to a contributor's salary and the number of

units by which that number is to be reduced shall be calculated in the terms of units of forty-five pounds ten shillings each.

Repeal of s. 25 of principal Act and enactment of other provisions—

11. Section 25 of the principal Act is repealed and the following section is enacted and substituted in lieu thereof:—

Surrender of units in excess of four.

25. (1) Where a contributor satisfies the board that adequate provision has been made for himself and his family, or that continued contributions for the number of units for which he is contributing will cause him undue hardship, or that for any other reason which the board deems adequate he should be permitted to surrender units, the board may permit the contributor to surrender some or all of the units in excess of four for which he is contributing.

(2) The actuarial equivalent of any contributions paid by the contributor on units surrendered under this section shall be refunded to the contributor.

(3) The units surrendered by a contributor under this section shall be those for which he last commenced to contribute.

Amendment of s. 26 of principal Act—

Contributions on reduction of salary.

12. Section 26 of the principal Act is amended by inserting after the words "contributing for" in the fourth line of subsection (1) and the fourth line of subsection (2) the words "a pension which when expressed in terms of units of forty-five pounds ten shillings each is the equivalent of".

Enactment of s. 27a of principal Act—

13. The following sections are enacted and inserted in the principal Act after section 27 thereof;—

Increase of contributions for units in force on 1/2/55.

27a. On and after the first day of February, 1955, the rate of contribution payable—

(*a*) for a unit of pension representing the increased amount of a unit of thirty-nine pounds for which a contributor was contributing on the thirty-first day of January, 1955, shall be seven-sixths of the rate payable on the said day:

(*b*) for a unit of pension representing the increased amount of a unit of thirty-two pounds ten shillings for which a contributor was contributing on the thirty-first day of January, 1955, shall be seven-fifths of the rate payable on the said day.

27b. Except as otherwise provided in this Act the contributions for every unit of pension of forty-five pounds ten shillings for which a contributor or employee commences to contribute on or after the first day of February, 1955, shall be in accordance with the schedules VII and VIII of this Act. Contributions as from 1/2/55.

14. Section 28b of the principal Act is amended by striking out in paragraph (*a*) of subsection (3) the words "rate prescribed in schedules III and IV to this Act" and inserting in lieu thereof the words "section 28ba of this Act". Amendment of s. 28b of principal Act.

15. Section 28ba of the principal Act is repealed and the following section enacted in its place :— Amendment of s. 28ba of principal Act—

28ba. (1) On and after the first day of February, 1955, the rate of contribution for each reserve unit of pension shall be such of the rates prescribed in schedules VII and VIII as is applicable. Increased contributions for reserve units.

(2) The said rates of contribution for a reserve unit shall be deemed to have been payable as from the day when the contributor first commenced to contribute for that unit; and any arrears of contributions payable by virtue of this subsection in respect of any period before the first day of February, 1955, shall be deducted from the salary of the contributor in such instalments and at such times as the board fixes.

(3) The rates of contribution for reserve units prescribed in schedules VII and VIII shall apply to reserve units whether contributions therefor commenced before or after the passing of the Superannuation Act Amendment Act, 1954.

16. Section 29 of the principal Act is amended by striking out subsection (2) thereof and inserting in lieu thereof the following subsection :— Amendment of s. 29 of principal Act— Contributions by Government.

(2) The regulations may, from time to time, vary the contributions in accordance with changes in the benefits, contributions by employees, or other circumstances affecting the fund.

17. The following section is enacted and inserted in the principal Act after section 39 :— Enactment of s. 39a of principal Act—

Unit of pension.

39a. (1) Except as provided in this section the unit of pension shall on and after the first day of January, 1955, be forty-five pounds ten shillings, and all units of pension (of whatever amount) in force on that day or being contributed for on that day, or for which all contributions have been fully paid before that day shall be increased accordingly.

(2) Any contributor may before the first day of June, 1955, elect that all or some of the units for which he was contributing on the thirty-first day of January, 1955, shall not be increased to forty-five pounds ten shillings. If he so elects—

(*a*) the units and the widows' pensions and child allowances based thereon shall remain of the same amount as on the thirty-first day of December, 1954;

(*b*) the contributions in respect of such units shall revert to the rate payable on the thirty-first day of December, 1954;

(*c*) the contributor shall be entitled to a refund of the amount of the increase of contributions paid by him after the thirty-first day of January, 1955, pursuant to section 27a of this Act.

Amendment of s. 42 of principal Act—Pension to widow and children of contributor.

18. Section 42 of the principal Act is amended by striking out the words "nineteen pounds ten shillings" in paragraph (*b*) of subsection (1) and inserting in lieu thereof "twenty-two pounds fifteen shillings".

Amendment of s. 43 of principal Act—Pension to widow and children of pensioners.

19. Section 43 of the principal Act is amended—

(*a*) by striking out the words "thirty-nine pounds" in paragraph (a) of subsection (1) and inserting in lieu thereof "forty-five pounds ten shillings";

(*b*) by striking out the words "nineteen pounds ten shillings" in paragraph (*b*) of subsection (1) and inserting in lieu thereof "twenty-two pounds fifteen shillings".

Amendment of s. 43a of principal Act—Benefits for children of former contributors and pensioners.

20. Section 43a of the principal Act is amended by striking out the words " thirty-nine pounds " in the sixth and seventh lines thereof and inserting in lieu thereof " forty-five pounds ten shillings ".

Amendment of s. 44 of principal Act—Pension to orphans of contributors and pensioners.

21. Section 44 of the principal Act is amended by striking out the words " thirty-nine pounds " in the seventh line of subsection (1) and inserting in lieu thereof " forty-five pounds ten shillings ".

Amendment of s. 48 of principal Act—Pension to widow and children of certain officers.

22. Section 48 of the principal Act is amended by striking out the words " nineteen pounds ten shillings " in paragraph (*b*) of subsection (1) and inserting in lieu thereof " twenty-two pounds fifteen shillings ".

Amendment of s. 49 of principal Act—Increased pension to orphans upon death of widow.

23. Section 49 of the principal Act is amended by striking out the words " thirty-nine pounds " in the sixth line of subsection (1) and inserting in lieu thereof " forty-five pounds ten shillings ".

Amendment of principal Act—Schedules.

24. The principal Act is amended by adding at the end thereof the following schedules :—

SCHEDULE VII.

Rates of Annual Contribution to be Paid as Provided by Male Members, Based on a Retiring Age of 65.

Age Next Birthday at Entry.	First £91 Pension to Member ; £45 10s. to Widow ; £22 15s. to Each Child up to Age 16.	Subsequent Increments £91 Pension to Member ; £45 10s. to Widow.
	£ s. d.	£ s. d.
16	4 5 0	3 19 0
17	4 9 0	4 3 0
18	4 13 0	4 7 0
19	4 17 0	4 11 0
20	5 1 0	4 16 0
21	5 6 0	5 0 0
22	5 11 0	5 5 0
23	5 16 0	5 10 0
24	6 1 0	5 15 0
25	6 7 0	6 0 0
26	6 13 0	6 6 0
27	7 0 0	6 12 0
28	7 7 0	6 19 0
29	7 14 0	7 6 0

SCHEDULE VII—*continued.*

Rates of Annual Contribution to be Paid as Provided by Male Members, Based on a Retiring Age of 65.

Age Next Birthday at Entry	First £91 Pension to Member; £45 10s. to Widow; £22 15s. to Each Child up to Age 16.			Subsequent Increments £91 Pension to Member; £45 10s. to Widow.		
	£	*s.*	*d.*	£	*s.*	*d.*
30	8	1	0	7	13	0
31	8	9	0	8	1	0
32	8	17	0	8	9	0
33	9	6	0	8	18	0
34	9	16	0	9	8	0
35	10	7	0	9	18	0
36	10	18	0	10	9	0
37	11	10	0	11	0	0
38	12	3	0	11	12	0
39	12	17	0	12	6	0
40	13	11	0	13	0	0
41	14	6	0	13	15	0
42	15	2	0	14	12	0
43	16	0	0	15	10	0
44	17	0	0	16	10	0
45	18	2	0	17	12	0
46	19	6	0	18	17	0
47	20	13	0	20	5	0
48	22	3	0	21	15	0
49	23	16	0	23	8	0
50	25	14	0	25	6	0
51	27	18	0	27	11	0
52	30	8	0	30	0	0
53	33	5	0	32	17	0
54	36	14	0	36	6	0
55	40	18	0	40	10	0
56	45	17	0	45	9	0
57	51	16	0	51	8	0
58	59	13	0	59	5	0
59	70	6	0	69	18	0
60	85	3	0	84	15	0
61	107	15	0	107	7	0
62	146	6	0	145	18	0
63	215	7	0	214	19	0
64	437	19	0	436	11	0
65	440	12	0	439	4	0

SCHEDULE VIII.

Rates of Annual Contribution to be Paid as Provided by Female Members, Based on a Retiring Age of 60.

Age Next Birthday at Entry.	Contribution for £91 Pension.
	£ s. d.
16	4 7 0
17	4 12 0
18	4 18 0
19	5 5 0
20	5 12 0
21	5 19 0
22	6 7 0
23	6 16 0
24	7 6 0
25	7 16 0
26	8 7 0
27	8 16 0
28	9 7 0
29	9 17 0
30	10 8 0
31	11 0 0
32	11 12 0
33	12 5 0
34	12 19 0
35	13 14 0
36	14 11 0
37	15 9 0
38	16 9 0
39	17 10 0
40	18 13 0
41	19 19 0
42	21 8 0
43	23 0 0
44	24 16 0
45	26 17 0
46	29 3 0
47	31 16 0
48	34 19 0
49	38 12 0
50	43 1 0
51	48 11 0
52	55 6 0
53	64 1 0
54	75 17 0

SCHEDULE VIII—*continued.*

Rates of Annual Contribution to be Paid as Provided by Female Members, Based on a Retiring Age of 60.

Age Next Birthday at Entry.	Contribution for £91 Pension.
	£ *s.* *d.*
55	92 6 0
56	117 5 0
57	160 0 0
58	251 18 0
59	482 5 0
60	487 10 0

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

R. A. GEORGE, Governor.

ANNO TERTIO

ELIZABETHAE II REGINAE

A.D. 1954

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No. 66 of 1954

An Act to provide for the creation and management of a public reserve to be known as the West Beach Recreation Reserve, and for incidental purposes.

[*Assented to 23rd December,* 1954.]

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

Short title.

1. This Act may be cited as the " West Beach Recreation Reserve Act, 1954 ".

Interpretation.

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

" chairman " means the chairman of the trust ;

" constituent council " means the Glenelg council and the West Torrens council ;

" Glenelg council " means the Corporation of the Town of Glenelg ;

" financial year " means the period of twelve months ending on the thirtieth day of June ;

" member " means a member of the trust and includes the chairman ;

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

" reserve " means the West Beach Recreation Reserve ;

" trust " means the West Beach Recreation Reserve Trust ;

"West Torrens council" means the Corporation of the City of West Torrens.

The West Beach Recreation Reserve Trust.

Creation and incorporation of trust.

3. (1) There shall be constituted a body to be known as the "West Beach Recreation Reserve Trust".

(2) The trust shall be a body corporate with perpetual succession and a common seal and shall have power to hold property of all kinds and to sue and be sued.

Membership of trust.

4. (1) The trust shall consist of a chairman and six other members.

(2) Of the members other than the chairman three shall be appointed by the Glenelg council and three by the West Torrens council.

(3) The first members other than the chairman shall be appointed by the constituent councils as soon as practicable after the passing of this Act, and every subsequent member, other than a member appointed to a casual vacancy, shall be appointed within three months before the commencement of his term of office.

(4) Every casual vacancy occurring in the office of a member shall be filled as soon as practicable after its occurrence by the constituent council which appointed the member whose office has become vacant.

(5) An appointment of a member shall not be invalid solely on the ground that it was not made within the prescribed time.

(6) A member appointed by a constituent council may be, but need not be, a mayor, alderman or councillor, or an officer of the constituent council.

Appointment of chairman.

5. (1) Forthwith after the appointment of the first members of the trust by the constituent councils, those members shall meet and either at that or some subsequent meeting appoint a person as chairman.

(2) Thereafter within three months before the expiration of the term of office of chairman or whenever a casual vacancy in the office of chairman occurs, the members other than the chairman, shall meet and either at that meeting or some subsequent meeting appoint a person as chairman.

(3) The person appointed as chairman may be but need not be a mayor, alderman or councillor or officer of a constituent council.

Casual vacancies.

6. (1) If a member—

(*a*) resigns by written notice given in the case of the chairman to the mayor of each of the constituent councils and in the case of any other member to the mayor of the constituent council by which the member was appointed;

(*b*) ceases to reside in South Australia;

(*c*) dies;

(*d*) absents himself without permission of the trust from three consecutive meetings of the trust and is declared by resolution of the trust to have forfeited his seat;

(*e*) becomes bankrupt or makes an assignment of his property for the benefit of his creditors or compounds with his creditors for less than twenty shillings in the pound;

(*f*) is removed from the trust by the Governor pursuant to this section,

his seat shall become vacant.

(2) The Governor may remove any member from office for neglect of duty, incapacity to perform his duties, dishonourable conduct, or other cause deemed sufficient by the Governor.

Date of creation of trust.

7. (1) As soon as the first chairman and the first members have been appointed, the Minister shall publish in the *Government Gazette* a notice containing their names and addresses and as from the day on which the notice is so published the trust shall be deemed to be duly constituted.

(2) The term of office of the first chairman and the first members shall commence from the day on which the notice aforesaid is published.

Term of office.

8. (1) Subject to this Act, the chairman and the members shall hold office for three years: Provided that any person appointed to fill a casual vacancy shall hold office only for the unexpired portion of the term of the chairman or member, as the case may be, in whose place he is appointed.

(2) Of the first members appointed by a constituent council, one member shall hold office for one year, one member shall hold office for two years and one member shall hold office for three years.

The members to hold office for one or two years shall be designated by the constituent council at the time of their appointment.

(3) The chairman or any member shall continue to hold office until his successor is appointed.

(4) Any person ceasing to be chairman or a member by reason of the expiration of his term of office shall be eligible for re-appointment.

Chairman to preside at meetings.

9. (1) The chairman, when present, shall preside at all meetings of the trust. In the absence of the chairman from any meeting, another member, chosen for the purpose by the majority of the members present and voting, shall preside.

(2) The person presiding for the time being at any meeting of the trust shall have a casting vote as well as a deliberative vote.

Quorum.

10. (1) Four members, of whom at least one shall be a member appointed by the Glenelg council and at least one shall be a member appointed by the West Torrens council, shall be a quorum for the transaction of the business of the trust.

(2) Every matter coming before the trust shall be decided by the votes of a majority of the members present at a duly convened meeting of the trust.

Meetings.

11. The chairman shall convene the first meeting of the trust and all subsequent meetings shall be convened by such person and held at such time and place as the trust determines.

Procedure.

12. The trust may make rules governing its procedure and, subject to this Act and its rules, may regulate its own procedure.

Remuneration of members.

13. (1) The members shall be entitled to be paid out of the funds of the trust remuneration for their services at rates fixed by the trust but not exceeding one hundred pounds a year for the chairman or fifty pounds a year for any other member.

(2) The chairman and the other members shall be entitled to receive out of the funds of the trust travelling and other out of pocket expenses at such reasonable rates as are from time to time determined by the trust.

Accounts and audit.

14. (1) The trust shall keep proper accounts of all its receipts and payments and shall prepare in each year a summary of its receipts and payments and balance-sheet.

(2) The accounts and balance sheet shall be audited by a competent auditor holding a certificate under the Local Government Act, 1934-1954, and appointed by the trust.

(3) A copy of each summary of receipts and payments and each balance-sheet for any financial year, with the auditor's certificate, shall, within four months after the end of that financial year, be sent to each constituent council.

Validity of proceedings.

15. An act or proceeding of the trust shall not be invalid solely on the ground that at the time when that act was done or proceeding taken there was a vacancy in the office of any member of the trust, or any defect in the appointment of any member.

Employees.

16. (1) The trust may appoint a secretary and any other employees whom it requires to assist it in the exercise of its powers and duties.

(2) The trust may pay such salaries or wages to its employees as the trust from time to time determines. The trust may provide for its employees such superannuation benefits, annual leave, long service leave and sick leave as the trust from time to time determines.

Financial Provisions.

Payment by Treasurer of £20,000 to trust.

17. (1) As soon as may be after the land referred to in section 29 is transferred to the trust, the Treasurer shall pay to the trust the amount of twenty thousand pounds.

(2) This Act, without further appropriation, shall be sufficient authority for the Treasurer to pay the amount aforesaid out of the general revenue of the State.

Payments by constituent councils.

18 (1) During the financial year commencing the first day of July, nineteen hundred and fifty-five, and in each of the six subsequent financial years the Glenelg council and the West Torrens council shall each pay to the trust the amount of fourteen hundred and thirty pounds.

(2) Every such payment shall be made before the thirty-first day of December in the financial year in which it is to be made.

Additional payments by constituent councils.

19. The constituent councils may, in addition to any amount provided to be paid by section 18, in any financial year occurring after the passing of this Act, pay to the trust any amount thought fit by the council but the total of the amounts to be paid by each of the constituent councils during any financial year shall be equal.

Power to borrow on overdraft.

20. The trust may borrow money on overdraft and may give security over any of its property except the reserve for the repayment of any money so borrowed.

Power of trust to borrow on debenture.

21. (1) The trust may for any purpose of this Act borrow money on the security of debentures issued by the trust.

(2) The trust may issue any such debentures.

(3) Any such debentures may confer on the holder thereof a mortgage or charge over any assets of the trust, other than the reserve.

Inscribed debenture stock.

22. (1) In any case where the trust has power to issue debentures it may issue inscribed debenture stock instead of such debentures.

(2) On the application of the owner of any debentures issued by the trust the trust may convert them into inscribed debenture stock.

(3) The trust shall keep a register of inscribed debenture stock. The register of inscribed debenture stock is hereinafter in this section called " the register ".

(4) The inscribed debenture stock shall be deemed to be issued, and debentures shall be deemed to be converted into inscribed debenture stock, when the name of the owner, and the amount and description of the stock, and any other particulars determined by the trust, are entered in the register.

(5) A person whose name is inscribed in the register as the owner of any inscribed debenture stock shall be deemed to be the owner of that stock and may dispose of and transfer it in the manner prescribed by this section and may give effectual receipts for any money paid to him by way of consideration.

(6) The trust may, if it sees reasonable cause for doing so, issue to any person a certificate stating that any person was, on a day and at an hour mentioned in the certificate, inscribed in the register as the owner of a specified amount of inscribed debenture stock.

Such a certificate shall be *prima facie* evidence of the fact stated therein.

(7) The legal ownership of inscribed debenture stock shall not be transferred from the owner whose name is inscribed in the register to any other person until—

(*a*) the said owner and the transferee have executed a transfer in a form fixed by the trust, and the name of the transferee and the amount of his stock have been entered in the register ; or

(*b*) a person to whom the title to any inscribed debenture stock has passed on death or bankruptcy or otherwise by operation of law has produced to the trust such reasonable evidence of his title as the trust requires, and his name has been entered in the register as the owner of the stock.

(8) No notice of any trust, express, implied or constructive, affecting inscribed debenture stock, shall be received by the trust or entered in the register or any other book kept by the trust.

(9) Subject to the provisions of this section relating to the transfer and transmission of inscribed debenture stock and notice of trusts, equitable interests may be enforced against the owners of inscribed debenture stock.

Consent of constituent councils to borrowing.

23. The trust shall not borrow any money on the security of debentures or by the issue of inscribed debenture stock except with the consent in writing of each constituent council.

Guarantee of debentures and inscribed stock by constituent councils.

24. (1) The constituent councils shall make good any default of the trust in meeting any liability of the trust to any person under any debenture or inscribed debenture stock issued by the trust.

(2) The liability under this section of the constituent councils shall be a joint liability but neither constituent council shall be liable to pay more than one half of the liability arising from the default of the trust.

Power of constituent councils to meet liabilities under Act.

25. This Act shall be sufficient authority for a constituent council to pay out of its revenue any sum which it is pursuant to this Act permitted or required to pay.

Application of money.

26. All money received by the trust shall be applied by it towards defraying the cost of carrying out its powers and duties under this Act.

Exemption from land tax and local government rates and charges.

27. The trust and the reserve shall be exempt from State land tax and from rates and other charges payable under the Local Government Act, 1934-1954.

Gifts.

28. The trust may accept gifts of any property.

Vesting and Management of Reserve.

Transfer of reserve to the trust.

29. (1) After the day upon which the notice referred to in section 7 is published the Treasurer may transfer to the trust the fee simple in the whole or any part of the land comprised in certificates of title registered in the Lands Titles Registration Office in Register Book, volume 2231, folio 117 and volume 2143, folio 123.

(2) The land so transferred shall thenceforth be known as the " West Beach Recreation Reserve ".

(3) No stamp duty under the Stamp Duties Act, 1923-1954, shall be payable in respect of the said transfer.

Reserve to be public reserve.

30. The trust shall use and maintain for all time the reserve as a public reserve.

Enlargement of reserve.

31. (1) The trust may purchase any land for the enlargement of the reserve. No stamp duty under the Stamp Duties Act, 1923-1954, shall be payable in respect of the transfer or conveyance of any such land.

(2) The trust may by notice in the *Government Gazette* declare that any land which it has purchased or which has been given to it shall form part of the reserve.

As from the publication of any such notice the land to which the notice applies shall form part of the reserve within the meaning of this Act.

(3) The trust may by notice in the *Government Gazette* declare that any land which has been added to the reserve under this section shall no longer form part of the reserve.

As from the publication of any such notice the land to which the notice applies shall cease to form part of the reserve.

Control of foreshore west of reserve.

32. (1) That part of the foreshore of the sea which extends between low water mark and that part of the western boundary of the land referred to in section 29 which abuts upon the sea coast shall be under the care, control and management of the trust and shall cease to be under the care, control and management of any municipal council. The said part of the foreshore of the sea is in this Act referred to as " the foreshore ".

(2) The trust may plant the foreshore with trees, shrubs or grasses and may erect on the foreshore any structures for the use of the public.

(3) The trust may grant licences to use and occupy any part of the foreshore. Any licence with respect to any part of the foreshore which has been granted by any municipal council and which is current on the day upon which the trust is, under section 7, deemed to be constituted, shall be deemed to have been granted by the trust and shall be construed accordingly.

Disposal of surplus property.

33. The trust may sell or otherwise dispose of any of its property which is not required for the purposes of the reserve, but shall not have authority to sell any of the land comprised in the certificates of title registered in the Lands Titles Office in Register Book, volume 2231, folio 117, or volume 2143, folio 123.

Improvements.

34. (1) The trust may construct, erect, build or carry out paths, roads, gardens, lawns, seats, caravan parks, kiosks, refreshment rooms, shelters, places of entertainment, facilities for games and amusements, and any other buildings, structures and works for the improvement or maintenance of the reserve.

(2) The trust may erect on the reserve any buildings including guest houses, club houses and buildings of any kind whatsoever thought fit by the trust.

Leases.

35. (1) The trust may—

(*a*) grant leases of, and licences and other rights to use and occupy any caravan park, kiosk, refreshment room, place of entertainment, facility for games or amusements or any building such as is referred to in section 34 ;

(*b*) grant leases (including building leases) of, and licences and other rights to any part of the reserve ;

(*c*) let on hire any equipment for games and amusements ;

(*d*) demand and receive reasonable rents, fees and charges for any such lease, licence, right or letting on hire.

(2) The trust may make, or permit any person to make, a charge of an amount approved by the trust for entrance to the reserve or any part thereof while an entertainment is being held in the reserve by the trust or by any person with the approval of the trust.

(3) Except as provided in this section no charge shall be made for admission to the reserve or any part thereof.

(4) In this section the word " entertainment " means any festival, fair, carnival, sport, game, cinematograph show, stage play, or other exhibition, amusement or entertainment.

By-laws.

36. (1) The trust may make by-laws—

(*a*) for the control, protection and management of the reserve or the foreshore and all property therein;

(*b*) for securing orderly and decent behaviour on the part of persons in the reserve or the foreshore and providing for the removal therefrom of any person offending against any by-law;

(*c*) regulating or prohibiting the entry of vehicles or animals of any kind into the reserve or the foreshore, or prescribing the conditions on which vehicles or animals of any kind may remain in the reserve or the foreshore; and

(*d*) prescribing fines recoverable summarily and not exceeding twenty pounds for breach of any by-law.

(2) A by-law of the trust shall not have effect until confirmed by the Governor.

(3) The trust shall set out the substance of all its by-laws in clearly legible letters on a notice board at the main entrance to the reserve.

Provision as to Corporation of Henley and Grange.

Provision as to Corporation of Henley and Grange.

37. (1) The Corporation of the Town of Henley and Grange may enter into arrangements with the trust and the Glenelg Council and the West Torrens Council whereby the said corporation may become a constituent council for the purpose of this Act.

(2) If such arrangements are approved by the Governor the Governor may by proclamation declare that the Corporation of the Town of Henley and Grange shall be a constituent council for the purposes of this Act, and the said corporation shall thereafter be a constituent council for the purposes of this Act.

(3) In the proclamation made as aforesaid or in some subsequent proclamation the Governor may—

(*a*) declare that the Corporation of the Town of Henley and Grange shall pay to the trust such amount or amounts as are fixed by proclamation;

(*b*) vary any provisions of this Act relating to the obligations of constituent councils or as to the constitution or membership of the trust or otherwise which in the opinion of the Governor are necessary to be varied by reason of the increase in the number of constituent councils.

(4) Any such proclamation shall be as valid and effectual to all intents and purposes as if the matters being provided for had been provided for by this Act.

Power of Resumption.

Power to resume land in reserve.

38. (1) If satisfied that the land to be resumed is required for any purpose which is deemed by the Governor to be a public purpose, the Governor may by proclamation resume any of the land transferred to the trust by the Treasurer pursuant to section 29. Upon any such proclamation being made the land to which it relates shall cease to be part of the reserve and shall be deemed to be Crown lands.

(2) No compensation shall be payable to the trust in respect of any land so resumed but the trust shall be entitled to be paid as compensation for any buildings erected and any improvements made by the trust on the land resumed and existing thereon at the time of the resumption such amount as the Governor deems fit and proper.

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

R. A. GEORGE, Governor.

ANNO TERTIO

ELIZABETHAE II REGINAE

A.D. 1954

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No. 67 of 1954

An Act relating to the Stabilization of the Wheat Industry.

[*Assented to 23rd December,* 1954.]

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

Short title.

1. This Act may be cited as the "Wheat Industry Stabilization Act, 1954".

Commencement.

2. This Act shall come into operation on the day on which the Wheat Industry Stabilization Act, 1954 of the Commonwealth comes into operation.

Repeal.

3. (1) The Wheat Industry Stabilization Act, 1948-1953, is repealed.

(2) Notwithstanding the repeal effected by the last preceding sub-section but subject to the next succeeding sub-section, the provisions of the repealed Act shall continue to apply, as if this Act had not been passed, in relation to wheat harvested before the first day of October, one thousand nine hundred and fifty-three.

(3) A reference in the said repealed Act to the Australian Wheat Board established by the Wheat Marketing Act, 1948-1953, of the Commonwealth shall, in relation to things done or to be done after the commencement of this Act, be read as a reference to that Board as continued in existence by the Commonwealth Act and conducting its proceedings in accordance with the Commonwealth Act.

(4) Wheat harvested on or after the first day of October, one thousand nine hundred and fifty-three, and delivered to the Board before the commencement of this Act (including wheat delivered to a person who was a licensed receiver for the purposes of the Acts repealed by this Act) shall be deemed to have been delivered in pursuance of section eight of this Act, and any advance payment made by the Board in respect of any such wheat before the commencement of this Act shall be deemed to have been made in pursuance of this Act.

Definitions.

4. In this Act, unless the contrary intention appears—

"licensed receiver" means a person, firm, company or State authority licensed by the Board to receive wheat on behalf of the Board:

"season" in relation to wheat, means the period of twelve months, commencing on the first day of October in any year, during which the wheat was harvested:

"the Board" means the Australian Wheat Board continued in existence by the Commonwealth Act:

"the Commonwealth Act" means the Wheat Industry Stabilization Act, 1954 of the Commonwealth:

"the Commonwealth Minister" means the Minister of State administering the Commonwealth Act, or another Minister of State of the Commonwealth acting for and on behalf of that Minister:

"the cost of production" means—

(*a*) in relation to wheat of the season that ended on the thirtieth day of September, one thousand nine hundred and fifty-four—Twelve shillings and seven pence per bushel; and

(*b*) in relation to wheat of a subsequent season—the cost of production per bushel of wheat of that season as determined in pursuance of section five of the Commonwealth Act;

"the guaranteed price", in relation to wheat of a season, means an amount equal to the cost of production of wheat of that season.

Act to apply subject to Constitution

5. (1) If, by reason of the Constitution of the Commonwealth, a provision of this Act, or a notice under a provision of this Act, cannot validly apply in relation to any particular wheat or class of wheat, that provision or notice shall be construed

as intended to operate in relation to all wheat in relation to which it purports to apply, being wheat in relation to which it can validly apply.

(2) The last preceding sub-section is in addition to, and not in substitution for, any other provision relating to the construction of Acts and statutory instruments subject to the Constitution of the Commonwealth.

Licensed receivers.

6. (1) Subject to this section the Board may license, subject to such conditions as are specified in the licence, a person, firm, company or State authority to receive wheat on behalf of the Board, and may cancel or suspend any such licence.

(2) A licence to receive wheat on behalf of the Board that was in force immediately before the commencement of this Act shall be deemed to have been granted under this section.

Powers of Board.

7. (1) The Board may—

(*a*) purchase wheat, wheaten flour, semolina, corn sacks, jute or jute products ;

(*b*) accept wheat delivered to it ;

(*c*) sell or dispose of wheat, wheaten flour, semolina, corn sacks, jute or jute products the property of the Board ;

(*d*) grist or arrange for the gristing of wheat, and sell or otherwise dispose of the products of the gristing ;

(*e*) manage and control all matters connected with the handling, storage, protection, treatment, transfer or shipment of wheat or other things purchased or otherwise acquired by the Board or sold or otherwise disposed of by the Board ; and

(*f*) do all things that it is required or permitted by this Act to do or that are necessary or convenient to be done by the Board for giving effect to this Act.

(2) The Commonwealth Minister may give directions to the Board concerning the performance of its functions and the exercise of its powers, and the Board shall comply with those directions.

Delivery of wheat.

8. (1) Subject to this section, a person who is in possession of wheat—

(*a*) may deliver that wheat to the Board ; and

(*b*) shall deliver that wheat to the Board on demand made by or on behalf of the Board.

(2) Upon delivery of wheat to the Board under this section, the wheat shall become the absolute property of the Board, freed from all mortgages, charges, liens, pledges, interests and trusts affecting the wheat.

(3) A demand under this section may be made—

(*a*) by notice in writing served personally on the person to whom it is addressed, or served on that person by post at his usual or last-known place of abode or business ; or

(*b*) by notice published in the *Gazette*, in which case it may be addressed to persons generally, or to persons included in a class of persons.

(4) Nothing in this section shall apply to—

(*a*) wheat harvested before the first day of October, one thousand nine hundred and fifty-three ;

(*b*) wheat retained by the grower for use on the farm where it is grown ;

(*c*) wheat that has been sold by the Board ; or

(*d*) wheat sold or delivered to a person with the approval of the Board.

(5) A person shall not—

(*a*) refuse or fail to comply with a demand made under this section ; or

(*b*) deliver to the Board wheat which has previously been sold to the Board.

Penalty : Thrice the value of the wheat in respect of which the offence is committed, calculated at the guaranteed price for wheat of the season that is current at the time of the offence, or imprisonment for six months, or both.

Delivery to licensed receiver.

9. (1) Delivery of wheat to the Board may be made by delivering or consigning the wheat to a licensed receiver.

(2) A person who delivers or consigns wheat to a licensed receiver shall, at the same time, furnish to the licensed receiver in writing the names and addresses of all persons known by him to have or to claim an interest in the wheat or in the payment to be made for the wheat, and all particulars known to him of those interests.

Unauthorized dealings with wheat.

10. Except as provided in the last two preceding sections, or with the consent of the Board, a person shall not—

(*a*) sell, deliver or part with the possession of, or take into his possession, wheat other than wheat specified in sub-section (4) of section eight of this Act ;

(*b*) part with the possession of, or take into his possession, wheat that is the property of the Board ; or

(*c*) purport to sell or offer for sale, or purport to purchase or offer to purchase (otherwise than from the Board), wheat that is the property of the Board.

Penalty : Thrice the value of the wheat in respect of which the offence is committed, calculated at the guaranteed price for wheat of the season that is current at the time of the offence, or imprisonment for six months, or both.

Price to be paid for wheat.

11. (1) Where wheat is delivered to the Board in pursuance of this Act, the Board shall pay for that wheat (including the corn sacks, if any, in which the wheat is delivered) an amount determined by the Board in accordance with this section.

(2) The Board shall determine amounts payable under the last preceding sub-section in respect of wheat of a season by—

(*a*) ascertaining the net proceeds of the disposal by the Board of all wheat of that season delivered to the Board in Australia (whether in pursuance of this Act or otherwise) ;

(*b*) deducting from the amount so ascertained an amount calculated at the rate of three pence for each bushel of so much of the wheat of that season grown in the State of Western Australia as the Board certifies to the Commonwealth Minister to have become available for export to places outside Australia ; and

(*c*) ascertaining the share in the remaining amount of each person entitled to payment under this section by apportioning that remaining amount amongst the persons who delivered wheat of that season to the Board in Australia (whether in pursuance of this Act or otherwise) on the basis of the number of bushels of wheat so delivered by each such person, with proper allowance for differences in the quality of wheat and for transport charges for the carriage of wheat to the terminal port from the place at which the wheat was delivered to the Board, and for corn sacks in which wheat was supplied to the Board, and other necessary adjustments in particular cases.

(3) For the purposes of this section, the Board shall not be bound to preserve the identity of wheat of a season, and may keep its accounts in respect of sales in such manner as will, in

its judgment, attribute sales to wheat of different seasons (including the season that ended on the thirtieth day of September, one thousand nine hundred and fifty-four) in an equitable manner.

(4) The Board shall not be bound to make a final payment in respect of wheat of a season until it has disposed of the whole of the wheat of that season delivered to it in Australia (whether in pursuance of this Act or otherwise), but the Board may, with the approval of the Commonwealth Minister, make from time to time such advance payments as it considers justified.

(5) Subject to this section, the net proceeds of the disposal of wheat shall, for the purposes of this section, be deemed to be the net return from the disposal of the wheat (including corn sacks in which the wheat was sold) after paying the charge imposed by the Wheat Export Charge Act, 1954, of the Commonwealth and administration, interest, transport, storage and other charges incurred by the Board (other than charges for transport to the terminal port from the place at which the wheat is delivered to the Board).

(6) In ascertaining the net proceeds of the disposal of any wheat, no account shall be taken of moneys to which section 18 of this Act, section 14a of the Wheat Industry Stabilization Act, 1948-1953 or a corresponding provision of a Commonwealth Act or an Act of another State, applies or applied or of costs of the Board payable out of those moneys.

(7) Where the average price per bushel obtained by the Board for wheat of a season exported by the Board, or sold by the Board for export, is less than the guaranteed price, the net proceeds from the disposal of wheat of that season by the Board shall, for the purposes of this section, be deemed to be increased by the amount that becomes payable to the Board under the Commonwealth Act out of the Wheat Prices Stabilization Fund established by that Act, that is to say an amount ascertained by multiplying the amount of the difference between that average price and the guaranteed price by a number equal to the number of bushels of wheat of the season exported by the Board, or sold by the Board for export, or by one hundred million, whichever is the less.

(8) In ascertaining the average price for the purposes of the last preceding sub-section, the price obtained in respect of a sale other than a sale of fair average quality bulk wheat free on rails at the port of export shall be deemed to be the price which would have been the corresponding price for a sale of the same quantity of fair average quality bulk wheat free on rails at the port of export.

Payment by Board.

12. (1) The amount payable under this Act in respect of any wheat shall be payable to the person who would have been entitled to receive the price of the wheat if the wheat had been lawfully sold to the Board at the time of the delivery of the wheat.

(2) The same rights (if any) shall exist against the person receiving an amount paid by the Board under this Act in respect of wheat as would exist if the moneys so paid were the proceeds of a sale or purported sale of the wheat by him, and any such rights may be enforced by action in any court that would have had jurisdiction if the moneys were the proceeds of such a sale or purported sale.

(3) Payment in good faith by the Board of any moneys payable under this Act to the person appearing to the Board to be entitled to receive them shall discharge the Board from any further liability in respect of those moneys.

(4) Subject to the next succeeding sub-section, an assignment of moneys payable by the Board in respect of wheat delivered to the Board (not including a registered crop lien) executed after the commencement of this Act shall be void as against the Board.

(5) Where a person assigns moneys payable to him by the Board in respect of wheat delivered or to be delivered to the Board in payment of, or as security for payment of, an amount payable by that person for corn sacks supplied to him, the Board may pay those moneys to the assignee.

Declaration to be furnished as to old season's wheat.

13. (1) A person who—

(*a*) consigns or delivers to a licensed receiver wheat harvested before the fifteenth day of September, one thousand nine hundred and fifty-four ; or

(*b*) consigns or delivers to a licensed receiver, after the final delivery day in respect of a season, wheat harvested in that season,

shall make and forward to the licensed receiver a declaration correctly stating the season during which the wheat was harvested.

(2) For the purposes of this section, the final delivery day in respect of a season is the day declared to be the final delivery day in respect of that season by notice published in the Commonwealth of Australia *Gazette* under the Commonwealth Act.

Entry of premises, seizure of wheat, etc.

14. (1) A person who is authorized by the Board or the Chairman of the Board to act under this section may—

(*a*) at all reasonable times, enter premises and inspect any stock of wheat or corn sacks, and any accounts, books and documents relating to wheat or corn sacks; and

(*b*) take possession of and remove any wheat that is the property of the Board or the delivery of which has been lawfully demanded by the Board, or any corn sacks that are the property of the Board.

(2) A person shall not hinder or obstruct a person in the exercise of powers under this section.

(3) Wheat, other than wheat which is the property of the Board, of which possession is taken under sub-section (1) of this section shall, for the purposes of this Act, but without affecting the liability of a person for an offence, be deemed to be delivered to the Board under this Act.

Board may require returns.

15. (1) For the purposes of this Act the Board may, by notice in writing served on the person to whom it is addressed either—

(*a*) personally; or

(*b*) by post at his last known place of abode or business, require a person to furnish in writing to the Board, within the time specified in the notice, such information relating to wheat, wheaten flour, semolina, corn sacks, jute or jute products as is specified in the notice.

(2) A person shall not, without reasonable excuse—

(*a*) refuse or fail to comply with a requirement under this section; or

(*b*) furnish to the Board any information which is false or misleading in a particular.

Proper care to be taken of wheat owned by Board.

16. A person having wheat the property of the Board in his possession or under his care shall exercise proper care and take all proper and reasonable precautions to preserve and safeguard that wheat and to keep it free from damage or deterioration.

Home consumption price of wheat.

17. (1) The price at which the Board shall sell wheat for manufacture into wheat products for human consumption in Australia, or wheat for consumption in Australia by pigs, poultry or dairy stock, shall be the appropriate price ascertained in accordance with this section.

(2) Subject to this section, the price per bushel in respect of a wholesale sale of bulk wheat of fair average quality free on rails at a port of export shall be—

(*a*) the International Wheat Agreement price or, if, at the beginning of the year in which the sale is made, there is not in operation an International Wheat Agreement that has been accepted by Australia, export parity ; or

(*b*) fourteen shillings,

whichever is the less.

(3) If the price applicable to a sale under the last preceding sub-section is less than the cost of production of wheat of the season that is current at the beginning of the year in which the sale is made, the price shall, subject to the next succeeding sub-section, be an amount per bushel equal to that cost of production.

(4) The price applicable under either of the last two preceding sub-sections shall be increased by an amount of one penny half-penny per bushel for the purpose of reimbursing the Board for the costs of shipment of wheat to Tasmania.

(5) If the Board reports to the Commonwealth Minister that the amounts being received by the Board by reason of the operation of the last preceding sub-section, together with amounts being received under corresponding provisions of the Commonwealth Act and the laws of the other States, are more or less than the amounts required to meet the costs of shipment of wheat by the Board to Tasmania, the Commonwealth Minister may direct the Board that the amount per bushel specified in that sub-section shall be reduced or increased to such extent as he considers necessary.

(6) The price in respect of a sale other than a sale specified in sub-section (2) of this section shall be a price ascertained by adding to or deducting from the price applicable to sales so specified an amount that makes a proper allowance for the quality of the wheat, the conditions of sale and the place of delivery.

(7) In this section—

"export parity", in relation to sales made in a year, means the price that the Commonwealth Minister certifies to the Board to be the price which he is satisfied was the price (expressed in Australian currency) per bushel prevailing immediately before the commencement of that year for sales by the Board on the export market of bulk wheat of fair average quality free on rails at the ports of export ;

"the International Wheat Agreement price", in relation to sales made in a year, means the amount which the Commonwealth Minister certifies to the Board to be the amount which he is satisfied is the equivalent, in Australian currency and on the basis of sales free on rails at the ports of export, of the price per bushel prevailing immediately before the commencement of that year for sales by the Board under an International Wheat Agreement of bulk wheat of fair average quality;

"year" means the period of twelve months commencing on the first day of December, one thousand nine hundred and fifty-four, and each subsequent period of twelve months.

(8) Notwithstanding the repeal of section 14 of the Wheat Marketing Act, 1948-1953—

(*a*) the prices for sales of wheat by the Board that were applicable under that section immediately before the commencement of this Act continue to be applicable to sales made before the first day of December, one thousand nine hundred and fifty-four; and

(*b*) all moneys received by the Board in respect of such sales by reason of the operation of sub-section (4) or (6) of that section shall be deemed to be moneys to which sub-section (1) of the next succeeding section applies.

Special account for freight to Tasmania.

18. (1) Notwithstanding any other provision of this Act but subject to this section, the Board shall keep a separate account of the moneys received by the Board by reason of the operation of sub-sections (4) and (5) of the last preceding section, and of payments made out of those moneys, and shall not apply those moneys except in accordance with this section.

(2) The Board may combine the account required to be kept under the last preceding sub-section with any similar account or accounts to be kept by it under the Commonwealth Act or under the law of another State or States.

(3) The Board shall use the moneys referred to in sub-section (1) of this section in meeting the costs of shipment of wheat by the Board to Tasmania on and after the first day of December, one thousand nine hundred and fifty-three, and shall not use for that purpose any other moneys derived by it from the sale of wheat delivered to it in pursuance of this Act.

(4) Any moneys referred to in sub-section (1) of this section which remain unexpended after the Board has disposed of the whole of the wheat of the last season to which this Act applies delivered to the Board in Australia shall be applied by the Board for the benefit of the wheat industry in such manner as the Commonwealth Minister, after consultation with the appropriate Minister of each State, directs.

(5) Any moneys paid by the Board, before the commencement of this Act, in pursuance of section 14a of the Wheat Marketing Act, 1948-1953, to the credit of the account kept for the purposes of that section and not expended before the commencement of this Act shall be deemed to be moneys to which sub-section (1) of this section applies.

Use of funds by Board.

19. Subject to the Board's paying or making provision for the payment of amounts required to be paid by it under this Act, nothing in this Act shall be deemed to prevent the Board from applying moneys received by it by reason of the exercise of its functions under this Act for the purposes of the Commonwealth Act or an Act of another State relating to the marketing of wheat.

Offences.

20. (1) A person who contravenes or fails to comply with a provision of this Act for which no other penalty is provided shall be guilty of an offence.

Penalty: A fine of one hundred pounds or imprisonment for six months.

(2) Proceedings for offences against this Act may be heard and determined summarily.

Regulations.

21. The Governor may make regulations, not inconsistent with this Act, prescribing all matters which by this Act are required or permitted to be prescribed, or which are necessary or convenient to be prescribed for carrying out or giving effect to this Act, and in particular for providing for penalties recoverable summarily and not exceeding a fine of one hundred pounds or imprisonment for six months, or both, for offences against the regulations.

Application of Act.

22. This Act does not apply in relation to wheat harvested after the thirtieth day of September, one thousand nine hundred and fifty-eight.

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

R. A. GEORGE, Governor.

ANNO TERTIO

ELIZABETHAE II REGINAE

A.D. 1954

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No. 68 of 1954

An Act to amend the Workmen's Compensation Act, 1932-1953.

[*Assented to 23rd December,* 1954]

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

Short titles.

1. (1) This Act may be cited as the " Workmen's Compensation Act Amendment Act, 1954 ".

(2) The Workmen's Compensation Act, 1932-1953, as amended by this Act, may be cited as the " Workmen's Compensation Act, 1932-1954 ".

(3) The Workmen's Compensation Act, 1932-1953, is hereinafter referred to as " the principal Act ".

Incorporation.

2. This Act is incorporated with the principal Act and that Act and this Act shall be read as one Act.

Amendment of s. 16 of principal Act—

3. Section 16 of the principal Act is amended —

Amount of compensation on death.

(*a*) by striking out the word " seventy-five " in the sixth, ninth and eleventh lines and inserting in lieu thereof " eighty " ;

(*b*) by inserting after the word " thousand " in the eleventh line of subsection (1) the words " two hundred and fifty " :

(*c*) by striking out subsection (3) thereof and inserting in lieu thereof the following subsection :—

(3) Amounts paid or payable before the death of the workman as weekly payments of compensation for total or partial incapacity for work resulting from the injury shall not be deducted from, but shall be payable in addition to, the compensation payable under subsection (1) or (2) of this section.

Amendment of s. 17 of principal Act—Compensation where workman leaves no dependants.

4. Section 17 of the principal Act is amended by striking out the word " forty " in the last line thereof and inserting in lieu thereof the word " fifty ".

Amendment of s. 18 of principal Act—Compensation for incapacity.

5. Section 18 of the principal Act is amended—

(*a*) by striking out the words " fifteen shillings " in the eighth line of subsection (1) and inserting in lieu thereof the words " one pound ";

(*b*) by adding after the words " two pounds " in the twelfth line of subsection (1) the words " ten shillings " ;

(*c*) by adding after the words " twelve pounds " in the fourth line of subsection (2) the words " sixteen shillings " ;

(*d*) by striking out the words " two hundred and fifty " before the word " pounds " at the end of subsection (3) and inserting in lieu thereof the words " five hundred ".

Amendment of s. 18a of principal Act—Medical expenses.

6. Section 18a of the principal Act is amended—

(*a*) by adding after the words " one hundred " in the third line of subsection (1) the words " and fifty " ; and

(*b*) by striking out the word " fifty " in paragraph (*d*) of subsection (1) and inserting in lieu thereof " one hundred " ; and

(*c*) by adding after the words " one hundred " in the seventh and ninth lines of subsection (2) the words " and fifty " ; and

(*d*) by adding after the words " one hundred " in the second and eighth lines of subsection (3) the words " and fifty " ; and

(*e*) by inserting after subsection (3) thereof the following subsection :—

(3a) Where in any case the expenses (being expenses of the kind mentioned in subsection (1)

of this section) actually and reasonably incurred by the workman, exceed the maximum amount payable under the other provisions of this section, a special magistrate may order that the employer pay such additional amount as is required to meet such expenses.

Amendment of s. 26 of principal Act—Fixed rates of compensation for certain injuries.

7. Section 26 of the principal Act is amended—

(*a*) by striking out the word "but" in the third line of subsection (2) and inserting in lieu thereof the word "and";

(*b*) by striking out the words "deducted from" in the fourth line of subsection (2) and inserting in lieu thereof "in addition to";

(*c*) by inserting after the word "receive" in the third line of subsection (5) the words "in respect of fixed sums mentioned in the said table";

(*d*) by striking out the words "two hundred and fifty" in the last line of subsection (5) and inserting in lieu thereof the words "five hundred";

(*e*) by striking out the words "two hundred and fifty" in the heading to the table at the end of the said section and inserting in lieu thereof the words "five hundred".

Repeal of s. 94d of the principal Act and enactment of other provisions—Conditions of compensation.

8. (1) Section 94d of the principal Act is repealed and the following section is enacted in lieu thereof:—

94d. No compensation shall be payable under this Part on the disablement or death of a workman unless such death or disablement was caused by silicosis wholly or mainly attributable to his employment in South Australia in an industry or process specified in the scheme.

(2) The amendment of the law effected by this section shall apply to compensation for which an application is under consideration at the time of the passing of the Workmen's Compensation Act Amendment Act, 1954, and to compensation for which an application is first made after the passing of the said Act.

Amendment of s. 94g of the principal Act—Contents of schemes.

9. (1) Section 94g of the principal Act is amended by inserting therein after paragraph (*b*) the following paragraphs:—

(*b*1) for enabling the Minister to reduce, to such extent as he deems just in each case, the rate of subscription payable by an employer if—

(i) the works or premises of such employer are constructed, to the satisfaction of the Minister so as to reduce the risk of his employees contracting silicosis; or

(ii) if the silicosis content of the materials used or handled at the works of such employer is in the opinion of the Minister unusually low:

(*b*2) for empowering the Committee to require any employer who fails to pay a subscription under the scheme within one month after the prescribed time for payment, to pay an additional amount not exceeding ten per cent of the subscription.

(2) Section 94g of the principal Act is further amended by adding at the end thereof the following subsections:—

(2) A scheme may provide that a contravention of or failure to comply with a provision or requirement thereof shall be an offence.

(3) An offence against a provision of a scheme shall be punishable on summary conviction by a fine not exceeding one hundred pounds.

Application of Act.

10. Sections 3 to 7 inclusive of this Act shall apply only in relation to injury or death caused by an accident occurring after the commencement of this Act.

In cases of injury or death by accident occurring before the commencement of this Act the provisions of the principal Act as in force immediately before the commencement of this Act shall apply.

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

R. A. GEORGE, Governor.

Acts reprinted pursuant to the Amendments Incorporation Act, 1937

BUSH FIRES ACT, 1933-1952

ROAD TRAFFIC ACT, 1934-1954

With notes of judicial decisions affecting sections of the reprinted Acts

The Bush Fires Act, 1933-1957, including all amendments passed to the end of 1957 and notes of judicial decisions, is reprinted in the Annual Volume, 1957, at page 179.

BUSH FIRES ACT, 1933-1952.

BEING

BUSH FIRES ACT, 1933, No. 2139 OF 1933 [ASSENTED TO 7TH DECEMBER, 1933.]

AS AMENDED BY

CRIMINAL LAW CONSOLIDATION ACT, 1935, No. 2252 OF 1935 [ASSENTED TO 21ST DECEMBER, 1935.]

BUSH FIRES ACT AMENDMENT ACT, 1935, No. 2258 OF 1935 [ASSENTED TO 2ND JANUARY, 1936.]

BUSH FIRES ACT AMENDMENT ACT, 1939, No. 27 OF 1939 [ASSENTED TO 14TH DECEMBER, 1939.]

BUSH FIRES ACT AMENDMENT ACT, 1941, No. 24 OF 1941 [ASSENTED TO 13TH NOVEMBER, 1941.]

BUSH FIRES ACT AMENDMENT ACT, 1942, No. 30 OF 1942 [ASSENTED TO 26TH NOVEMBER, 1942.]

BUSH FIRES ACT AMENDMENT ACT, 1945, No. 19 OF 1945 [ASSENTED TO 13TH DECEMBER, 1945.]

BUSH FIRES ACT AMENDMENT ACT, 1946, No. 33 OF 1946 [ASSENTED TO 19TH DECEMBER, 1946.]

BUSH FIRES ACT AMENDMENT ACT, 1950, No. 23 OF 1950 [ASSENTED TO 9TH NOVEMBER, 1950.]

AND

BUSH FIRES ACT AMENDMENT ACT, 1952, No. 44 OF 1952 [ASSENTED TO 4TH DECEMBER, 1952.]

An Act to make better provision for the prevention and control of bushfires and other fires, and for other purposes.

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 "Bush Fires Act, 1933-1952." Short title.

2. The Acts mentioned in the schedule are hereby repealed. Repealing provision.

Interpretation.
1123, 1913, s. 2.

3. (1) In this Act, unless a contrary intention clearly appears—

"area" means a municipality or district council district:

"council" means a municipal council or district council:

Inserted by 24, 1941, s. 2.

"producer gas" means gas which is produced by the incomplete combustion of solid fuel and whose active constituent is chiefly carbon monoxide, but does not include gas produced at a fixed station and distributed through mains for consumption at a distance from the place of production:

Inserted by 24, 1941, s. 2.

"producer gas equipment" means equipment for the production of producer gas or for conducting producer gas to an engine:

"scrub" includes trees, bushes, plants, and undergrowth of all kinds and sizes, whether alive or dead, and whether standing or not standing, and also includes any parts of any trees, bushes, plants, or underwood, and whether severed therefrom or not so severed, but does not include trees of such kinds or sizes as the Governor, by proclamation, declares not to be scrub within the meaning of this Act:

"stubble" includes stubble, hay, straw, grass, and herbage, whether alive or not alive, and whether standing or not standing.

(2) Wherever in this Act a period between one specified date and another specified date is fixed, such period does not include either of the said specified dates.

Advisory Committee.
Inserted by 27, 1939, s. 2, and amended by 19, 1945, s. 2.

3a. (1) There shall be a committee to be called the "Bush Fires Advisory Committee."

(2) There shall be nine members of the committee who shall from time to time be appointed by the Governor on the recommendation of the Minister. One of the said members shall from time to time be appointed by the Governor, on the said recommendation, as the chairman of the committee. One of the said members shall be a person who is a representative of the South Australian Railways Commissioner.

(3) The committee shall—

(*a*) report to the Minister from time to time as to the best means to be taken for preventing or extinguishing bush fires:

(*b*) perform and undertake such powers and duties as may be entrusted to it by the Minister:

(*c*) generally advise the Minister upon the administration of this Act.

(4) The Minister may pay to any member of the committee any travelling or other expenses incurred by the member in the exercise of his office.

Burning of stubble between 15th October and 1st February. 1123, 1913, s. 6. 1768, 1926, s. 2. 2023, 1931, s. 3.

4. (1) Subject to subsections (2), (3), and (4), no person shall during the period between the fifteenth day of October and the first day of the following February, burn any stubble standing on any land, or light or maintain any fire with the intention of burning any stubble standing on any land.

(2) Where the stubble is burned or the fire is lighted and maintained only for the purpose of clearing strips of land to act as firebreaks for preventing the spread of fire, it shall not be deemed a contravention of this section, provided that all the following conditions are strictly observed, namely:—

I. None of the strips shall be more than two chains in width at any part thereof:

Amended by 27, 1939, s. 3 (a) and by 19, 1945, s. 3 (1) (a).

II. Before the fire is lighted, the land immediately adjoining each strip shall, throughout the whole length of each side of such strip, either be ploughed and cleared of all scrub, stubble, and other inflammable material to a width of at least six feet or be cleared of all scrub, stubble, and other inflammable material to a width of at least twelve feet:

Amended by 2258, 1935, s. 2 (a).

III. Not less than six hours before the fire is lighted, notice of intention to burn the strips, stating the date and the probable time at which the fire is to be lighted, shall be given to the owner or occupier or person in charge of any land or building immediately adjoining the field or place wherein the strips are situated, who reside within five miles of such field or place. If notice as aforesaid cannot be given to any person to whom notice is required by this paragraph to be given, by reason of the absence of such person from his place of residence or for any other reasonable cause, notice as aforesaid shall in lieu thereof be given to the police constable

s. 4. ROBERTS v. WEBB (1887) 21 S.A.L.R. 96; 9 A.L.T. 59; 9 Austn. Digest 127. Notwithstanding compliance with the section a person lighting a fire does not escape liability for any injury occasioned by the fire.

VERRAN v. ROBERTS (1938) S.A.S.R. 256. Where the defendant omitted to give notice to an adjoining occupier but complied with the other requirements of subsection (2) held that, in the particular circumstances, the complaint was rightly dismissed on the ground of triviality.

stationed nearest to the land whereon the burning is to take place. Any land or building shall be deemed to be immediately adjoining a field or place as aforesaid notwithstanding that they are separated by a road:

Amended by 23, 1950, s. 3 (1).

IV. Notice as aforesaid shall also be given to the clerk of the area in which the land is situated, and to the nearest fire control officer of such area:

Inserted by 27, 1939, s. 7 (1).

IVA. If the land upon which the fire is to be lighted is within one mile of a Government forest, notice as aforesaid shall also be given to the person in charge of the forest:

V. Four men at least shall be present at the fire, from the time it is lighted until it is thoroughly extinguished, to assist in keeping it under control and prevent it from spreading beyond the strips:

Amended by 27, 1939, s. 3 (b).

VI. No such fire shall be lighted before twelve o'clock noon, and every such fire shall be thoroughly extinguished before nine o'clock in the evening of the same day:

Inserted by 27, 1939, s. 3 (c).

VII. The fire shall be first lighted from the leeward side of the stubble to be burnt before the fire shall be lighted from the windward side of the stubble.

Amended by 27, 1939, s. 3 (d) and (e), and by 30, 1942, s. 2.

(3) It shall not be deemed a contravention of this section if a council causes stubble to be burnt, or a fire lighted and maintained for the purpose of burning any stubble on any street, road, or reserve vested in or under the control of the council or (with the consent in writing of the Commissioner of Crown Lands) on any travelling stock reserve in any case where all the following conditions are strictly observed, namely:—

At least four men shall be present at the fire, from the time it is lighted until it is thoroughly extinguished, to assist in keeping it under control and prevent it from spreading beyond the land whereon the burning is to take place; and during the said time the council shall provide adequate fire fighting appliances and an adequate supply of water in order to prevent any spread of fire.

(4) It shall not be deemed a contravention of this section if a person burns stubble or lights or maintains a fire for the purpose of burning any stubble in or on any irrigation channel or lucerne field in any case where the consent of the council or body corporate exercising the powers of a council

in the part of the State in which the land is situated is obtained to such burning and all the following conditions and all such further conditions as the said council or body corporate may prescribe are strictly observed, namely:—

I. Before the fire is lighted the land immediately adjoining on all sides the whole of the land on which the burning is to take place shall, throughout the whole length of every such side, either be ploughed and cleared of all scrub, stubble, and other inflammable material to a width of at least six feet or be cleared of all scrub, stubble, and other inflammable material to a width of at least twelve feet: Amended by 19, 1945, s. 3 (1) (b).

II. Not less than six hours before the fire is lighted, notice of intention to burn the stubble shall be given to the owner or occupier or person in charge of any land or building immediately adjoining the land whereon the burning is to take place, who resides within five miles of the last-mentioned land. If notice as aforesaid cannot be given to any person to whom notice is required by this paragraph to be given, by reason of the absence of such person from his place of residence or for any other reasonable cause, notice as aforesaid shall in lieu thereof be given to the police constable stationed nearest to the land whereon the burning is to take place. Any land or building shall be deemed to be immediately adjoining any land as aforesaid notwithstanding that they are separated by a road: Amended by 2258, 1935, s. 2 (b).

IIa. If the land upon which the fire is to be lighted is within one mile of a Government forest, notice as aforesaid shall also be given to the person in charge of the forest: Inserted by 27, 1939, s. 7 (1).

III. At least four men shall be present at the fire, from the time it is lighted until it is thoroughly extinguished, to assist in keeping it under control and prevent it from spreading beyond the land whereon the burning is to take place:

IV. No such fire shall be lighted before twelve o'clock noon, and every such fire shall be thoroughly extinguished before nine o'clock in the evening of the same day: Amended by 27, 1939, s. 3 (f).

V. The fire shall be first lighted from the leeward side of the stubble to be burnt before the fire shall be lighted from the windward side of the stubble. Inserted by 27, 1939, s. 3 (g).

Amended by 23, 1950, s. 2 (1).

(5) Any person who is guilty of any contravention of this section shall be guilty of an offence and liable to a penalty for a first offence of not less than five pounds nor more than twenty-five pounds, and for every subsequent offence of not less than ten pounds nor more than fifty pounds.

Burning of stubble between 31st January and 15th May.
1123, 1913, s. 7.
1768, 1926, s. 3.

5. (1) No person shall during the period between the thirty-first day of January and the fifteenth day of the following May, burn any stubble standing on any land, or light or maintain any fire with the intention of burning any stubble standing on any land, except subject to all the following conditions, namely:—

Amended by 19, 1945, s. 3 (2).

I. Before the fire is lighted, the land immediately adjoining on all sides the whole of the land on which the burning is to take place shall, throughout the whole length of every such side, either be ploughed and cleared of all scrub, stubble, and other inflammable material to a width of at least six feet or be cleared of all scrub, stubble, and other inflammable material to a width of at least twelve feet:

Amended by 2258, 1935, s. 3.

II. Not less than six hours before the fire is lighted, notice of intention to burn the stubble, stating the date and the probable time at which the fire is to be lighted, shall be given to the owner or occupier or person in charge of any land or building immediately adjoining the land whereon the burning is to take place, who resides within five miles of the last-mentioned land. If notice as aforesaid cannot be given to any person to whom notice is required by this paragraph to be given, by reason of the absence of such person from his place of residence or for any other reasonable cause, notice as aforesaid shall in lieu thereof be given to the police constable stationed nearest to the land whereon the burning is to take place. Any land or building shall be deemed to be immediately adjoining any land as aforesaid notwithstanding that they are separated by a road:

Amended by 23, 1950, s. 3 (2).

III. Notice as aforesaid shall also be given to the clerk of the area in which the land is situated and to the nearest fire control officer of such area:

Inserted by 27, 1939, s. 7 (2).

IIIa. If the land upon which the fire is to be lighted is within one mile of a Government forest, notice as aforesaid shall also be given to the person in charge of the forest:

iv. Four men at least shall be present at the fire, from the time it is lighted until it is thoroughly extinguished, to assist in keeping it under control and prevent it from spreading beyond the land whereon the burning is to take place:

v. No such fire shall be lighted before twelve o'clock noon, and any such fire shall be thoroughly extinguished before nine o'clock in the evening of the same day: Amended by 27, 1939, s. 4 (a).

vi. The fire shall be first lighted from the leeward side of the stubble to be burnt before the fire shall be lighted from the windward side of the stubble. Inserted by 27, 1939, s. 4 (b).

(2) Any person who is guilty of any contravention of this section shall be guilty of an offence and liable to a penalty for a first offence of not less than five pounds nor more than twenty-five pounds, and for every subsequent offence of not less than ten pounds nor more than fifty pounds. Amended by 23, 1950, s. 2 (2).

5a. It shall not be deemed a contravention of section 4 or section 5 if any person burns any stubble on any land or lights or maintains any fire with the intention of burning any stubble or if any council causes stubble to be burnt or a fire lighted or maintained for the purpose of burning any stubble on any street, road or reserve vested in on under the control of the council if, prior to the stubble being burnt or the fire lighted or maintained, permission in writing is obtained from the Minister for the purpose, and if all conditions specified by the Minister are fully complied with. The permission of the Minister aforesaid may be given subject to such conditions as the Minister thinks sufficient or proper in the circumstances of the case. If application for permission as aforesaid is made by other than a council and if the land in respect of which the application is made is situated within an area, the Minister shall not give permission as aforesaid except upon the recommendation of the council of the area. Power of Minister to authorize burning of stubble. Inserted by 30, 1942, s. 3.

5b. (1) It shall not be a contravention of section 4 or section 5 if any person burns any stubble or lights or maintains a fire for the purpose of burning any stubble in or on any irrigation channel situated within any ratable land in an irrigation area or in or on any drainage channel situated within any ratable land in an irrigation area if the following conditions are complied with, namely:— Burning of stubble in irrigation or drainage channels. Inserted by 44, 1952, s. 2.

i. Before the fire is lighted the land immediately adjoining on all sides the whole of the land on which the burning is to take place shall be cleared of all scrub,

stubble, and other inflammable material to a width of at least twelve feet;

II. Not less than six hours before the fire is lighted, notice of intention to burn the stubble, stating the date and the probable time at which the fire is to be lighted, shall be given to the clerk of the area in which the land is situated.

(2) In this section "irrigation area" means an irrigation area as defined by section 6 of the Irrigation Act, 1930-1946, and "ratable land" means ratable land as defined by the said section.

Burning of stubble without restriction under certain conditions.

6. In any case where it is necessary to use a fire-rake in order to burn any stubble on any land, the occupier of such land may, with the consent of a fire control officer, burn such stubble during any period to which section 4 or section 5 applies, and in any such case the provisions of sections 4 and 5 shall not apply to any such burning: Provided that before the fire is lighted there is around the land upon which the fire is to be lighted a space cleared of all inflammable material to a width of twelve feet or a space ploughed to a width of six feet.

Burning of scrub between 15th October and 1st February.
1123, 1913, s. 8.

7. (1) Any person who, during the period between the fifteenth day of October and the first day of the following February, burns any scrub on any land, or lights or maintains any fire with the intention of burning any scrub on any land, shall be guilty of an offence and liable to a penalty for a first offence of not less than five pounds nor more than twenty-five pounds, and for every subsequent offence, of not less than ten pounds nor more than fifty pounds.

Inserted by 27, 1939, s. 5.

(2) It shall not be deemed a contravention of this section if scrub is burnt on any land for the purpose of providing a firebreak if permission in writing is, prior to the burning, obtained from the Minister for the purpose and if any conditions specified by the Minister in the permission in writing are fully complied with.

Burning of scrub between end of January and 1st May.
1123, 1913, s. 9.
1768, 1926, s. 4.
2023, 1931, s. 4.
Para. I amended by 27, 1939, s. 6, and by 19, 1945, s. 3 (3).

8. (1) No person shall, during the period between the last day of January and the first day of the following May, burn any scrub on any land, or light or maintain any fire with the intention of burning any scrub on any land, except subject to all the following conditions, namely:—

I. Before the fire is lighted, a space of at least fifteen feet in width immediately adjoining on all sides the whole of the land whereon such burning is to take place, and throughout the whole length of every

such side, shall be cleared of all scrub, stubble, and other inflammable material:

II. Not less than six hours before the fire is lighted, notice of intention to burn the scrub, stating the date and the probable time at which the fire is to be lighted, shall be given to the owner or occupier or person in charge of any land or building immediately adjoining the land whereon such burning is to take place, who resides within five miles of the last-mentioned land. If notice as aforesaid cannot be given to any person to whom notice is required by this paragraph to be given, by reason of the absence of such person from his place of residence or for any other reasonable cause, notice as aforesaid shall in lieu thereof be given to the police constable stationed nearest to the land whereon the burning is to take place. Any land or building shall be demed to be immediately adjoining any land as aforesaid notwithstanding that they are separated by a road: Amended by 2258, 1935, s. 4.

III. Notice as aforesaid shall also be given to the clerk of the area in which the land is situated, and to the nearest fire control officer of such area: Amended by 23, 1950, s. 3 (3).

IIIa. If the land upon which the fire is to be lighted is within one mile of a Government forest, notice as aforesaid shall also be given to the person in charge of the forest: Inserted by 27, 1939, s. 7 (3).

IV. Not less than fourteen days before a fire is lighted for the purpose of burning an area of scrub of more than five hundred acres, notice of intention to burn the scrub shall, if the land is situated within an area, be given to the council thereof:

V. Four men at least shall be present at the fire, from the time it is lighted until it is thoroughly extinguished, to assist in keeping it under control and prevent it from spreading beyond the land whereon the burning is to take place:

In any case where notice is given to a council pursuant to paragraph IV., and the council or mayor or chairman thereof is of opinion that more than four men will be necessary in order to control the fire and prevent it from spreading as aforesaid, the council or mayor or chairman may not later than ten days after the giving of the notice as aforesaid, give notice to the person aforesaid directing him to

have present at the fire such number of men (but not exceeding three) additional to those hereinbefore provided for as the council or mayor or chairman thinks fit:

vi. The fire shall be first lighted from the leeward side of the scrub to be burnt before the fire shall be lighted from the windward side of such scrub:

vii. No such fire shall be lighted before twelve o'clock noon.

Amended by 23, 1950, s. 2 (3).

(2) Any person who is guilty of any contravention of this section shall be guilty of an offence and liable to a penalty for a first offence of not less than five pounds nor more than twenty-five pounds, and for every subsequent offence of not less than ten pounds nor more than fifty pounds.

Inserted by 30, 1942, s. 4.

(3) It shall not be deemed a contravention of this section if any person burns any scrub on any land or lights or maintains any fire with the intention of burning any scrub if prior to the scrub being burnt or the fire lighted or maintained, permission in writing is obtained from the Minister for the purpose and if all conditions specified by the Minister in the permission in writing are fully complied with. The permission of the Minister aforesaid may be given subject to such conditions as the Minister thinks sufficient or proper in the circumstances of the case.

Power to authorize burning of stubble or scrub before 12 o'clock noon.
Inserted by 19, 1945, s. 4.

8a. Notwithstanding the provisions of paragraph vi. of subsection (2) or paragraph iv. of subsection (4) of section 4 or of paragraph v. of subsection (1) of section 5 or of paragraph vii. of subsection (1) of section 8, a fire control officer authorized for the purpose by a council may authorize any person to light a fire before twelve o'clock noon for the purpose of burning stubble or scrub on any land in the area of the council which adjoins any land of the South Australian Railways Commissioner in any case where the fire control officer is satisfied that, at the same time as the stubble or scrub aforesaid will be burnt, stubble or scrub will also be burnt upon the land of the South Australian Railways Commissioner and that the purpose of the burning to be authorized by him is to provide an effective fire break between the land of the South Australian Railways Commissioner and the said land. It shall not be deemed a contravention of sections 4, 5, or 8 if a fire is lighted before twelve o'clock noon in accordance with this section if the other provisions of sections 4, 5, or 8, as the case may require, applicable thereto are complied with.

8b. In any case where it is necessary to use a fire rake in order to burn any scrub on any land, the occupier of such land may, with the consent of a fire control officer, burn such scrub during any period to which section 8 applies, and in any such case the provisions of paragraphs I. and V. of subsection (1) of section 8 shall not apply to any such burning: Provided that before the fire is lighted there is around the land upon which the fire is to be lighted a space cleared of all inflammable material to a width of two chains.

Burning of scrub with fire rake.
Inserted by 44, 1952, s. 3.

9. Any person who lights, uses, or maintains any fire in the open air for the purpose of making charcoal or lime during the period between the thirty-first day of October and the first day of the following May, unless either—

(*a*) a space of ground immediately round the pit or place in which the fire is situated, of the width of fifty feet at least in all parts, has before the fire is lighted been cleared, and is until the fire is completely extinguished, kept clear, of all stubble, scrub, and other inflammable material; or

(*b*) the fire is enclosed in a kiln of brick, iron, stone, or earth, so constructed as to prevent the escape of fire or any burning material therefrom,

shall be guilty of an offence and liable to a penalty for a first offence of not less than five pounds, nor more than twenty-five pounds; and for every subsequent offence, of not less than ten pounds nor more than fifty pounds.

Fires for charcoal burning between 31st October and 1st May.
1123, 1913, s. 11.
1768, 1926, s. 5.

10. (1) Every occupier of any land whereon any offence under sections 4, 5, 7, 8, or 9 is committed shall be deemed guilty of such offence, unless he satisfies the court hearing the charge against him that the offence was not committed by him or by his authority.

(2) Nothing in this section shall be deemed to affect the liability of the actual perpetrator of the offence in respect of such offence.

Occupier of land *prima facie liable* for fire thereon.
1123, 1913, s. 12.

11. (1) With the approval in writing of the Minister the council of any area may, as regards such area or any portion thereof, and the Minister may, as regards any part of the State (defined in a notice under subsection (2) hereof) which is not within any area, alter the periods or the hours, or the distances, or of any of them, mentioned in sections 4, 5, 7, 8, 9, 13, or 20, or any of those sections, and may by any such alteration fix earlier or later and longer or shorter periods

Power to alter periods and hours for burning.
1123, 1913, s. 13.
1768, 1926, s. 6.
Subsec. (1) amended by 27, 1939, s. 8 and by 44, 1952, s. 4 (a).

s. 10. McINNES v. WARDLE (1931) 45 C.L.R. 548; 38 A.L.R. 230; 9 Austn. Digest 131, affirming WARDLE v. McINNES (1930) S.A.S.R. 450. As to the civil liability of an occupier where an offence is committed by an independent contractor.

or hours, or greater distances, or all or any of such altered periods and hours and distances.

The power conferred by this section shall include power to provide that stubble may be burnt as provided by section 5 during any period either before or after or both before and after any period during which section 4 applies, and to provide that scrub may be burnt as provided by section 8 during any period either before or after or both before and after any period during which section 7 applies.

Amended by 19, 1945, s. 5.

(2) No such alteration shall have any force until notice thereof has been—

(*a*) published once in the *Government Gazette,* and once in some newspaper circulating in the area or defined part of the State; and

(*b*) in the case of an alteration made by a council, affixed for at least seven days on the front door or the notice board of the council making such alteration.

Amended by 27, 1939, s. 8 (d) and by 44, 1952, s. 4 (b).

(3) Upon such publication and affixing, such alteration shall have the force of law within such area or portion thereof or defined part of the State, and shall therein have the same effect as if the periods and hours and distances fixed thereby were respectively fixed by such of the said sections 4, 5, 7, 8, 9, 13, or 20, as is or are applicable.

Substituted by 23, 1950, s. 4.

(4) In every case where the Minister is of opinion that the alteration of periods, hours or distances, as the case may be, to be made pursuant to any notice given under this section (whether given by a council or by the Minister) should have effect only for a time to be stated in the notice, the Minister may give directions in writing fixing the time during which the alterations shall continue and the time so fixed shall be stated in the notice aforesaid. Upon the expiration of the time so fixed, the periods, hours or distances, as the case may be, shall revert to the periods, hours, or distances, as the case may be, which applied within the area, or portion thereof, or part of the State, as the case may be, immediately prior to the notice taking effect.

Inserted by 27, 1939, s. 8 (e).

(5) In the case of an alteration by a council, the clerk of the council shall, after the notices provided for in subsection (2) or (4) have been given, furnish to the Minister a certificate that such notices have been given.

Fires not to be lighted on Sunday. 1123, 1913, s. 14.

12. Notwithstanding any provision of this Act, any person who under any conditions lights any fire at any time on any Sunday, for any of the purposes mentioned in sections 4, 5,

7, 8, or 9, shall be guilty of an offence and liable to a penalty for a first offence of not less than five pounds nor more than twenty-five pounds, and for every subsequent offence, of not less than ten pounds nor more than fifty pounds.

Power of fire control officer to prevent burning.

Inserted by 19, 1945, s. 6.

12a. (1) If a fire control officer authorized to give directions under this section by the council in the area of which any land is situated is satisfied—

(*a*) that, during any period during which section 4, 5, 7, 8, or 9 has effect, any person proposes to light any fire upon that land for any purpose mentioned in section 4, 5, 7, 8, or 9, as the case may be, or has lighted a fire for such a purpose; and

(*b*) that because of the weather conditions then prevailing, there would be danger of the fire becoming out of control,

the fire control officer so authorized, may, by notice in writing given to that person, direct that that person shall, on the day specified in the notice, refrain from lighting the fire, or as the case may be, shall take all reasonable steps to extinguish any fire already lighted.

(2) Any person who fails to comply with any such notice shall be guilty of an offence and liable to a penalty of not less than two pounds nor more than twenty pounds.

Fires for purposes other than those mentioned in sections 4 to 9.

1123, 1913, s. 15.

1768, 1926, s. 7.

2023, 1931, s. 5.

13. (1) Any person who, during the period between the thirty-first day of October and the first day of the following May—

(*a*) lights, uses, or maintains any fire in the open air for any purpose whatever, except those mentioned in sections 4, 5, 7, 8, and 9, unless a space of ground immediately around such fire of the width of twelve feet at least in all parts has been previously cleared of all stubble, scrub, and other inflammable material; or

(*b*) having lighted, used, or maintained any fire in the open air, neglects to completely extinguish such fire before leaving the same,

shall be guilty of an offence and liable to a penalty for a first offence of not less than two pounds, nor more than twenty pounds, and for every subsequent offence of not less than five pounds nor more than fifty pounds.

s. 13. OPIE v. MOUNT (1942) S.A.S.R. 35. A fire lit out of doors in a tank having one open side and a hole in the top is a fire in the open air within the meaning of section 13.

Inserted by 27, 1939, s. 9 (a) and amended by 44, 1952, s. 5.

(1a) The council may by resolution published in the *Government Gazette,* declare that within the part of the area defined in the resolution, the lighting of fires in the open during the period between the thirty-first day of October and the first day of the following May or during any other period specified in the resolution shall be prohibited except in a place or places to be specified in the resolution.

Any person who during the period specified in the resolution and within any such specified part of the area, lights any fire in the open in any place other than in a place specified in the resolution shall (notwithstanding compliance with paragraph (a) of subsection (1) of this section) be guilty of an offence and liable to a penalty for a first offence of not less than two pounds nor more than fifty pounds, and for any subsequent offence of not less than five pounds nor more than one hundred pounds.

(2) Nothing in this section shall be construed as varying any of the provisions of any of the sections mentioned in subsection (1).

Inserted by 27, 1939, s. 9 (b).

(3) It shall be a defence to any proceedings under paragraph (*a*) of subsection (1) to show—

(*a*) that the fire was lighted in any orchard or vineyard for the purpose of smudging for insect pests or the prevention of damage by frost or any other purpose prescribed by regulation; and

(*b*) that at the time the fire was lighted, a space of ground immediately around the fire of the width of twelve feet was clear of all inflammable material, except fruit trees or vines or both.

Warning of day of extreme fire hazard.

cf. Vic. 5040, 1944, s. 41. cf. Vic. 5191, 1946, s. 29.

Inserted by 23, 1950, s. 5.

13a. Whenever the Minister is of opinion that it is desirable so to do, the Minister may cause to be broadcast from a broadcasting station in the State a warning of the likelihood of the occurrence of weather conditions conducive to the spread of bush fires in the whole of the State or any part or parts of the State and warning all persons against the fire hazard which would be created by the lighting of fires in the open.

Ignitable wadding prohibited from 30th September to 1st May.

1123, 1913, s. 16.

1768, 1926, s. 8.

14. (1) Any person who, during the period between the thirtieth day of September and the first day of the following May, uses for the wadding of any gun, rifle, pistol, or other firearm used or carried by him, any paper, cotton, linen, or other ignitable substance, shall be guilty of an offence and liable to a penalty of not less than two pounds nor more than ten pounds.

(2) If any person, within the period mentioned in subsection (1) hereof, uses or carries any gun, rifle, pistol, or other firearm upon or over the land of any other person, the owner or occupier of such land, or his servant or agent, or any member of the police force, may examine such gun, rifle, pistol, or other firearm, for the purpose of ascertaining the nature of the wadding used therein; and the person using or carrying such gun, rifle, pistol, or firearm who—

(*a*) refuses to allow such examination; or

(*b*) upon the occasion of such examination refuses to disclose his name and address, or either, to such owner or occupier, or servant or agent; or

(*c*) gives a false name and address, or either,

shall be guilty of an offence and liable to a penalty of not less than two pounds nor more than ten pounds.

Using stationary engine in open.
Substituted by 23, 1950, s. 6.

15. (1) If—

(*a*) any person drives or uses in a stationary position any steam engine or internal combustion engine (other than a steam engine or internal combustion engine which is enclosed on all sides with non-inflammable material); and

(*b*) either—

(i) a space of ground around the engine to a width of twelve feet at least is not cleared of all stubble, scrub, and other inflammable material; or

(ii) some person is not present during the whole time the engine is driven or used; and

(*c*) there is not provided with the engine during the time it is driven or used an effective water spray of the knapsack pattern fully charged with water and a shovel,

the said person if whilst so driving or using the steam engine or internal combustion engine, he fails to comply with the provisions of either or both of paragraphs (*b*) and (*c*) hereof, and also any other person who causes the said person to so drive or use the steam engine or internal combustion engine, shall be guilty of an offence and liable to a penalty of not less than two pounds nor more than twenty pounds.

(2) if—

(*a*) any person drives or uses in a stationary position any internal combustion engine and the engine is enclosed on all sides with non-inflammable material; and

(*b*) any exhaust pipe from the engine projects outside the non-inflammable material; and

(*c*) the engine is not equipped with an effective spark arrester or muffler,

the said person and also any other person who causes the said person to so drive or use the internal combustion engine shall be guilty of an offence and liable to a penalty of not less than two pounds nor more than twenty pounds.

Use of producer gas equipment. Inserted by 24, 1941, s. 3.

15a. (1) Any person who, during the period between the thirtieth day of September and the first day of the following May, in the open air—

(*a*) lights any fire in any producer gas equipment; or

(*b*) opens any entrance (other than any entrance used for the insertion of fuel) to any producer gas equipment which contains live coals, hot ashes, or any material from which sparks or fire may be emitted,

shall be guilty of an offence unless the space of ground immediately around the producer gas equipment and to a distance of twelve feet at least in all directions is clear of all stubble, scrub and other inflammable material.

(2) Any person who, during the period between the thirtieth day of September and the first day of the following May, whilst on any road outside of any municipality or township, empties from any gas producer equipment any live coals, hot ashes, or any material from which sparks or fire may be emitted, shall be guilty of an offence unless the live coals, hot ashes, or material is emptied into a receptacle containing water sufficient to extinguish completely the coals, ashes or material.

(3) Any person who, during the period between the thirtieth day of September and the first day of the following May, in the open air opens or empties or carries out any

s. 15a. TOLMER v. DARLING AND ANOTHER (1943) S.A.S.R. 81. Where a motor car fitted with a gas producer was driven along a public road and over a deep drain at a speed of about ten miles per hour and a bolt and other parts of the hopper of the producer in which the live charcoal was placed came in contact with a stone or other obstacle causing damage to the hopper door and the escape of the charcoal, *quaere* whether an offence against section 15a was committed.

operation with respect to any part of any gas producer equipment so that there is emitted from the gas producer equipment any live coals, hot ashes, or any material from which sparks or fire may be emitted, shall be guilty of an offence unless the live coals, hot ashes or other material is immediately and completely extinguished.

(4) Any person who, during the period between the thirtieth day of September and the first day of the following May, in the open air—

(*a*) operates any producer gas equipment which is not fitted and mounted so as to prevent effectively the escape of fire, sparks, grit, cinders, ashes, coals and burning gas; or

(*b*) operates any gas producer equipment which is so constructed that during the operation thereof any outside surface thereof is likely to reach a temperature sufficient to ignite any stubble, grass, leaves, wood, or other inflammable material which may come into contact therewith,

shall be guilty of an offence.

(5) Any person guilty of an offence against this section shall be liable to a penalty for a first offence of not less than two pounds nor more than twenty pounds, and for any subsequent offence of not less than five pounds nor more than fifty pounds.

Prohibition of use on roads during summer months of vehicles fitted with producer gas equipment
Inserted by 19, 1945, s. 8, and amended by 33, 1946, s. 2.

15b. (1) Any person who during the period between the thirty-first day of October and the following first day of March drives or causes to be driven on any street or road within any part of the State to which this section applies any vehicle which, at the time it is so driven, is wholly or partly propelled by means of producer gas, shall be guilty of an offence and liable to a penalty not exceeding twenty pounds.

(2) The Governor may by proclamation from time to time declare that this section shall apply within any part of the State specified in the proclamation. The Governor may by proclamation revoke or vary any such proclamation. In any proceedings for an offence against subsection (1) the allegation in the complaint that any street or road is within any part of the State to which this section applies shall, in the absence of proof to the contrary, be sufficient evidence that the street or road is within a part of the State to which this section applies.

(3) If in any proceedings for an offence against subsection (1) evidence is given that, at the time of the commission of the alleged offence, any vehicle was equipped with any producer gas equipment and that at the said time a fire was alight in the producer gas equipment or the producer gas equipment contained any live coals or other incandescent material, the vehicle shall be deemed to have been propelled at the time aforesaid by means of producer gas.

Duty of beekeepers to clear space.

16. Any person who during the period between the thirty-first day of October and the following first day of May, lights or maintains any fire in any appliance which is used for the purpose of taking honey from any beehive or lights or maintains any fire in any honey-house shall be guilty of an offence and liable to a penalty of not less than two pounds nor more than twenty pounds unless around the beehive or honey-house or around the apiary in which the beehive or honey-house is situated there is a space cleared of all inflammable material to a width of twelve feet or a space ploughed to a width of six feet.

Use of internal combustion engines in harvesting operations.

Amended by 27, 1939, s. 10, by 19, 1945, s. 9 (a), and by 23, 1950, s. 7 (a).

17. (1) Any person who uses any internal combustion engine for the purpose of harvesting any inflammable crop shall be guilty of an offence and liable to a penalty of not less than two pounds nor more than twenty pounds unless such internal combustion engine is fitted with an effective spark arrester and unless there is carried with the internal combustion engine an effective water spray of the knapsack pattern fully charged with water and a shovel.

Inserted by 30, 1942, s. 5, and amended by 19, 1945, s. 9 (b).

(2) Any person who uses any producer gas equipment for the purpose of reaping or cutting any inflammable crop shall be guilty of an offence and liable to a penalty of not less than two pounds nor more than twenty pounds unless the whole of the area to be so reaped or cut is bounded by one or other of the following, namely:—

i. A strip of land ploughed to a width of at least twelve feet :

ii. A strip of land cleared of all inflammable material to a width of at least twelve feet:

iii. An irrigation or drainage channel containing water to the width of at least six feet,

and unless there is carried with the producer gas equipment an effective water spray of the knapsack pattern fully charged with water.

(3) Any person who uses any producer gas equipment for the purpose of removing any inflammable crop from the place where the crop was reaped or cut, shall be guilty of an offence and liable to a penalty of not less than two pounds and not more than twenty pounds unless there is carried with the producer gas equipment an effective water spray of the knapsack pattern fully charged with water. Inserted by 30, 1942, s. 5, and amended by 19, 1945, s. 9 (c).

(4) If any vehicle propelled by an internal combustion engine is driven on any land through or near any stubble or other inflammable material on the said land and so that the stubble or inflammable material is in contact with the vehicle, the person driving the vehicle shall be guilty of an offence and liable to a penalty of not less than two pounds nor more than twenty pounds unless the internal combustion engine is fitted with an effective spark arrester or muffler. Inserted by 33,1946, s. 3, and amended by 23, 1950, s. 7 (b)-(d).

(5) If— Inserted by 23, 1950, s. 7 (e).

(*a*) any person drives on any land any tractor propelled by an internal combustion engine; and

(*b*) the tractor is not fitted with an effective spark arrester; and

(*c*) there is not carried with the tractor whilst so driven an effective water spray of the knapsack pattern fully charged with water; and

(*d*) the tractor whilst so driven is in contact with any stubble or inflammable material,

the said person, if whilst so driving the tractor he fails to comply with the provisions of either or both of paragraphs (*b*) and (*c*) hereof, and also any other person who causes the said person to so drive the tractor, shall be guilty of an offence and liable to a penalty of not less than two pounds nor more than twenty pounds.

In this subsection "tractor" means any vehicle adapted for use in hauling other vehicles, but not built to carry passengers or loads other than fuel or water for its own consumption.

Duty to provide fire extinguisher with caravan. Inserted by 44, 1952, s. 6.

17a. Any person who during the period between the thirty-first day of October and the first day of the following May, has the possession of any caravan which is used for the purposes of habitation at any place situated outside a municipality and upon which caravan there is not carried an efficient chemical fire extinguisher, shall be guilty of an offence and liable to a penalty not exceeding ten pounds.

Smoking in the open air near stacks, etc., prohibited.
1123, 1913, s. 17.
1768, 1926, s. 9.

18. Any person who, during the period between the thirty-first day of October and the first day of the following May, smokes in the open air within twenty yards of any stable, or of any rick, stack, or field of hay, corn, straw, stubble, or other inflammable vegetation production, unless—

(*a*) within a town; or

(*b*) with a pipe properly covered,

shall be guilty of an offence and liable to a penalty of not less than two pounds nor more than twenty pounds.

Penalty for throwing lighted cigarettes, etc., from vehicles.
Amended by 30, 1942, s. 6 and by 23, 1950, s. 8.

19. Any person who, while in any vehicle in any part of the State outside any municipality or town, during the period between the thirty-first day of October and the first day of the following May, throws out of such vehicle any lighted cigarette or cigar or any live tobacco ash, shall be guilty of an offence and liable to a penalty of not less than two pounds nor more than twenty pounds.

Prohibition on using rabbit fumigator during summer.
Cf. 2023, 1931, s. 6.

20. Any person who, during the period between the thirtieth day of November and the fourteenth day of the following February lights or maintains any fire in any appliance which is used as a rabbit fumigator, shall be guilty of an offence and liable to a penalty of not less than two pounds nor more than twenty pounds.

Trees not to be blasted between 31st October and 1st May except under conditions.
1123, 1913, s. 18.
1768, 1926, s. 10.
Amended by 19, 1945, s. 10.

21. Any person who, during the period between the thirty-first day of October and the first day of the following May, employs gunpowder, or any other explosive substance, for the purpose of blasting any tree, wood, or timber, without having at least four men present to prevent any fire from arising therefrom and having near the place where the gunpowder or other explosive substance is employed an effective water spray of the knapsack pattern fully charged with water, shall be guilty of an offence and liable to a penalty of not less than two pounds nor more than twenty pounds.

Prohibition of placing of substances on the ground.
1123, 1913, s. 19.

22. (1) The Governor may, by proclamation, prohibit the placing on the ground of the substance or substances specified in the proclamation—

(*a*) either at any time or during the periods of the year or the day specified in the proclamation;

(*b*) either anywhere in the State or within areas so specified;

(*c*) either for any purpose or for the purposes so specified; and

(*d*) either absolutely or except under conditions so specified.

(2) The Governor may, by proclamation, rescind, amend, or vary any proclamation made under subsection (1) hereof.

(3) Any proclamation made under this section shall be published—

(*a*) in the *Government Gazette*; and

(*b*) if the proclamation is to have effect throughout the State, twice in a newspaper published in Adelaide, or if the proclamation is to have effect only within specified areas, twice in a newspaper circulating in such areas.

(4) Any person who, after the expiration of the period of fourteen days from the latest of the publications of any proclamation required by subsection (3) hereof, does anything contrary to the provisions of such proclamation, shall be guilty of an offence and liable to a penalty for a first offence of not less than one pound, nor more than five pounds; and for every subsequent offence of not less than two pounds nor more than twenty pounds.

Prohibition of sale of matches of certain kinds. 1123, 1913, s. 20.

23. (1) The Governor may, by proclamation, prohibit the sale, offering for sale, distribution, and use of any matches other than those made so as to strike only on a preparation affixed to the box containing the matches, or to a box containing matches of the same description—

(*a*) either anywhere in the State or within the areas specified in the proclamation:

(*b*) during the periods of the year so specified, being between the thirty-first day of October and the first day of the following May.

(2) The Governor may, by proclamation, rescind, amend, or vary any proclamation made under subsection (1) hereof.

(3) Any proclamation made under this section shall be published—

(*a*) in the *Government Gazette*; and

(*b*) if the proclamation is to have effect throughout the State, twice in a newspaper published in Adelaide, or, if the proclamation is to have effect only in specified areas, twice in a newspaper circulating in such areas.

(4) Any person who, after the expiration of the period of fourteen days from the latest of the publications of any proclamation required by subsection (3) hereof, does anything contrary to the provisions of such proclamation, shall be guilty of an offence and liable to a penalty for the first offence of not less than one pound, or more than five pounds; and for every subsequent offence of not less than two pounds nor more than twenty pounds.

Power to demand name and address. Inserted by 27, 1939, s. 11.

23a. Any member of the police force or any fire control officer, who has reasonable cause to suspect that any person has committed any offence against this Act, may demand that such person disclose his name and address. Any person who upon such demand fails to disclose his name and address or gives a false name or address shall be guilty of an offence and liable to a penalty of not more than five pounds.

S. 24 repealed by 2252, 1935, s. 4.

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Damage by fire to dividing fence. 1123, 1913, s. 22.

25. (1) If the owner or occupier of any land clears the same of all inflammable materials for the space of at least twenty feet from any fence dividing such land from the land of any other owner or occupier; and

(*a*) such other owner or occupier does not clear his land contiguous to the said fence for the space of at least twenty feet; and

(*b*) any damage from fire happens to such dividing fence through his failing so to do;

such other owner or occupier shall, at his own costs and charges, repair or re-erect such fence within the period of one month from the day when the same is so damaged, or within such extended time as is allowed by a special magistrate, on application made to him in writing, of which application not less than seven days' notice in writing has been served on the owner or occupier who has cleared his land as aforesaid.

(2) If the owner or occupier who has so failed to clear his land fails to repair or re-erect such fence within such month or such extended time (if any), the owner or occupier of the first-mentioned land who has cleared the same as aforesaid may repair or re-erect such fence, and may recover the costs and expenses of so doing as money paid to the use of the owner or occupier so in default.

Power of occupier to clear portions of road.

26. Where any land adjoins any road, the occupier of the land, with the consent of the council of the area in which the road is situated or of the Minister if the road is not situated within an area, may, for the purposes of providing a firebreak for the protection of any fences or other property on the said land, clear all scrub from the whole or any portion of that part of the road to the width of nine feet which adjoins the said land.

Coronial inquiry into certain fires.

Amended by 19, 1945, s. 11.

27. In the event of any fire (other than a fire confined to any building or other premises) an inquest shall be held thereon in any case where a request in writing is made to the member of the police force in charge of the police station nearest to the fire within seven days of the outbreak of the fire by—

(*a*) the council of the area in which the fire occurred:

(*b*) any owner or occupier of property who suffered loss by reason of the fire.

Power to order destruction of furze.

Inserted by 27, 1939, s. 12.

27a. (1) If the council is of opinion that the presence of the plant known as furze on any land within its area is or may be a source of danger from bush fires, the council may by notice in writing given to the occupier or the owner of the land, require him to destroy and remove all furze plants from the land specified in the notice within the time specified in the notice.

No such notice shall apply to any land distant more than one chain from any road or building.

(2) If any such occupier or owner fails to comply with any such notice within the time specified in the notice, any person authorized by the council may enter upon the land and destroy and remove all furze plants from the land specified in the notice. The costs of so doing may, in any court of competent jurisdiction, be recovered by the council as a debt due to the council by the person to whom the notice was given.

Removal of debris from roads.

Inserted by 27, 1939, s. 12.

27b. (1) It shall be the duty of every council or other authority to remove from any road any inflammable debris or material which results from the carrying out of any work upon that road by the council or authority and which is likely to be a source of danger from bush fires.

(2) If any council or authority fails to remove any such debris or material and the default continues for fourteen days or more, the Minister may cause the debris or material

to be removed and may in any court of competent jurisdiction recover from the council or authority in default as a debt due to the Minister an amount equal to twice the amount of the expenses incurred by the Minister.

(3) The provisions of subsection (1) shall not impose on any council or authority any liability for damages which may result from any failure of the council or authority to comply with the provisions of subsection (1).

Power for council to expend rates for prevention of fires.
1123, 1913, s. 23.

28. A council may expend any portion of its rates in paying for the clearing of any roads vested in it of stubble, scrub, and other inflammable material for the purpose of preventing the spread of fire or in the purchase of fire-preventing apparatus; and, subject to the provisions of this Act, may light, use, and maintain fires, or cause the same to be lighted, used, and maintained, for the purpose of such clearing; and may prevent the passing of vehicles of any kind, cattle, and beasts of draught or burden along any road whilst fire is being used for the purpose of such clearing.

Provision of fire-fighting appliances by council.
Enacted by 2258, 1935, s. 5, but repealed and re-enacted by 27, 1939, s. 13.

28a. (1) Every council shall provide adequate fire-fighting appliances for the purpose of preventing and controlling bush fires within its area.

(2) For the purpose of deciding what fire-fighting appliances are adequate for the said purpose, the council may take into regard any fire-fighting appliances within the area of any person other than the council which are available within the area generally for the purpose of preventing the spread of bush fires.

(3) A council may—

(*a*) contribute to the cost of any organization which is formed for the purpose of taking measures, and conducting operations for the control and extinguishing of bush fires, or may form such an organization:

(*b*) contribute to the cost of any fire-fighting appliances owned by any occupier of land within the area which the council is satisfied will be available within the area generally and are suitable for the control or extinguishing of bush fires.

(4) The council may expend any portion of its rates for the purposes of this section.

(5) If the Minister is of opinion that any council is neglecting to provide fire-fighting appliances as required by

this section, he may from time to time give notice in writing to the council requiring the council to provide such fire-fighting appliances. If within one month after the giving of notice as aforesaid, the council neglects to provide fire-fighting appliances as required by this section, the council shall be guilty of an offence against this Act and liable to a penalty not exceeding ten pounds.

Power to provide sirens. Inserted by 23, 1950, s. 9.

28b. A council may erect or authorize the erection of any siren in any suitable place for the purpose of being used to give an alarm on the outbreak of any fire and may from time to time test any siren so erected.

Appointment of fire control officers. Substituted by 27, 1939, s. 14.

29. (1) Any council may, from time to time, appoint such persons (not exceeding fifteen in number) as it thinks proper to be its fire control officers under this Act, and may from time to time appoint as additional officers any persons (but not exceeding fifteen in number) who are officers under this Act appointed in respect of any adjoining area.

Inserted by 33, 1946, s. 4 (1).

(1a.) A council, the area of which abuts on the district of a local governing authority situated in another State, may appoint as fire control officers for the area of the council any persons who hold a corresponding office under such local governing authority. A fire control officer shall not be appointed as aforesaid unless the council has made reciprocal arrangements with such local governing authority for the appointment of fire control officers of the council by such local government authority as corresponding officers of such authority.

The council shall not appoint as aforesaid more than fifteen fire control officers and the power to appoint such officers shall be in addition to any other powers to appoint fire control officers given by this Act.

Amended by 23, 1950, s. 10.

(2) If the Minister is satisfied that in order to meet the requirements of any area, it is desirable that the number of fire control officers should be greater than the number authorized to be appointed pursuant to subsection (1), the Minister may, by notice in writing, authorize the council to appoint an additional number of fire control officers fixed by the Minister, and the council may from time to time appoint additional fire control officers, but not exceeding the number so authorized. The authority of the Minister may be revoked by the Minister by notice in writing.

The number of additional fire control officers which under this subsection may be authorized to be appointed by the Minister shall not exceed the following:—

Where the area of the council is less than six hundred square miles in extent—fifteen.

Where the area of the council is six hundred square miles or more but is less than eight hundred square miles in extent—twenty:

Where the area of the council is eight hundred square miles or more in extent—twenty-five.

(3) No appointment of a fire control officer shall have effect unless notice of the appointment is published in the *Government Gazette.*

(4) If the Minister is satisfied that any council has not appointed fire control officers sufficient for its area, the Minister may appoint fire control officers for such area, and any person so appointed shall be deemed to have been appointed by the council. Notice of every such appointment shall be published in the *Government Gazette.*

(5) The general powers of the council with respect to other officers appointed by it, shall apply with respect to its fire control officers appointed under this section.

(6) Any fire control officer appointed by a council may be appointed subject to any conditions thought fit by the council, and if thought fit by the council, the council may allot the control of any part of its area to any fire control officer or officers.

Inserted by 30, 1942, s. 7.

(6a) Any councillor may be appointed as a fire control officer by any council or, in exercise of the powers conferred by subsection (4), by the Minister, if, under the conditions of the appointment, no payment is to be made to the councillor by any council as fees, salary, or wages for his services as fire control officer.

Notwithstanding the provisions of the Local Government Act, 1934-1941, no such appointment shall disqualify any councillor so appointed from being or continuing a councillor.

In this subsection "councillor" means mayor, alderman, or councillor in any council.

Inserted by 30, 1942, s. 7, and amended by 33, 1946, s. 4 (2), and by 44, 1952, s. 7.

(6b) If any person (whether a person such as is referred to in subsection (6a) or not) is appointed as a fire control officer by a council or by the Minister in exercise of the powers conferred by subsection (4) or if any person is appointed by a council as a member of the crew of any fire fighting appliance which is the property of or under the control of the council, and, under the conditions of his appointment, no payment is to be made to such person as fees,

salary, or wages for his services as fire control officer or as member of a crew as aforesaid, then for the purposes of any Act relating to the liability of employers in respect of injury to or the death of workmen employed by them, the person so appointed shall not be deemed to be employed as a workman by the council by which he is appointed or, as the case may be, deemed to be appointed and the provisions of any such Act shall not apply upon the injury or death of any such person.

A council by which any such person is appointed or, as the case may be, is deemed to be appointed, shall obtain from an insurance office a policy of insurance under which the following benefits shall be payable to such person or his personal representatives on the death or total or partial incapacity of such person when such death or incapacity is brought about by accident arising out of and in the course of such person's duties as a fire control officer or, as the case may be, member of a crew as aforesaid, namely:—

(*a*) On the death or total incapacity of such person—an amount not less than five hundred pounds:

(*b*) On the partial incapacity of such person—an amount not less than two pounds per week to be payable during such partial incapacity for a period of at least six months:

(*c*) If any such person suffers any of the injuries mentioned in the first column of the table in section 26 of the Workmen's Compensation Act, 1932-1941—an amount being such ratio of the sum of five hundred pounds as is shown in the second column of the said table as being payable in respect of such injury: Provided that any amount payable in pursuance of paragraph (*b*) hereof shall be deducted from any amount payable under this paragraph.

(7) Every forester and assistant forester employed in the Woods and Forests Department of the State, and every foreman in charge of any Government forest, shall *ex officio* be deemed to be a fire control officer under this Act, and shall have and may exercise throughout the whole State all the powers of a fire control officer under this Act.

(8) The Minister may appoint any person to be a fire control officer for any portion of the State not comprised within an area, and any person so appointed shall have and may exercise within such portion of the State all the powers of an officer under this Act.

(9) The Governor may make regulations prescribing—

(*a*) the duties and powers of fire control officers:

(*b*) the form of badges to be issued to fire control officers:

(*c*) any other necessary matters.

Annual return of fire control officers.
Inserted by 27, 1939, s. 14.

29a. In the month of August in every year every council shall forward to the Minister—

(*a*) a statement of the names, addresses, and occupations of each fire control officer of the council:

(*b*) a statement of the means of transport available to each such officer and a telephone number whereby he may be communicated with:

(*c*) if any fire control officer or officers are by their appointment by the council appointed to control any part of the area of the council, a statement of the particulars of such part and any order of priority of control given to such officers:

(*d*) a statement of the names and addresses of every occupier of land within the area who owns suitable fire-fighting appliances which are available within the area generally for the control or extinguishing of bush fires and of the telephone numbers whereby the said occupiers may be communicated with.

Duties and powers of fire control officers.
Inserted by 27, 1939, s. 14.

29b. (1) Any fire control officer shall, subject to such (if any) directions as are given by the council, and subject to anything prescribed by regulations, take any measures which appear to him to be necessary or expedient, and practicable, for—

(*a*) preventing the outbreak of fire;

(*b*) protecting life and property in the case of any such outbreak; and

(*c*) controlling and extinguishing any fires or preventing the spread thereof.

(2) On the outbreak of any fire at any place within the area, any such officer shall proceed with all possible speed to such place, and, subject to anything prescribed by regulations, shall have control and the direction of the measures taken to control and extinguish such fire or to prevent it from spreading.

(2a) Notwithstanding any other provision of this Act, a fire control officer appointed for any area may on the outbreak of any fire at any place outside that area have control and the direction of the measures taken to control and extinguish such fire or to prevent its spreading as if he had been appointed a fire control officer for the area in which the outbreak of fire occurred; but the powers hereby given to any such fire control officer shall be exercised only until such time as a fire control officer appointed for the area in which the outbreak of fire occurred assumes the control and direction of the measures aforesaid. Inserted by 30, 1942, s. 8.

(3) For the purpose of controlling or extinguishing any fire or preventing the spread thereof, a fire control officer may, after consulting with the occupier of the land if he is present, do all or any of the following things:—

(*a*) exercise any of the appropriate powers of the Chief Officer of Fire Brigades under the Fire Brigades Act, 1936, in so far as the same may be necessary or expedient, for extinguishing a fire which is already burning or for preventing the spread or extension thereof:

(*b*) enter any land or building whether private property or not:

(*c*) pull down, cut, and remove fences on any land, whether private property or not, when in his opinion the same is necessary or expedient for the purpose of taking effective measures for extinguishing a fire which is already burning, or for preventing the spread or extension thereof:

(*d*) cause firebreaks to be ploughed or cleared on any land, whether private land or not, and take any other appropriate measures on any such land as he may deem necessary for the purpose of controlling or extinguishing a fire which is already burning or for preventing the spread or extension thereof:

(*e*) light any fire on any land, whether private land or not for the purpose of clearing any strip of land to act as a firebreak for the purpose of controlling or extinguishing a fire which is already burning or for preventing the spread or extension thereof:

(*f*) take and use water, other than that for use as an occupier's domestic supply contained in a tank at his dwelling house, and any other fire extinguish-

ing material from any source whatever on any land, whether private property or not:

(*g*) take charge of and give directions to any fire-fighting organization present at any fire with respect to its operations or activities in connection with the extinguishment or control of such fire, or the prevention of the spread or extension thereof:

(*h*) any other thing which in his opinion is incidental to the exercise of any of the foregoing powers; and

(*i*) employ any person or use the voluntary services of any person to assist him, subject to his directions, in the exercise of any of the foregoing powers.

(4) If any fire is within any Government forest and any forester or assistant forester or foreman in charge of a Government forest is present at the fire, the said powers and authorities shall not be exercised within the Government forest by any other fire control officer except with the approval of and subject to the directions of the forester or assistant forester or foreman, whilst he continues to be present at the fire.

(5) This section shall only apply to fires which—

(*a*) have been lighted or are maintained unlawfully (whether in contravention of this Act or not); or

(*b*) have occurred accidentally; or

(*c*) have ceased to be under control or are not adequately controlled,

and to such other fires as are prescribed by regulation.

(6) This section shall not apply within any locality wherein the Fire Brigades Act, 1936, applies.

Power of fire control officer to enter land. Inserted by 27, 1939, s. 14.

29c. A fire control officer may at any reasonable time enter any land, whether private property or not, for the purpose of examining any measures taken or proposed to be taken on the land for protection from fire.

Power of police to block traffic. Inserted by 27, 1939, s. 14.

29d. (1) Upon or after the outbreak of any fire any member of the police may give any direction to any person to prevent such person from driving or passing along any road near the fire.

(2) Any person who fails to obey any such direction of any member of the police force shall be guilty of an offence and liable to a penalty of not more than five pounds.

29e. Any person who in any way wilfully obstructs, hinders, delays, or interferes with any fire control officer in the exercise or discharge of any power or duty of the fire control officer under this Act shall be guilty of an offence and liable to a penalty not exceeding ten pounds or to imprisonment for any term not exceeding two months.

Hindering fire control officer.
Cf. 2272, 1936 s. 66.
Inserted by 23, 1950, s. 11.

30. Nothing in this Act shall be construed as taking away or affecting any right of action or other remedy, whether civil or criminal, which any person may have in respect of any loss or damage occasioned by fire, or for any trespass committed.

Act not to affect other remedies.
1123, 1913, s. 25.

30a. (1) If by reason of the escape of fire, sparks or other burning material from any locomotive of the South Australian Railways Commissioner any fire is caused on any land, the South Australian Railways Commissioner shall be liable to pay compensation for any damage caused by the fire if at the time of the fire there is on the said land a firebreak or firebreaks cleared of all stubble, scrub and inflammable material and of the dimensions prescribed by regulation and constructed in such places as are so prescribed.

Liability of South Australian Railways Commissioner for fires.
Inserted by 19, 1945, s. 12.

(2) The Governor may make regulations prescribing for the purpose of this section, the dimensions of firebreaks and the places in which they are to be constructed. Any such regulation may prescribe different requirements for different parts of the State.

31. (1) The Governor may make all such regulations as may be necessary or convenient for giving effect to the provisions of this Act or more fully carrying out its objects.

Regulations.
1123, 1913, s. 26.

(1a) Without limiting the effect of subsection (1), the Governor may, for the purpose of preventing the outbreak of fire, make regulations prescribing the conditions under and the manner in which producer gas equipment or any type of producer gas equipment may be used or operated or charged or emptied and prohibiting the use or operation or charging or emptying thereof except as prescribed in the regulations.

Inserted by 24, 1941, s. 4.

(2) Any regulation made under this Act may prescribe a penalty not exceeding twenty pounds in any case, for the breach of such regulation or of any other regulation under this Act.

s. 30. ROBERTS v. WEBB (1887) 21 S.A.L.R. 96; 9 A.L.T. 59; 9 Austn. Digest 127. Civil and criminal remedies are available against a person lighting a fire even if the fire is lighted in accordance with the provisions of this Act.

Appropriation of penalties. 1123, 1913, s. 27.

32. (1) Subject to subsection (2) all moneys received for or on account of penalties imposed for offences against this Act, shall be paid to the Treasurer for the public uses of the State.

(2) Moneys received in respect of an offence committed within any area the complaint for which was laid by the council thereof or any officer of the council, shall be paid over to, and for the use of, the council.

Evidence in proceedings. 1123, 1913, s. 28.

33. (1) In any proceedings for an offence against this Act the allegation in the complaint—

(*a*) that a fire was lighted or maintained with the intention or for the purpose mentioned in such complaint; or

(*b*) that any stubble was not burned, or that any fire was not lighted, for the purpose mentioned in such complaint,

shall, if it is shown that the fire was lighted, or maintained, or that the stubble was burned (according to the nature of the charge), be taken to be proved, until the contrary is proved.

(2) In any proceedings for an alleged offence against this Act the burden of proving the observance of the conditions which would excuse the matter alleged in the complaint shall lie upon the defendant.

Inserted by 24, 1941, s. 5.

(3) In any proceedings for an offence against this Act, the allegation in the complaint that any specified apparatus or equipment is producer gas equipment shall be taken to be proved, until the contrary is proved.

Procedure for offences. 1123, 1913, s. 29. Amended by 27, 1939, s. 15.

34. All proceedings in respect of any offence against this Act shall be disposed of summarily.

Prohibition of any act to include assisting, etc., and attempts. 1123, 1913, s. 5.

35. Wherever in this Act there is a prohibition of the doing of anything, such prohibition shall be read as including a prohibition of the assisting in or in any way aiding or abetting the doing of such thing, and of the causing or suffering of the doing thereof, and of any attempt to do such thing, or cause it to be done, or to assist in or aid or abet the doing thereof.

36. Any notice required to be given to any person pursuant to this Act may be given in writing or orally to such person personally or may be given by leaving written notice thereof at the place of residence of such person.

Giving of notices.
Amended by 27, 1939, s. 16.

THE SCHEDULE.

No. of Act Repealed.	Title of Act Repealed.
No. 1123 of 1913 ..	The Bush Fires Act, 1913.
No. 1768 of 1926 ..	Bush Fires Act Amendment Act, 1926.
No. 2023 of 1931 ..	Bush Fires Act Amendment Act, 1931.
No. 2027 of 1931 ..	Bush Fires Act Amendment Act (No. 2), 1931.

[*As reprinted pursuant to the Amendments Incorporation Act*, 1937.]

ROAD TRAFFIC ACT, 1934-1954.

BEING

ROAD TRAFFIC ACT, 1934, No. 2183 OF 1934 [ASSENTED TO 29TH NOVEMBER, 1934.]

AS AMENDED BY

ROAD TRAFFIC ACT AMENDMENT ACT, 1936, No. 2332 OF 1936 [ASSENTED TO 3RD DECEMBER, 1936.]

ROAD TRAFFIC ACT AMENDMENT ACT, 1938, No. 2416 OF 1938 [ASSENTED TO 15TH DECEMBER, 1938.]

ROAD TRAFFIC ACT AMENDMENT ACT, 1939, No. 23 OF 1939 [ASSENTED TO 30TH NOVEMBER, 1939.]

ROAD TRAFFIC ACT AMENDMENT ACT (No. 2), 1939, No. 34 OF 1939 [ASSENTED TO 14TH DECEMBER, 1939.]

ROAD TRAFFIC ACT AMENDMENT ACT (No. 3), 1939, No. 45 OF 1939 [ASSENTED TO 21ST DECEMBER, 1939.]

ROAD TRAFFIC ACT AMENDMENT ACT, 1940, No. 61 OF 1940 [ASSENTED TO 5TH DECEMBER, 1940.]

ROAD TRAFFIC ACT AMENDMENT ACT, 1941, No. 2 OF 1941 [ASSENTED TO 20TH AUGUST, 1941.]

ROAD TRAFFIC ACT AMENDMENT ACT (No. 2), 1941, No. 46 OF 1941 [ASSENTED TO 27TH NOVEMBER, 1941.]

ROAD TRAFFIC ACT AMENDMENT ACT, 1942, No. 4 OF 1942 [ASSENTED TO 10TH SEPTEMBER, 1942.]

ROAD TRAFFIC ACT AMENDMENT ACT (No. 2), 1942, No. 17 OF 1942 [ASSENTED TO 5TH NOVEMBER, 1942.]

ROAD TRAFFIC ACT AMENDMENT ACT, 1943, No. 35 OF 1943 [ASSENTED TO 23RD DECEMBER, 1943.]

ROAD TRAFFIC ACT AMENDMENT ACT, 1944, No. 2 OF 1944 [ASSENTED TO 31ST AUGUST, 1944.]

ROAD TRAFFIC ACT AMENDMENT ACT (No. 2), 1944, No. 20 OF 1944 [ASSENTED TO 7TH DECEMBER, 1944.]

ROAD TRAFFIC ACT AMENDMENT ACT, 1945, No. 2 OF 1945 [ASSENTED TO 23RD AUGUST, 1945.]

ROAD TRAFFIC ACT AMENDMENT ACT (No. 2), 1945, No. 40 OF 1945 [ASSENTED TO 17TH JANUARY, 1946.]

ROAD TRAFFIC ACT AMENDMENT ACT, 1946, No. 4 OF 1946 [ASSENTED TO 30TH AUGUST, 1946.]

ROAD TRAFFIC ACT AMENDMENT ACT, 1947, No. 3 OF 1947 [ASSENTED TO 28TH AUGUST, 1947.]

ROAD TRAFFIC ACT AMENDMENT ACT (No. 2), 1947, No. 40 OF 1947 [ASSENTED TO 11TH DECEMBER, 1947.]

ROAD TRAFFIC ACT AMENDMENT ACT, 1948, No. 55 OF 1948 [ASSENTED TO 22ND DECEMBER, 1948.]

ROAD TRAFFIC ACT AMENDMENT ACT, 1950, No. 29 OF 1950 [ASSENTED TO 30TH NOVEMBER, 1950.]

HOSPITALS ACT AMENDMENT ACT, 1951, No. 30 OF 1951 [ASSENTED TO 29TH NOVEMBER, 1951.]

ROAD TRAFFIC ACT AMENDMENT ACT, 1951, No. 48 OF 1951 [ASSENTED TO 13TH DECEMBER, 1951.]

ROAD TRAFFIC ACT AMENDMENT ACT, 1952, No. 41 OF 1952 [ASSENTED TO 4TH DECEMBER, 1952.]

STATUTE LAW REVISION ACT, 1952, No. 42 OF 1952 [ASSENTED TO 4TH DECEMBER, 1952.]

ROAD TRAFFIC ACT AMENDMENT ACT (No. 1), 1953, No. 36 OF 1953 [ASSENTED TO 17TH DECEMBER, 1953.]

ROAD TRAFFIC ACT AMENDMENT ACT (No. 2), 1953, No. 37 OF 1953 [ASSENTED TO 17TH DECEMBER, 1953.]

AND

ROAD TRAFFIC ACT AMENDMENT ACT, 1954, No. 48 OF 1954 [ASSENTED TO 16TH DECEMBER, 1954.]

An Act to consolidate certain Acts relating to road traffic.

BE IT ENACTED by the Governor of the State of South Australia, with the advice and consent of the Parliament thereof, as follows:—

PART I. PART I.

PRELIMINARY MATTERS.

Short title, commencement, and division of Act.

1. (1) This Act may be cited as the "Road Traffic Act, 1934-1954", and shall come into operation on a day to be fixed by proclamation.

(2) This Act is divided into Parts and Divisions as follows:—

PART I.—Preliminary matters.

PART II.—Motor vehicles.

PART III.—Vehicles other than motor vehicles.

PART IV.—Width of tires.

PART V.—Lights on vehicles other than motor vehicles.

Repeal.

2. The Acts mentioned in the schedule are repealed.

Administration of Act.

3. (1) The Governor may by proclamation commit the administration of any Part of this Act to any Minister, and may from time to time revoke or alter any such proclamation.

(2) In this Act the term "Minister" means the Minister for the time being administering the Part of this Act in which the term Minister occurs.

PART II. PART II.

MOTOR VEHICLES.

Interpretation.

1480, 1921, s. 4.
1695, 1925, ss. 3, 15.
1941, 1929, s. 4.
Cf. U.K. 20 & 21 Geo. 5 c. 43, s. 1.

4. (1) In this Part, unless inconsistent with the context, or some other meaning is clearly intended—

"commercial motor vehicle" means any motor vehicle constructed or adapted solely or mainly for the carriage of goods, and includes a motor vehicle of the type commonly called "buckboard". The expression "commercial motor vehicle" shall not include—

Definition of "commercial vehicle" amended by 36, 1953, s. 4.

s. 1. (2) In addition to the Parts mentioned in subsection (2), Part IIA. (insurance against third party risks arising out of the use of motor vehicles), Part VI. (general rules to be observed by traffic), and Part VII. (protection of roads), which were enacted by the Road Traffic Act Amendment Act, 1936, are included in this reprint.

(*a*) a vehicle which is fitted with an apparatus of the kind commonly known as a fork lift, and is constructed or adapted solely or mainly for lifting and moving goods by means of the fork lift;

(*b*) a vehicle which is fitted with a crane and is constructed or adapted solely or mainly for the lifting and moving of goods by means of the crane:

Definition of "court" substituted by 45, 1939, s. 3 (a).

"court" means the court (whether the Supreme Court or any other court) having jurisdiction to deal with matters arising under the provisions of this Act in which the term occurs:

"driver" means any person driving a motor vehicle or a motor cycle, and as regards a trailer means a person driving the motor vehicle by which the trailer is being drawn:

"licence" means licence under this Part:

Cf. U.K. 20 & 21 Geo. 5 c. 43, s. 2.
Amended by 45, 1939, s. 3 (b).

"motor vehicle" includes any motor car, motor carriage, automobile, motor cycle, tractor, or other vehicle or carriage driven or propelled, or ordinarily capable of being driven or propelled, either partly or wholly, by any volatile spirit, steam, or electricity, or by means other than animal power, and includes a trailer at any time attached to a motor vehicle; but does not include any vehicle run upon a railway or tramway, or any farm tractor which is not used on a public road:

"number" includes a number combined with one or more letters of the alphabet:

"owner" includes the holder under a hire purchase agreement:

"registrar" means the Registrar of Motor Vehicles appointed under this Act or the Acts hereby repealed:

"road" includes every public road, street, terrace, thoroughfare, or other public place, and every private road or street commonly used by the public, or to which the public are permitted to have access:

Cf. U.K. 20 & 21 Geo. 5 c. 43, s. 2 (3).
Amended by 45, 1939, s. 3 (c) and by 20, 1944, s. 3.

"trailer" means any vehicle without motive power constructed or adapted for being drawn by a motor vehicle and any machine which is mounted on wheels and is constructed or adapted for being drawn by a motor vehicle: Provided that a vehicle without

motive power constructed or adapted for being drawn by a motor vehicle shall not be deemed a trailer, but shall be deemed part of the motor vehicle by which it is drawn if—

* * * * * * * * * * *

(*b*) it is constructed or adapted for attachment to a motor vehicle by means of a turntable and kingpin; and

(*c*) a substantial part of its weight and of the weight of its load rests upon the motor vehicle by which it is drawn.

(2) For the purpose of this Part the person driving any motor vehicle to which a trailer is attached shall be deemed to be the driver of the trailer and the trailer shall be deemed to be driven by that person.

Registrar and inspectors of motor vehicles
1480, 1921, s. 5.
1760, 1926, s. 3.

5. (1) The Governor may, for the purposes of this Part, appoint a Registrar of Motor Vehicles, and such deputy registrars of motor vehicles and inspectors of motor vehicles as he considers necessary.

(2) Every inspector appointed under this Part shall have the same powers, functions, and duties as are conferred by this Part upon members of the police force.

(3) Every reference in this Part to a member of the police force shall be deemed to include a reference to such an inspector, and every reference in this Part to the registrar shall be deemed to include a reference to any deputy registrar appointed under this Part.

Registrar to keep register of motor vehicles.
1480, 1921, s. 6.
2095, 1932, s. 3.

6. (1) The registrar shall keep a register for the registration of motor vehicles. Such register shall be called the "Register of Motor Vehicles".

(2) The prescribed forms of application received by the registrar from the persons applying to register motor vehicles shall be bound or otherwise assembled by the registrar and arranged in order as the registrar determines, and shall constitute the Register of Motor Vehicles within the meaning of this Part: Provided that the regulations may provide that the register shall be constituted and kept in any other way.

Duty to register. 1480, 1921, s. 7. 1941, 1929, s. 5. 2095, 1932, s. 4. Amended by 2416, 1938, s. 3, and 45 1939, s. 4.

7. (1) No person shall drive any motor vehicle on any road unless that vehicle has been registered under this Part and the registration thereof is for the time being in force: Provided that this subsection shall not apply if the motor vehicle is driven on a road bearing trader's plates issued under section 27 and for the time being in operation: Provided further that this subsection shall not apply if the motor vehicle is driven on any road whilst carrying persons or fire fighting appliances to or from any fire.

(2) Any person who drives a motor vehicle in contravention of this section shall be guilty of an offence and liable to a penalty not exceeding fifty pounds.

(3) If any person other than the owner drives a motor vehicle in contravention of this section, the owner thereof shall also be guilty of an offence and shall be liable to a penalty not exceeding fifty pounds. It shall be a defence to a charge under this subsection that the motor vehicle was so driven without the knowledge or against the instructions of the owner.

(4) Whenever any person, whether the owner of the motor vehicle or not, is convicted for an offence under this section the court may, in addition to imposing a penalty, summarily order that person to pay to the registrar the amount payable under this Part for registration for a full year of the motor vehicle in respect of which the offence was committed.

Substituted by 40, 1945, s. 3 and amended by 37, 1953, s. 4.

(5) A motor tractor shall not require registration under this Part or insurance under Part IIA. of this Act by reason only of the fact that it is driven on roads within fifteen miles of a farm occupied by the owner of the tractor on journeys to or from that farm for all or any of the following purposes, namely:—

(*a*) removal of the tractor to a workshop for repairs, or return of the tractor to the farm from a workshop where repairs were carried out;

(*b*) delivery of the tractor to the farm upon the acquisition of the tractor or delivery of the tractor from the farm upon the sale or the disposal thereof;

(*c*) drawing farm implements or drawing a registered trailer between two or more portions of a farm;

s. 7. ECLIPSE MOTORS PROPRIETARY LTD. v. MILNER (1950) S.A.S.R. 1. Where a company was the owner of an unregistered motor vehicle and also held trader's plates and an employee in pursuance of instructions of the manager drove the vehicle on a road without the trader's plates being affixed, held that the vehicle was not driven without the knowledge or against the instructions of the owner and that the owner was guilty of an offence against subsection (3).

(*d*) proceeding to a place where farm implements are to be attached to the tractor for removal, or returning after delivery of farm implements.

A farm implement or machine shall not require registration under this Part, or insurance under Part IIA. of this Act by reason only of the fact that it is drawn by a tractor as mentioned in this subsection.

In this subsection "farm implement" means any implement or machine for ploughing, cultivating, clearing or rolling land, sowing seed, spreading fertilizer, harvesting crops, spraying, chaffcutting, or other like operations, but does not include a vehicle wholly or mainly constructed for the carriage of goods.

(6) A tractor, bulldozer, scarifier, grader, roller, tar sprayer, tar kettle, or other like vehicle constructed or adapted for doing work in constructing, improving, or repairing roads or constructing firebreaks on roads shall not be deemed to be driven on any road so as to require registration under this Part, by reason only of the fact that it is used on a road in the work of constructing, improving, or repairing the road or constructing a firebreak on the road or is driven on a road in the course of a journey to or from a place where such work is being done. **Inserted by 20, 1944, s. 4 (b).**

7a. (1) The registrar may at his discretion without fee grant to any primary producer who owns a tractor or unregistered motor vehicle a permit to drive that tractor or motor vehicle along any route specified in the permit for the purpose only of enabling the tractor or motor vehicle to be used in connection with the working of two or more separate parcels of land worked in conjunction with each other by that primary producer. Any such permit shall be subject to such conditions as the registrar thinks proper. The registrar shall not grant a permit for a tractor under this section, unless the tractor is equipped with pneumatic tyres or other tyres which, in the registrar's opinion, will not cause undue damage to roads. **Permits to use certain tractors and other vehicles without registration. Inserted by 2416, 1938, s. 4.**

(2) Any such tractor or motor vehicle may be driven in accordance with the terms of a permit granted under this section without registration.

(3) If any tractor or motor vehicle for which a permit is in force under this section is driven on any road otherwise than in accordance with the terms and conditions of the permit the person driving the tractor or motor vehicle shall be guilty of an offence and liable to a penalty not exceeding twenty-five pounds.

Permits to drive vehicles pending registration.
Inserted by 34, 1939, s. 3.
Para. (a) amended by 29, 1950, s. 3.

7b. (1) If the owner of any motor vehicle not previously registered in the name of such owner—

(*a*) satisfies the member of the police force in charge of any police station situated more than twenty-five miles by a direct line from the General Post Office at Adelaide that an application in the proper form for the registration of the motor vehicle has been sent to the registrar by or on behalf of the said owner, together with the proper fee for the registration of the vehicle for a period of six months or twelve months commencing on a day not later than the issue of the permit hereinafter mentioned; and

Amended by 61, 1940, s. 3.

(*b*) produces to the said member of the police force a certificate given by or on behalf of an approved insurer certifying the matters mentioned in section 8c of this Act or a cover note which is in the prescribed form and is binding on an approved insurer and the terms of which provide that it will during the period of operation of the permit applied for have the same effect in relation to the motor vehicle as a policy of insurance complying with Part IIA. of this Act—

the said member of the police force may issue to that owner without fee a permit permitting the motor vehicle to be driven on roads, without registration and without carrying a registration card or number plates, during the period of operation of the permit.

(2) A permit granted under this section shall remain in operation until the expiration of ten days after the issue thereof.

(3) A permit granted under this section shall not be of any force or validity except while it is affixed to the windscreen of the vehicle to which it relates in the position prescribed for the carrying of a registration card.

Permits to move dam-sinking machinery.
Inserted by 40, 1945, s. 4.

7c. (1) The registrar may at his discretion, without fee, grant to any person a permit permitting that person or any person authorized by him to drive on any route specified in the permit, no part of which route is within any hundred, a motor vehicle being—

(*a*) mobile machinery and plant used for excavating and cleaning dams;

(*b*) a trailer used for carrying any machinery and plant used for excavating and cleaning dams;

(*c*) a tractor used for drawing any such machinery and plant or for drawing a trailer conveying any such machinery and plant;

(*d*) a caravan or other like vehicle used as living accommodation for persons operating any such machinery and plant,

on a journey from a place where such machinery and plant has been used for excavating or cleaning a dam to another place where it is intended to be so used.

(2) A vehicle may be driven pursuant to a permit granted under this section, without registration or insurance.

(3) Any such permit shall be subject to such conditions as the registrar inserts therein.

(4) A person who contravenes any condition of a permit granted under this section shall be guilty of an offence and liable to a fine not exceeding twenty-five pounds.

(5) In this section "dams" means excavations in which water is stored or intended to be stored.

Permits and exemptions for unregistered biddies. Inserted by 37, 1953, s. 5.

7d. (1) In this section "biddy" means a four-wheeled trailer constructed and ordinarily used for transporting cargo on wharves and jetties between ships and cargo sheds.

(2) The registrar may without fee grant to any person a written permit authorizing him to draw unregistered biddies on roads by means of registered and insured motor vehicles.

(3) Any such permit may also contain provisions exempting any persons from the duty to comply, in respect of the biddies, with any specified provisions of this Act.

(4) Every such permit shall be subject to such terms, conditions, and restrictions as the registrar inserts therein.

(5) A permit granted under this section shall be sufficient authority for any act or omission purporting to be authorized thereby.

(6) If the registrar is satisfied that any term or condition of a permit granted under this section has been contravened or not complied with he may revoke the permit. Such

revocation shall not affect the liability of any person for any act done or omission made in contravention of or non-compliance with the permit before the revocation thereof.

Provisions as to registration. 1480, 1921, s. 8. 1941, 1929, s. 5.

8. (1) Every application to register a motor vehicle shall be made to the registrar by or on behalf of the owner of the motor vehicle in accordance with the regulations, and at the time of making the application for registration a fee calculated in the manner set forth in the next succeeding section shall be paid to the registrar.

Amended by 2322, 1936, s. 4.

(2) Upon application duly made and payment of the fee as required by subsection (1) the registrar shall register the motor vehicle in the register of motor vehicles for a period of either six months or twelve months, at the option of the person applying for registration, and shall assign a number to the vehicle.

(3) If a motor vehicle registered under this section has been previously registered by the same owner the registrar shall, if the owner requests, assign to the motor vehicle on registration under this section the number assigned to the vehicle on the previous registration: Provided that the registrar may refuse so to assign the latter number if more than three months have elapsed between the expiration of the previous registration and the new application for registration.

(4) The plates bearing any registration number assigned under this section shall be black and the number thereon shall be white.

(5) The registrar shall, on payment of the prescribed fee, furnish the owner of any registered motor vehicle with a copy of the entries in the register relating to that motor vehicle.

Refusal to register unfit vehicles. **Inserted by 2332, 1936, s. 8.**

8a. If a court has ordered that a vehicle shall not be registered until some condition is complied with, the registrar shall not register that vehicle until he is satisfied that that condition has been complied with.

Statements in application as to insurance. **Inserted by 2332, 1936, s. 8.**

8b. After the day proclaimed as the day on which Part IIA. of this Act shall come into operation, the registrar shall not register any vehicle unless the application contains a statement by the owner of the vehicle or by the person applying for registration on behalf of the owner that a policy of insurance complying with this Act is in force in relation to the vehicle and a statement of the name of the insurer who has issued the policy.

Certificates of insurance.
Inserted by 2416, 1938, s. 5, and substituted by 55, 1948, s. 4.

8c. The registrar shall not register a motor vehicle unless when the application for registration is made there is lodged with him a certificate in the prescribed form given by or on behalf of an approved insurer certifying that one or more policies of insurance complying with Part IIA. of this Act have been issued by that insurer in relation to the said motor vehicle, and that the insurance provided by those policies will remain in force throughout the period for which registration is applied for and for fourteen days after the end of that period.

Mode of computing registration fee.
1480, 1921, s. 8K. 1941, 1929, s. 5 and the schedule. 2095, 1932, ss. 17-20. Cf. U.K. 23 & 24 Geo. 5 c. 19, s. 25, 7th Sch.

9. The registration fee for a motor vehicle shall be calculated according to the following provisions:—

(1) (*a*) The power-weight (indicated in this section by the letters P.W.) of a motor vehicle shall be ascertained by adding the weight in hundredweights of the vehicle to the horsepower calculated as hereinafter mentioned.

(*b*) The horsepower of a motor vehicle propelled by any internal combustion engine shall be determined by squaring the measurement in inches of the internal diameter of the cylinder of the engine and multiplying the number so found by the number of cylinders and dividing the product by 2.5.

Para. (1) amended by 48, 1951, s. 4 (a).

The horsepower of a motor vehicle driven by steam shall be calculated by dividing the number of the square inches of area of the fire grate of the boiler of such vehicle by 25.

The horsepower of a vehicle driven by electricity shall be ascertained by dividing the number of watts of electrical energy consumed by the power unit of the vehicle when the vehicle is running under full load at normal speed by 746.

(c) The weight of a vehicle in hundredweights and the horsepower of a vehicle shall be calculated to the nearest whole number.

Substituted by 36, 1953, s. 5 (a).

(2) The registration fee for a motor bicycle not having a side car attached thereto shall be as follows:—

	£	s.	d.
If the weight of the motor bicycle does not exceed one hundredweight	1	10	0
If the weight of the motor bicycle exceeds one hundredweight	2	5	0
The registration fee for a motor bicycle having a side car attached thereto shall be	3	0	0

Substituted by 36, 1953, s. 5 (a).

(3) The registration fee for a motor tricycle or motor trivan shall be as follows:—

	£	s.	d.
If the tricycle or trivan does not exceed 10 P.W.	3	0	0
If the tricycle or trivan exceeds 10 P.W.	5	0	0

Substituted by 36, 1953, s. 5 (a).

(4) The registration fee for a commercial motor vehicle (not being a trivan or trailer) fitted with pneumatic tires shall be:—

	£	s.	d.
If the vehicle does not exceed 25 P.W.	6	0	0
If the vehicle exceeds 25 P.W. but does not exceed 30 P.W.	8	0	0
If the vehicle exceeds 30 P.W. but does not exceed 35 P.W.	10	0	0
If the vehicle exceeds 35 P.W. but does not exceed 40 P.W.	12	0	0
If the vehicle exceeds 40 P.W. but does not exceed 45 P.W.	14	0	0
If the vehicle exceeds 45 P.W. but does not exceed 50 P.W.	16	0	0
If the vehicle exceeds 50 P.W. but does not exceed 55 P.W.	18	0	0
If the vehicle exceeds 55 P.W. but does not exceed 60 P.W.	20	0	0
If the vehicle exceeds 60 P.W. but does not exceed 65 P.W.	22	0	0
If the vehicle exceeds 65 P.W. but does not exceed 70 P.W.	24	0	0
If the vehicle exceeds 70 P.W. but does not exceed 75 P.W.	26	0	0
If the vehicle exceeds 75 P.W. but does not exceed 80 P.W.	29	0	0
If the vehicle exceeds 80 P.W. but does not exceed 85 P.W.	32	0	0
If the vehicle exceeds 85 P.W. but does not exceed 90 P.W.	35	0	0
If the vehicle exceeds 90 P.W. but does not exceed 95 P.W.	38	0	0

	£	s.	d.
If the vehicle exceeds 95 P.W. but does not exceed 100 P.W.	41	0	0
If the vehicle exceeds 100 P.W. but does not exceed 105 P.W.	44	0	0
If the vehicle exceeds 105 P.W. but does not exceed 110 P.W.	47	0	0
If the vehicle exceeds 110 P.W. but does not exceed 115 P.W.	50	0	0
If the vehicle exceeds 115 P.W. but does not exceed 120 P.W.	53	0	0
If the vehicle exceeds 120 P.W. but does not exceed 125 P.W.	56	0	0
If the vehicle exceeds 125 P.W. but does not exceed 130 P.W.	59	0	0
For every additional 5 P.W. or part thereof	3	0	0

(5) The registration fee for a motor vehicle (other than a motor bicycle, motor tricycle, motor trivan, commercial motor vehicle, invalid chair, or trailer) fitted with pneumatic tires shall be:— Substituted by 36, 1953, s. 5 (a).

	£	s.	d.
If the vehicle does not exceed 25 P.W.	5	10	0
If the vehicle exceeds 25 P.W. but does not exceed 30 P.W.	7	0	0
If the vehicle exceeds 30 P.W. but does not exceed 35 P.W.	8	10	0
If the vehicle exceeds 35 P.W. but does not exceed 40 P.W.	10	0	0
If the vehicle exceeds 40 P.W. but does not exceed 45 P.W.	11	10	0
If the vehicle exceeds 45 P.W. but does not exceed 50 P.W.	13	0	0
If the vehicle exceeds 50 P.W. but does not exceed 55 P.W.	14	10	0
If the vehicle exceeds 55 P.W. but does not exceed 60 P.W.	16	0	0
If the vehicle exceeds 60 P.W. but does not exceed 65 P.W.	17	10	0

	£	s.	d.
If the vehicle exceeds 65 P.W. but does not exceed 70 P.W.	19	0	0
If the vehicle exceeds 70 P.W. but does not exceed 75 P.W.	20	10	0
For every additional 5 P.W. or part thereof	2	0	0

Substituted by 36, 1953, s. 5 (a).

(6) The registration fee for a trailer fitted with pneumatic tires shall be: —

	£	s.	d.
If the weight of the trailer unladen does not exceed 1 ton	2	5	0
If the weight of the trailer unladen exceeds 1 ton, but does not exceed 1½ tons	3	0	0
If the weight of the trailer unladen exceeds 1½ tons, but does not exceed 2 tons	3	15	0
If the weight of the trailer unladen exceeds 2 tons	4	10	0

Where the trailer consists of a machine, which is mounted on wheels and is constructed or adapted for being drawn by a motor vehicle, the fee shall be fifty per centum of the amount which would otherwise be payable under this section.

Inserted by 36, 1953, s. 5 (a).

(6a) If a motor vehicle (other than a motor tractor registerable at a reduced fee under paragraph (10) of this section) is propelled by a compression ignition engine, the fee for the registration thereof shall be double the amount otherwise payable under this section.

Inserted by 36, 1953, s. 5 (a).

(6b) The fees previously set out in this section are those payable for a full period of twelve months. If any registration is effected for a period of six months, the fee for registration shall be fifty-two and a half per centum of that which would be payable for the full period of twelve months.

Inserted by 36, 1953, s. 5 (a).

(6c) If the motor vehicle has all or any of its wheels fitted with rubber tires other than pneumatic tires the fee shall be at such one of the above rates as is applicable, plus 50 per centum thereof.

If the motor vehicle has all or any of its wheels fitted with metal tires the fee shall be at such one of the above rates as is applicable, plus one hundred per centum thereof.

(7) If the registrar is satisfied by statutory declaration or such other evidence as he requires that— Amended by 2332, 1936, s. 6 and by 36, 1953, s. 5 (b).

(*a*) any commercial motor vehicle or tractor is owned by a primary producer; and Cf. U.K. 26 Geo. 5 & 1 Edw. 8 c. 34, s. 12.

(*b*) such motor vehicle will not be used on roads for carrying His Majesty's mails, goods, or passengers, for pecuniary reward or for carrying goods in the course of any trade or business other than that of a primary producer,

the registration fee shall be the amount which would otherwise be payable under this section, less 50 per centum thereof.

The carriage of goods or passengers on any motor vehicle which is on the establishment of any unit of the military forces of the Commonwealth, if those goods or passengers are carried in connection with military training or other military operations carried on by the Commonwealth, shall not be regarded as the carriage of goods or passengers within the meaning of subparagraph (*b*) of this paragraph. Passage inserted by 2416, 1938, s. 6.

In this paragraph the words "carry", "carrying", and "carriage" shall respectively include haul, hauling and haulage. Passage inserted by 36, 1953, s. 5 (b).

(8) If the registrar is satisfied by the production of a certificate from the Director of Mines or such other evidence as he requires, that—

(*a*) any commercial motor vehicle is owned by a genuine prospector whose principal business consists in prospecting for metals or minerals; and

(*b*) such motor vehicle will not be used on roads except for carrying plant, tools, stores, or other equipment used in connection with such prospecting, or metals or minerals won by the said owner from the soil,

the registration fee shall be fifty per centum of the amount which would otherwise be payable under this section.

* * * * * * * * * * * Para. (9) repealed by 35, 1943, s. 4 (a).

(10) If the registrar is satisfied by statutory declaration or such other evidence as he requires that— Cf. U.K. 26 Geo. 5 & 1 Edw. 8 c. 34, s. 12.

(*a*) any motor tractor is owned by a primary producer; and Amended by 45, 1939, s. 5, by 29, 1950, s. 4,, and by 36, 1953, s. 5 (c).

(*b*) such motor tractor will not be used on roads except for transporting goods the produce of the land of such primary producer to the railway station nearest to such land, or if there is a port nearer to such land than any railway station, then to such port, or to any town not more than twelve miles from the land of such primary producer for the purpose of the packing, processing or sale of such goods, or for transporting goods, intended for consumption or use on the land of such primary producer, from the said railway station, port, or town to the said land,

the registration fee for such motor tractor shall be twenty-five per centum of the amount which would otherwise be payable under this section, but a person shall not be entitled to a concession under this paragraph and under paragraph (7) of this section in respect of the same tractor.

Inserted by 2332,1936, s. 7, and amended by 2, 1941, s. 3, and by 35, 1943, s. 4 (b).

(10a) If the registrar is satisfied by statutory declaration or such other evidence as he requires—

(*a*) that any motor vehicle will, during the period for which registration is applied for, be used wholly or mainly in areas which are not within any municipality or district council district or Whyalla or Iron Knob;

(*b*) that during the said period that motor vehicle will be in the possession and under the control of a person whose place of abode at the time will not be within any municipality or district council district or Whyalla or Iron Knob; and

(*c*) that that motor vehicle, when not in use, will during the said period be usually kept at premises not within any municipality or district council district or Whyalla or Iron Knob;

the registration fee shall, if the applicant is not entitled to have the motor vehicle registered at a reduced fee under paragraph (7), (8), or (10) of this section, be the amount which would otherwise be payable under this section, less fifty per centum thereof.

If the registrar is satisfied that at any time during the period for which a vehicle has been registered at a reduced fee by virtue of this paragraph that vehicle did not comply with subparagraph (*a*), (*b*), or (*c*) of this paragraph, he may, by notice in writing, notify the person who applied for

registration of the vehicle that the balance of the full fee for that period must be paid. Upon the expiration of seven days after the giving of the notice that balance shall become due and payable and the registrar may recover it by action in any court of competent jurisdiction; and without prejudice to his right to do so may cancel any registration of the vehicle for the time being in force if that balance is not paid in full upon its becoming due and payable. For the purposes of this paragraph the whole of Kangaroo Island shall be taken to be outside any municipality or district council district.

In this paragraph—

"Whyalla" means all those portions of the hundreds of Randell and Cultana and County of York, bounded as follows:—Commencing at the south-western corner of section 39, hundred of Randell; thence west-south-westerly at right angles with the western boundary of said section for one and a half miles; thence north-north-westerly at right angles to the north-eastern boundary of the Iron Knob Tramway in the County of York; thence south-easterly along said boundary of Tramway to its intersection with the southern boundary of the hundred of Cultana; thence easterly along portion of said hundred boundary to the sea coast; thence generally southerly and south-westerly in the hundreds of Randell following the said sea coast to intersect the production south-south-easterly of the western boundary of section 40; thence north-north-westerly along said production and boundary; thence north-easterly to the south-western corner of section 37; thence north-north-westerly along the western boundary of said section and production to the point of commencement:

"Iron Knob" means all that portion of County of Manchester, within a circle having a radius of one and a half miles and its centre at the south-western corner of allotment 270, Town of Iron Knob.

(10b) The fee for registration of a vehicle consisting of mobile machinery and plant used for excavating or cleaning dams shall be fifty per centum of the amount which would otherwise be payable under this section. In this paragraph "dams" means excavations in which water is stored or intended to be stored. Inserted by 40, 1945, s. 5.

Amended by 45, 1939, s. 6, and by 35, 1943, s. 4 (b).

(11) (*a*) If any commercial motor vehicle for the registration of which a reduced registration fee has been paid as allowed by paragraph (7) is used for the carriage of goods or passengers for pecuniary reward or for carrying goods in the course of any trade or business other than that of a primary producer; or

(*b*) if any commercial motor vehicle for the registration of which a reduced registration fee has been paid as allowed by paragraph (8) is used for any purpose other than a purpose set out in paragraph (8), as the case may be; or

(*c*) if any motor tractor for the registration of which a reduced registration fee has been paid as allowed by paragraph (10) is used for any purpose other than the purpose mentioned in that paragraph,

the balance of the full registration fee for the period for which the vehicle was registered shall in all cases be forthwith due and payable, and may be recovered from the owner by the registrar in a summary way on complaint in a court of summary jurisdiction.

(12) If the Commonwealth of Australia imposes any Customs duty on motor spirit in addition to the Customs duty existing on the twelfth day of December nineteen hundred and twenty-nine, and pays the proceeds thereof to the State, the Governor may from time to time by proclamation vary the amounts of the registration fees as set out in this section to such an extent that the total revenue received in each year from the altered registration fees and the payments to the State by the Commonwealth, as mentioned above would be approximately equal to the amount which would have been received from the registration fees set out in this section if they had not been altered.

Amended by 2416, 1938, s. 8 (2), and by 36, 1953, s. 5 (d).

(13) The registrar shall register without fee—

(*a*) any motor vehicle owned by the Fire Brigades Board or any voluntary fire brigade or any motor vehicle owned by a voluntary fire fighting organization or by a municipal or district council and used solely for the purpose of fire fighting:

(*b*) any ambulance motor vehicle for the use of which no charge is made:

(*c*) any motor vehicle owned by the corporation or council of any municipality, or by any district council, and used solely or mainly in connection with the construction or maintenance of roads: Amended by 2, 1941, s. 4.

(*c*1) any motor vehicle which is owned by the corporation or council of a municipality or by any district council, or by any controlling authority under Part XIX. of the Local Government Act, 1934-1951, and is used solely or mainly for the collection and transport of household rubbish: Inserted by 41, 1952, s. 3.

(*c*2) any motor vehicle owned by the Renmark Irrigation Trust and used solely or mainly in connection with the construction or maintenance of all or any of the following works, namely, roads, irrigation channels, irrigation drains and other works for irrigation or drainage of the trust's area: Inserted by 36, 1953, s. 5 (e).

(*d*) any motor vehicle owned by the Crown:

(*e*) any motor vehicle owned by the Municipal Tramways Trust:

(*f*) any motor vehicle consisting of mobile machinery and plant used for the purpose of boring for water:

(*g*) any motor vehicle owned by a consular officer *de carriere* who is a national of the country which he represents and who resides in the State: Inserted by 2416, 1938, s. 7.

(*h*) any trailer which is used solely for the purpose of carrying equipment and fuel for generating producer gas for the propulsion of the motor vehicle by which the trailer is drawn: Inserted by 61, 1940, s. 5 (1).

(*i*) any electrically or mechanically propelled invalid's chair. Inserted by 36, 1953, s. 5 (f).

(13a) Where the Treasurer is satisfied that any motor ambulance is operated by a municipal or district council, or by any society or association otherwise than for the purpose of monetary gain to the individual members thereof, he may, at his discretion, direct that that ambulance shall be registered without fee. Inserted by 2416, 1938, s. 8 (1).

Where any such ambulance has been registered since the first day of March, nineteen hundred and thirty-eight, and the registration fee has been paid therefor the Treasurer may at his discretion refund the amount of that fee to the council, society, or association which paid it.

(14) In this section—

Amended by 35, 1943, s. 4 (c).

"primary producer" means any person engaged in fishing or in agricultural, horticultural, viticultural, pastoral, or other like pursuits; and

Amended by 61, 1940, s. 5 (2).

"weight" means the weight of a vehicle without passengers, load, or petrol, but including the oil, buffers, accessories, and tools usually carried. Where a motor vehicle is propelled by producer gas generated by equipment carried on or affixed to or forming part of the vehicle, the weight of that equipment and of any fuel carried on the vehicle for use in that equipment shall be excluded in computing the weight of the vehicle.

Inserted by 61, 1940, s. 5 (3).

(15) The registrar may require any person applying for the registration of a motor vehicle to satisfy him by statutory declaration or other means as to any facts on which the amount of the registration fee depends or which entitle the applicant to be granted registration without payment of any fee.

Inserted by 48, 1951, s. 4 (c).

(16) A statutory declaration made for the purpose of satisfying the registrar as to any matter under this section may be made before and taken by any elector of the House of Assembly, not being a member of the declarant's family, and when so taken shall have the like effect under the Oaths Act, 1936, and for all purposes as if it had been made before and taken by a justice.

S. 9a inserted by 2, 1941, s. 5, repealed and re-enacted by 35, 1943, s. 5, and repealed by 36, 1953, s. 6.

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Calculation of fees to nearest shilling. Inserted by 2, 1941, s. 5.

9b. Every registration fee shall be calculated to the nearest shilling, and the amount so calculated shall be the amount payable.

Registration at full fee after registration at reduced fee. Inserted by 40, 1945, s. 6.

9c. (1) Where a vehicle has been registered at a reduced fee under paragraph (7), (8), (10), or (10a) of section 9 of this Act, the owner of the vehicle may at any time while that registration is in force pay to the registrar the balance of the registration fee and thereafter—

(*a*) the vehicle may be driven on roads to the same extent and in the same circumstances as a vehicle registered upon payment of the full registration fee; and

(*b*) the provisions contained in lines twenty-two to thirty-seven of paragraph (10a) of section 9, and paragraph (11) of section 9, and section 59 of this Act shall not apply in relation to such driving.

(2) In this section "the balance of the registration fee" means a proportionate part of the full registration fee payable for registration of the vehicle for the period for which it was registered, less a proportionate part of the reduced registration fee actually paid for registration of the vehicle. For the purposes of this definition a proportionate part of a fee shall be a part of the fee bearing the same ratio to the whole fee as the number of months unexpired when the balance of the registration fee is paid bears to the number of months for which the whole fee is payable, the whole of the month in which that balance is paid being regarded as unexpired.

Non-transferability of registrations at reduced fee.

Inserted by 48, 1951, s. 5, and amended by 36, 1953, s. 7.

9d. (1) The registration of a motor vehicle which has been registered without payment of any fee, or upon payment of a reduced fee, shall not be transferable.

(2) In this section "reduced fee" means a fee other than the full fee, as prescribed by paragraphs (1) to (6) (inclusive) of section 9 of this Act, for the period for which the vehicle is registered.

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S. 10 repealed by 36, 1953, s. 8.

Refunds in certain cases.

Inserted by 2332, 1936, s. 9.

10a. If during the period for which a motor vehicle has been registered any alteration is made to that vehicle and that alteration is such that if it had been made before the registration of the vehicle the fee for registration would have been less than the amount actually paid, the Treasurer may, at his discretion, make to the owner of the vehicle a refund of such amount as he deems just in the circumstances.

Concessions to incapacitated ex-servicemen.

Inserted by 40, 1947, s. 3., and amended by 48, 1951, s. 6, and by 36, 1953, s. 9.

10b. (1) If the registrar is satisfied by such evidence as he requires that—

(*a*) a motor vehicle is owned by a person who has been a member of a naval, military, or air force of His Majesty; and

(*b*) the owner, as a result of his service in a naval, military, or air force, is totally and permanently incapacitated, or is blind, or has lost a leg or foot, or receives a pension under the Australian

Soldiers Repatriation Act, 1920-1949, at the rate for total incapacity, or by reason of impairment of his power of locomotion receives a pension under the Australian Soldiers Repatriation Act, 1920-1949, of not less than seventy-five per centum of the pension payable for total incapacity; and

(*c*) that motor vehicle will during the period for which it is sought to be registered be wholly or mainly used for the transport of the owner,

the registration fee for that motor vehicle shall be one-third of the amount payable under paragraphs (1) to (5) inclusive, and paragraphs (6a), (6b) and (6c) of section 9, and section 9b of this Act.

(2) The registration of a vehicle registered at a reduced fee under this section shall not be transferable.

(3) When a person ceases to be the owner of a vehicle registered at a reduced fee under this section he shall be entitled upon compliance with section 21 of this Act, to a payment or credit as provided in that section; and the registration of the vehicle, if not sooner cancelled, shall become void upon the expiration of twenty-one days after that person ceased to be the owner of it.

Inserted by 48, 1951, s. 6 (c).

(4) The registrar shall not grant a registration under this section if the effect of so doing would be that the same person would at any time have more than one vehicle registered at a reduced fee pursuant to this section.

Provision for ascertaining power-weight. 2131, 1933, s. 3.

11. (1) The registrar shall prepare and keep in his office available for public inspection a list containing the usual names or designations of all models of motor cars commonly in use, and stating the standard power-weight of motor cars of each model when constructed and equipped as mentioned in the list.

(2) The power-weight shown in the list as the standard power-weight of motor cars of any model shall be the power-weight of every motor car of that model, unless—

(*a*) the owner at the time of applying for registration, objects to the power-weight as so shown; or

(*b*) the motor car has some attachment or alteration affecting its weight and not taken into account when computing the power-weight shown in the list.

(3) The owner of any motor car who objects to the determination of the power-weight by reference to the list may—

(*a*) weigh the motor car on a public weighbridge in the presence of the registrar or a person nominated by him; and

(*b*) strip his engine or power unit for measure or examination by the registrar or a person nominated by him,

in which case the weight shall be calculated in accordance with the weighbridge certificate, and the horsepower in accordance with the measurements of the registrar or the nominated person.

Determination of power-weight by other means. 2131, 1933, s. 4.

12. Where an applicant applies for registration of—

(*a*) any motor car the power-weight of which cannot be ascertained from the list; or

(*b*) any motor vehicle other than a motor car,

the registrar may require the applicant for registration to produce a weighbridge certificate showing the weight of the vehicle or any other evidence of the weight or horsepower of the vehicle.

Duty to carry registered number on motor vehicle. 1480, 1921, ss. 10, 34 (c) 1527, 1922, s. 4. 1695, 1925, s. 7.

13. (1) Every motor vehicle (not being a trailer) required by this Part to be registered shall, at all times whilst it is being driven or is standing in any road, carry attached thereto in the prescribed positions two plates as prescribed, one on the front and one on the rear thereof, each having the registered number conspicuously painted or otherwise legibly and permanently marked thereon in manner prescribed: Provided that any motor vehicle, not being a motor cycle, instead of carrying the plate required by this section to be attached to the rear thereof, may have the registered number painted or marked on the rear of such vehicle itself in which case all the provisions of this Act relating to plates and the numbers thereon shall, so far as the same are applicable, apply respectively to that portion of the rear of such vehicle on which the number is painted or marked, and to such number.

(2) Every trailer required by this Act to be registered shall, at all times whilst it is being driven or is standing in any road, carry attached thereto in the prescribed position, one or more plates as prescribed having the registered number conspicuously painted or otherwise legibly and permanently marked thereon in manner prescribed.

(3) If any person owns or drives any motor vehicle which does not comply with this section he shall be guilty of an offence: Provided that where the owner and driver are different persons both shall not be punished in respect of the same contravention.

(4) Any person who, unless exempted by the regulations, drives or causes or permits to be driven or to stand in any road any motor vehicle—

Substituted by 45, 1939, s. 7.

(*a*) on which any letter or figure on the number plate on the front thereof is not clearly visible in daylight, to a person standing on the same plane as the vehicle, at any point directly in front of the vehicle and not less than ten feet or more than sixty feet from the front of the vehicle:

Inserted by 45, 1939, s. 7.

(*aa*) on which any letter or figure on the number plate on the rear thereof is not clearly visible in daylight, to a person standing on the same plane as the vehicle, at any point directly behind the vehicle and not less than ten feet or more than sixty feet from the rear of the vehicle:

(*b*) having the registered number upon any number plate wholly or partly obliterated by paint or any other material; or

(*c*) having any number plate thereon so damaged that the registered number is not complete and distinctly visible; or

(*d*) having upon any number plate a number which is not the registered number assigned to the motor vehicle,

shall be guilty of an offence: Provided that no person shall be liable to a penalty for any breach of this subsection if he proves to the satisfaction of the court that he took all reasonable precautions to prevent such breach or that such breach was the result of an accident.

Inserted by 2332, 1936, s. 10.

(5) Any person who forges or fraudulently alters or uses or fraudulently lends or allows to be used by any other person any number plate, trader's plate, or registration card shall be guilty of an offence and liable to a fine of not more than one hundred pounds, or to imprisonment for not more than twelve months.

Prohibition of use of plates on unregistered vehicles. 1480, 1921, s. 35 (*d*).

14. Any person who owns or drives upon a road any unregistered motor vehicle having upon it any numbers or number plate of a description prescribed to be affixed to registered motor vehicles shall be guilty of an offence.

Distinctive marks for number plates of vehicles licensed to ply for hire. 1480, 1921, s. 11.

15. Where any motor vehicle is registered under this Part and is also licensed by a municipal or district council to ply for hire within its municipality or district, there may appear on the number plates required by this Part to be attached to such motor vehicle, in addition to the registered number, some distinctive design, character, or letter approved by the registrar, for the purpose of indicating that such motor vehicle is so licensed.

Duration of registration. Amended by 2332, 1936, s. 11.

16. (1) Every registration of a motor vehicle effected prior to the commencement of the Road Traffic Act Amendment Act, 1936, shall, unless sooner terminated under this Part, expire on the thirty-first day of March, nineteen hundred and thirty-seven.

(2) Every registration of a motor vehicle effected on or after the date of the commencement of the Road Traffic Act Amendment Act, 1936, shall expire upon the expiration of six months or twelve months calculated as from the commencement of the month in which it was effected, according to the period for which registration was applied for.

Issue of, and duty to carry, registration card. 1480, 1921, s. 8C. 1941, 1929, s. 5. 2131, 1933, s. 7.

17. (1) The registrar shall at the time of registration issue to every person who registers a motor vehicle under this Part a registration card having printed or written thereon particulars of the motor vehicle registered, the duration of the registration, and any other matters which the registrar thinks proper to insert.

(2) Every registration card or the prescribed part thereof shall throughout the period during which the registration remains in force be affixed to and carried on the motor vehicle for which the card is issued, in accordance with the regulations.

Amended by 55, 1948, s. 5.

(3) Any person who drives on any road, or causes or permits any person to drive on any road any motor vehicle registered under this Part which does not carry the registration card issued for that vehicle under this section, or which carries the said registration card otherwise than in conformity with all the requirements of this section and the regulations, shall be guilty of an offence and liable to a penalty for a first offence not exceeding ten pounds and for a second or any subsequent offence not exceeding twenty pounds.

(4) If any motor vehicle does not carry at any time a registration card issued in respect of that vehicle and for the time being in force, that fact shall be *prima facie* evidence that the said vehicle is not registered at that time.

Offences in connection with registration cards.
1480, 1921, s. 8 D.
1941, 1929, s. 5.
Cf. U.K. 23 & 24 Geo. 5 c. 53, s. 34.

18. Any person who—

(*a*) drives a motor vehicle on which is affixed any registration card other than a registration card issued under this Part in respect of that motor vehicle and for the time being in force;

Para. (b) repealed by 37, 1953 s. 6.

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(*c*) without lawful excuse has in his possession any registration card or any article resembling a registration card and liable to be mistaken therefor;

(*d*) alters, defaces, mutilates, or adds anything to any registration card;

(*e*) drives a motor vehicle on which is affixed any registration card which has been altered, defaced, mutilated, or added to; or

(*f*) drives a motor vehicle on which is affixed any colourable imitation of a registration card,

shall be guilty of an offence and liable to a penalty not exceeding fifty pounds.

Duty to notify registrar of transfer of motor vehicle
1480, 1921, s. 8 E.
1941, 1929, s. 5.
2095, 1932, s. 5.
2131, 1933, s. 7 (2).

19. (1) If an owner who has registered a motor vehicle transfers the ownership thereof to some other person whether on a sale or any other transaction, he shall within twenty-one days of the transfer—

(*a*) notify the registrar in the prescribed form of the transfer:

(*b*) deliver to the registrar the registration card issued in respect of the transferred motor vehicle and for the time being in force, or take such other action in relation to the said card as is prescribed by regulation.

(2) If any person fails to comply with any requirement of this section he shall be guilty of an offence.

Transfer of registration or refund.
1480, 1921, s. 8 F.
2095, 1932, s. 6.
2131, 1933, s. 6.

20. (1) Upon or after delivery to the registrar of the registration card in accordance with the last preceding section, or upon taking the prescribed action in relation to the card, the transferor may either—

(*a*) join with the transferee in a joint application to the registrar to transfer the registration of the motor vehicle to the transferee; or

(*b*) apply for cancellation of the said registration and a refund or credit of part of the registration fee in accordance with the next succeeding section:

Provided that a joint application to transfer the registration of a motor vehicle shall not be made if, pursuant to section 9d of this Act, that registration is not transferable. Inserted by 48, 1951, s. 7.

(2) If such a joint application for the transfer of the registration is made the registrar shall upon payment by the transferee of a fee of ten shillings and lodgment by him of an application in the prescribed form for the registration of a motor vehicle and production of a certificate of insurance as required by section 8c of this Act transfer the registration to the transferee and issue to him a registration card similar to that issued upon the original registration of a motor vehicle. Amended by 45, 1939, s. 8 (1), and by 36, 1953, s. 10.

(3) Unless a joint application for the transfer of the application and a certificate as required by subsection (2) of this section, or an application for cancellation of the registration, is lodged with the registrar within twenty-one days after the transfer, or within such longer period as the registrar fixes, the registration shall, upon the expiration of the said twenty-one days, become void, and the registrar shall neither transfer such registration nor refund or credit any money in respect thereof. Amended by 45, 1939, s. 8 (2).

21. (1) The owner or (as the case may be) the former owner of any registered motor vehicle may in any of the circumstances mentioned hereunder, upon delivery to the registrar of the current registration card issued in respect of that vehicle, or upon taking the prescribed action in relation to the card, apply to the registrar to cancel the registration of the vehicle and pay or credit to him the prescribed amount as defined in this section. Refunds of registration fee in certain cases. 1480, 1921, s. 8 G. 2095, 1932, s. 6. 2131, 1933, s. 7.

(2) The circumstances in which an application under this section may be made are the following:—

(*a*) If the applicant has ceased to be the owner of the vehicle:

(*b*) If the motor vehicle has become permanently unfit for use as a motor vehicle:

(*c*) If the motor vehicle has been removed from the State for permanent use out of the State, and, where the removal is to another State of the Commonwealth, has been registered in that State:

Inserted by 2416, 1938, s. 9 (1).

(*d*) If the motor vehicle has been used by a person engaged in business as a seller of motor vehicles, for the purpose of demonstrating its qualities to prospective purchasers, but has ceased to be so used:

Inserted by 45, 1939, s. 9.

(*e*) If the registered owner of the motor vehicle is, whilst the Commonwealth is at war, serving in any naval, military, or air force of the Commonwealth:

Inserted by 17, 1942, s. 3 (1).

(*f*) If pursuant to any enactment, regulation, or rule (whether of the Commonwealth or the State) or any order or direction made thereunder the vehicle has ceased to be used on roads.

Inserted by 35, 1943, s. 6.

(2a) Where a motor tractor has been registered at a reduced fee pursuant to paragraph (10) of section 9 of this Act, the owner of the tractor may, at any time during the currency of that registration, upon delivery to the registrar of the current registration card issued in respect of the tractor, or upon taking the prescribed action in relation to the card, apply to the registrar to cancel the registration of the tractor and pay or credit to him the prescribed amount as defined in this section.

(3) The prescribed amount shall be one-twelfth of the full annual registration fee for the particular vehicle for each complete month of the registration period which is unexpired at the time when the registration card is delivered by the applicant to the registrar or, as the case may be, when the prescribed action is taken in relation to the card.

Amended by 36, 1953, s. 11.

(4) Where the ownership of a registered motor vehicle is transferred before the end of the period for which it was registered and the transferor within twenty-one days of the transfer applies to register another motor vehicle, the registrar shall make such refund in respect of the transferred vehicle and such charge for the registration of the other vehicle—

(*a*) that in respect of the month in which the application is made, the transferor shall pay one-twelfth of the annual registration fee for one vehicle only, plus the transfer fee of ten shillings:

(*b*) that if the fees for registration of the transferred vehicle and the other vehicle are different, the said payment shall be one-twelfth of the greater fee.

Inserted by 2416, 1938, s. 9 (2), and amended by 36, 1953, s. 11.

(4a) Where the registration of a vehicle used for the purpose of demonstration as mentioned in paragraph (*d*) of subsection (2) of this section is cancelled, and the owner of the vehicle applies forthwith after the cancellation for the registration of another vehicle which the registrar is satisfied will be used for the said purpose of demonstration, the registrar shall credit such amount in respect of the registration which has been cancelled, and make such charge for the registration of the other vehicle—

(*a*) that in respect of the month in which the application for registration is made the applicant shall pay one-twelfth of the annual registration fee for one vehicle only, plus the transfer fee of ten shillings:

(*b*) that if the fees for registration of the two vehicles are different the said payment shall be one-twelfth of the greater fee.

(5) The registrar may require any applicant to satisfy him by statutory declaration or other means as to the truth of the matters on which he bases his claim for a refund or credit.

Destruction of registration card.
Inserted by 2416, 1938, s. 10.

21a. (1) Whenever the registration of a motor vehicle has become void before the expiration of the period for which it was granted, the registrar or any person authorized by him or any member of the police force may remove from that vehicle the registration card relating to that registration and for the purpose of so doing may at any reasonable time enter and remain upon any place or premises.

(2) Any person who hinders the registrar or any person authorized by him or any member of the police force in the exercise of any power conferred by this section shall be guilty of an offence and liable to a fine not exceeding fifty pounds.

Avoidance of registration where cheque dishonoured.
1480, 1921, s. 8 H.
2095, 1932, s. 6.

22. If any applicant for registration of a motor vehicle pays the registration fee by cheque and the cheque is dishonoured on presentation the registration of the motor vehicle for which the cheque was tendered shall be void as from the day on which it was effected, and the applicant shall on demand made by the registrar immediately deliver to him the registration card issued in respect of that motor vehicle. If any applicant fails so to deliver the card he shall be guilty of an offence and liable to a fine not exceeding twenty pounds.

Provision for recovery where registration fee short paid.
1480, 1921, s. 8 I.
2095, 1932, s. 6.
2131, 1933, s. 9.

23. (1) If any motor vehicle is incorrectly described in the application for registration thereof, and as a result of the mis-description the vehicle is registered without the full amount of the fee payable for the said registration being paid, the applicant for registration shall be liable to pay to the registrar a sum equal to the balance of the fee short paid, and the said sum may be recovered by the registrar as a debt by action in any court of competent jurisdiction.

(2) Where, owing to understatement of the power weight of any motor vehicle, that vehicle has before the thirtieth day of November, nineteen hundred and thirty-three, been registered at a fee less than the fee fixed by law, the Treasurer, if satisfied that the understatement was not fraudulent, may remit the balance of the fee, or any part of that balance, and if the balance has been recovered from the owner, may refund the whole or any part thereof if he thinks circumstances warrant that action.

Exemption of registered trailers from licensing under other provisions of this Act.
1480, 1921, s. 8 I.
1941, 1929, s. 5.
Amended by 17, 1942, s. 4.

24. If a trailer is registered as a motor vehicle under this Part and carries the current registration card issued in respect of the trailer it need not be licensed under any other Part of this Act.

Inspection of motor vehicles to ascertain power-weight.
1480, 1921, s. 8 J.
1941, 1929, s. 5.

25. Any member of the police force or the registrar or any person authorized in writing by the registrar to examine motor vehicles for the purposes of this Part may—

(*a*) examine or stop and examine any motor vehicle for the purpose of determining any facts necessary to ascertain the amount of the fee payable for registration of that motor vehicle:

(*b*) enter any premises at any time and search therein for motor vehicles and examine for the purposes aforesaid any motor vehicles found therein:

(*c*) take from any part of any motor vehicle a sample of any liquid fuel used or appearing to be used for propelling that motor vehicle.

Duty of owners to notify changes in vehicles and tires to registrar.
1480, 1921, s. 8 L.
1941, 1929, s. 5.

26. (1) The owner of a registered motor vehicle, to which at any time after registration any of the alterations or additions mentioned in subsection (2) of this section are made, shall, within fourteen days after the making of the alteration or addition, give notice thereof in writing to the registrar, and shall forward to the registrar such particulars as are prescribed, of the alteration or addition.

(2) The alterations and additions referred to in subsection (1) hereof are the following:—

(*a*) Any alteration of or addition to the motor vehicle by which its horsepower or weight as defined in the provisions of this Part as to the mode of computing the amount of the registration fee is increased:

(*b*) In the case of a motor vehicle fitted entirely with pneumatic tires, the removal of any pneumatic tire and the substitution therefor of any tire other than a pneumatic tire:

(*c*) In the case of a vehicle not having metal tires, the removal of any tire and the substitution therefor of a metal tire:

(*d*) In the case of a motor cycle not having a side-car attached thereto the attachment thereto of a side-car:

(*e*) The substitution of a compression ignition engine for an engine of any other type. Inserted by 48, 1951 s. 8.

(3) Within fourteen days after the making of any such alteration or addition as mentioned in subsection (2) of this section the owner of the motor vehicle shall pay an additional fee which shall consist of the difference between the amount actually paid as registration fee for the motor vehicle and the amount which would have been payable if the alteration or addition had been made at the time of registration, due allowance being made for every full month expired at the time of the making of the alteration or addition. Amended by 35, 1943, s. 7 (a).

(4) Any person failing to comply with any requirement of this section shall be guilty of an offence.

(5) In proceedings for any offence against this section the court may in addition to imposing a fine order the defendant to pay to the registrar any such additional fee as mentioned in subsection (3) of this section. Inserted by 35, 1943, s. 7 (b).

27. (1) The registrar may, upon payment of the proper fee as fixed by this section for each pair, issue in accordance with this section trader's plates to any person who has proved to his satisfaction that he is engaged in the business of manufacturing, repairing, or dealing in motor vehicles, and has suitable premises for the purpose. There shall be two kinds of trader's plates, namely, general trader's plates and limited trader's plates. Trader's plates. 1480, 1921, s. 9. 2095, 1932, s. 7. Cf. U.K. 10 & 11 Geo. 5 c. 72, s. 9.

(2) Every pair of trader's plates shall remain operative as such until the thirty-first day of March next after the date of the issue thereof and no longer unless the period of operation thereof is extended. The registrar may from time to time upon payment of the proper fee extend the period of operation of any trader's plates for any period not exceeding twelve months and expiring on the thirty-first day of March.

Subsec. (3) repealed by 2416, 1938, s. 11 (a).

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Amended by 2416, 1938, s. 11 (b).

(4) The number of trader's plates which may be issued to any one person shall be determined by the registrar, due regard being paid to the business requirements of the applicant.

(5) No limited trader's plate shall be issued to any person who is not the holder of a current general trader's plate.

Amended by 2416, 1938, s. 11 (c), and by 36, 1953, s. 12 (a).

(6) The fee for the issue or extension of operation of—

(*a*) each pair of general trader's plates shall be sixteen pounds:

(*b*) each pair of limited trader's plates shall be two pounds:

Provided that if the trader's plates are issued between the thirtieth day of September and the first day of April the said fee shall be half of the fee otherwise payable.

(7) The registrar shall keep a record showing the name and place of business of every person to whom any trader's plates have been issued under this section.

(8) Every pair of trader's plates shall bear a distinctive number and conform to such specifications as the Minister from time to time directs by notice in the *Gazette*.

Amended by 36, 1953, s. 12 (b).

(9) Any person selling or disposing of his business during the currency of any trader's plates issued to him shall, within seven days thereafter, give written notice of such sale or disposal to the registrar; and the registrar may, upon payment of a transfer fee of ten shillings cause the trader's plates to be transferred to the purchaser of the business for the remainder of the period for which such trader's plates were issued.

(10) Subject to subsection (10a), a motor vehicle bearing general trader's plates may be driven— Substituted by 35, 1943, s. 8.

(*a*) by any person for any purpose directly connected with a business carried on by the person to whom the plates were issued (hereinafter called "the trader") and being either—

(i) a business of manufacturing, repairing, or dealing in motor vehicles; or

(ii) a business of manufacturing or repairing mechanical or electrical goods, carried on in conjunction with a business of manufacturing, repairing, or dealing in motor vehicles;

(*b*) by any customer of the trader, or any employee of any such customer, for any purpose, while the vehicle is on loan from the trader to the customer, and a vehicle owned by the customer is in possession of the trader for the purpose of being repaired, altered, added to, or tested by the trader;

(*c*) for any purpose by the trader himself or any person who is a partner of the trader in a business of manufacturing, repairing, or dealing in motor vehicles, if the trader or partner is a natural person and the vehicle is a motor car or a buckboard ordinarily used in connection with such business. "Buckboard" means a vehicle adapted partly for the carriage of goods and partly for the carriage of passengers and weighing when unladen less than thirty-two hundredweights.

A person shall not on any road drive a motor vehicle having a general trader's plate attached thereto except as allowed by the foregoing provisions of this subsection.

(10a) A person shall not on any road drive a motor vehicle having a general trader's plate attached thereto if the vehicle is carrying passengers or goods for hire or reward. Inserted by 35, 1943, s. 8.

(11) No person shall on any road drive any motor vehicle having a limited trader's plate attached thereto unless he is—

(*a*) the person to whom such trader's plate was issued;

(*b*) a partner of the person or member of the company to whom or to which such trader's plate was issued;

(*c*) a salaried officer or regular employee of the person or company to whom or to which such trader's plate was issued;

(*d*) a prospective purchaser of the motor vehicle accompanied (except in the case of a motor cycle) by any such person as is mentioned in paragraph (*a*), (*b*), or (*c*) of this subsection; or

(*e*) the purchaser of the motor vehicle and resident in another State.

(12) No person shall on any road drive any motor vehicle having a limited trader's plate attached thereto unless the vehicle is at the time—

(*a*) on trial, during the course of construction or repairs or immediately after completion of construction or repairs, for the purpose of ascertaining whether its parts are in proper working condition;

(*b*) on trial for the benefit of a prospective purchaser, or any person *bona fide* interested in the exchange or sale of the vehicle;

(*c*) proceeding to or returning from a prospective purchaser for or after trial;

(*d*) proceeding for delivery to a purchaser or being driven by a purchaser resident in another State to a place within that State;

(*e*) proceeding to or returning from a workshop for painting or repairs;

(*f*) proceeding to a railway station or wharf for entraining or shipment or proceeding from a railway station or wharf to the premises of a manufacturer or dealer;

(*g*) proceeding to an exhibition or show for display or trial or returning therefrom;

(*h*) proceeding to or returning from any garage, auction room, or other place at which vehicles are usually stored or usually or periodically offered for sale, and at which the vehicle is to be, or has been stored, or is to be, or has been offered for sale; or

(*i*) proceeding to or returning with a motor vehicle which, while being driven upon a road or street, has become unable to proceed under its own power.

(13) No person shall on any road, by means of any motor vehicle having a limited trader's plate attached thereto—

(*a*) convey any person to or from any race meeting, trotting meeting, foot races, football or cricket match, or other sport; or

(*b*) carry any goods or load whatsoever except a load which consists solely of some ordinary form of ballast such as sand, gravel, scrap iron, or the like and is carried solely for the purpose of testing the vehicle.

(14) No person shall on any Sunday or public holiday drive on any road any motor vehicle having a limited trader's plate attached thereto: Provided that a motor vehicle having a limited trader's plate attached thereto may be driven on a public holiday when proceeding, for the purpose of display, to an exhibition or show held on such public holiday, or when returning from such an exhibition or show. Amended by 37, 1953, s. 7.

(15) If any vehicle is driven in contravention of subsection (10), (11), (12), (13), or (14) of this section the driver of the vehicle, and if the driver is not the person to whom the trader's plates were issued, then that person also shall be guilty of an offence. Amended by 48, 1951, s. 9.

(16) Every trader's plate issued under this section shall remain the property of the Minister; and if any trader's plate at any time ceases to be operative as such the person to whom it was issued shall, on demand made by the registrar, return the plate to him within seven days thereafter, and if he fails to do so he shall be guilty of an offence and liable to a penalty of not more than ten pounds.

(17) Any person who is driving or has driven a motor vehicle to which a trader's plate is or was attached, shall, when required by any member of the police force, forthwith truly answer any questions put to him by such member relevant to the purpose for which, and the circumstances in which, such vehicle is being driven or was driven.

If any person fails to comply with this section he shall be guilty of an offence.

(18) Every person to whom any trader's plate has been issued under this section shall, when required to do so by any member of the police force, furnish to such member the

name and address of any person driving on any occasion specified by such member any motor vehicle to which such plate was attached. If any person upon being so required refuses or fails to furnish such name and address or furnishes a false name or false address he shall be guilty of an offence.

(19) Any person guilty of any failure to observe or contravention of any of the provisions of this section shall be guilty of an offence; and any person guilty of an offence against this section for which some other penalty is not specifically provided shall be liable to a penalty not exceeding thirty pounds.

S. 27a inserted by 35, 1943, s. 9, and repealed by 36, 1953, s. 13.

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Refunds where general traders' plates surrendered to regisrar. Inserted by 35, 1943, s. 9.

27b. Where a person to whom general trader's plates have been issued surrenders the plates to the registrar before the thirty-first day of March next after the issue of the plates, the registrar shall pay or credit to that person a sum arrived at by multiplying one-twelfth of the fee paid for the plates by the number of complete calendar months in the period commencing on the day of the surrender of the plates and ending on the thirty-first day of March next following the day of surrender.

Duty of registered owners to furnish particulars of vehicles. 1695, 1925, s. 16.

28. (1) Every person who is registered as the owner of a motor vehicle, shall, upon request by the registrar, produce to the registrar such evidence of the nature and weight of any motor vehicle owned by such person and of the nature of the tires with which that vehicle is fitted, as is prescribed, or as is required by the registrar.

(2) Any person failing to comply with any request under this section shall be guilty of an offence.

Duty of owners to weigh motor vehicles in certain cases. 1695, 1925, s. 17.

29. (1) The owner of any motor vehicle on being served with a notice signed by the registrar requiring him within a time mentioned in the notice to cause his motor vehicle to be weighed unladen on the weighing machine mentioned in the notice or any one of the weighing machines so mentioned if more than one are mentioned, shall obey such notice and shall forward to the registrar forthwith the document showing the result of the weighing.

(2) This section shall not apply if the distance from the place where the motor vehicle is usually kept to the weighing machine mentioned in the notice, or to the nearest of those weighing machines, if more than one are mentioned, is greater than three miles.

(3) Any person failing to comply with any requirement of the registrar under this section shall be guilty of an offence.

Licensing of Drivers.

Duty to obtain driver's licence. 1480, 1921, s. 34 (a). Cf. U.K. 20 & 21 Geo. 5 c. 43, s. 4.

30. Any person who, unless exempted by the regulations, drives a motor vehicle on any road without being the holder of a licence for the time being in force, or employs or permits any person not being the holder of such a licence to drive a motor vehicle on any road shall be guilty of an offence.

Issue of driver's licence. 1480, 1921, ss. 12 & 13 (2). 1527, 1922, s. 5. 1827, 1927, s. 5. Cf. U.K. 24 & 25 Geo. 5 c. 50, s. 6; 26 Geo. 5 & 1 Edw. 8 c. 23.

31. (1) The registrar may, subject to the provisions of this Part, issue a licence to any person who—

(*a*) makes written application therefor in the prescribed form; and

(*b*) forwards with such application the fee fixed by this section,

and, subject as aforesaid, may, upon application in the prescribed form, renew any licence. Such renewal shall be in the prescribed form.

Amended by 40, 1945, s. 7, by 48, 1951, s. 10 (a), and by 36, 1953, s. 14.

(2) The annual fees for licences shall be—

(*a*) for a licence to drive a motor vehicle of any kind—one pound:

(*b*) for a licence to drive a motor cycle only—ten shillings:

Provided that—

(i) A licence to drive an electrically or mechanically propelled invalid chair only shall be issued without fee:

(ii) The fee for any licence issued to a person who as a result of his service in a naval, military or air force is totally and permanently incapacitated, or has lost a leg or foot, or receives a pension under the Repatriation Act, 1920-1951, at the rate for total incapacity, or by reason of impairment of his power of locomotion receives a pension

s. 30. PROUDMAN v. DAYMAN (1941) 67 C.L.R. 536; 15 A.L.J. 192, in which special leave was refused to appeal to the High Court from DAYMAN v. PROUDMAN (1941) S.A.S.R. 87. On a charge of permitting an unlicensed person to drive a motor vehicle on a road, proof that the defendant knew that the driver was unlicensed is unnecessary.

under the Repatriation Act, 1920-1951, of the Commonwealth of not less than seventy-five per centum of the pension payable for total incapacity shall be—

(i) for a licence to drive a motor vehicle of any kind, ten shillings:

(ii) for a licence to drive a motor cycle only, five shillings.

(3) Every application for the renewal of a licence shall be accompanied by the annual fee therefor.

Inserted by 2332, 1936, s. 12, and amended by 48, 1951, s. 10 (b), and by 36, 1953, s. 14 (e).

(4) A licence to drive a motor cycle may be surrendered to the registrar in exchange for a licence to drive a motor vehicle of any kind expiring on the same day as the licence to drive a motor cycle upon payment of a fee of ten shillings.

Inserted by 2332, 1936, s. 13.

(5) Every application for a licence shall contain a statement, signed by the applicant, that he is aware that it is an offence to drive a motor vehicle on a road unless there is in force a policy of insurance insuring any person driving that vehicle against his liability in respect of the death of or bodily injury to any person caused by or arising from the use of the vehicle.

Restricted driver's licences.

Inserted by 2416, 1938, s. 12.

31a. (1) Where the registrar is satisfied that owing to the age or any physical defect or infirmity of any applicant for a driver's licence it is desirable that any licence issued to that applicant should be subject to restrictive conditions, the registrar may issue to that applicant a licence containing conditions as to the localities in which the applicant shall be entitled to drive, or the class or equipment of the vehicles which the applicant shall be entitled to drive or as to any other matters which the registrar thinks necessary for the purpose of preventing danger to the applicant or the public.

(2) In any case where the registrar is satisfied that, by reason of the distance necessary to be travelled by an applicant for a driver's licence to be examined as provided by section 32a, it would be unreasonable to require the applicant to submit to such an examination, he may, without examination as provided by section 32a, issue to the applicant a licence as provided by subsection (1) of this section.

(3) If any such applicant is not willing to accept a licence containing any such conditions proposed by the registrar the registrar may refuse him a licence and the refusal shall be subject to appeal as mentioned in section 32 of this Act.

(4) If any person contravenes any such condition he shall be guilty of an offence and liable to a fine not exceeding fifty pounds.

Tests of drivers.
Cf. U.K. 20 & 21 Geo. 5 c. 43, s. 5; 24 & 25 Geo. 5 c. 50, s. 6; 26 Geo. 5 & 1 Edw. 8 c. 23.

32. (1) If the registrar suspects that any applicant for the issue or renewal of a driver's licence is for any reason incompetent to drive a motor vehicle without danger to the public, the registrar shall not issue a driver's licence to that applicant until he is satisfied that that applicant is competent to drive a motor vehicle without danger to the public.

Subsec. (1) amended by 2332, 1936, s. 14, and by 2416, 1938, s. 13.

If the registrar refuses to grant any application for the issue or renewal of a licence to any applicant, that applicant may, in accordance with rules of court made under this section, appeal against that refusal to any special magistrate sitting in chambers. On the appeal the special magistrate may—

(*a*) hear the parties and their witnesses;

(*b*) confirm, reverse, or vary the decision appealed against;

(*c*) make any other order which he thinks just including any order as to costs.

Rules of court shall be made under the Local Courts Act, 1926, prescribing the time within which, and the mode in which appeals are to be instituted and dealt with under this section, and any other matters relevant to such appeals.

(2) The registrar, in order to satisfy himself of the competence of any such person, may require him to furnish such evidence of competency as is prescribed, or as the registrar thinks necessary, or to submit to such tests as are prescribed, or as the registrar thinks proper to impose, and may refuse to issue the licence until the applicant furnishes such evidence or satisfies such tests.

Examination of applicant for driver's licence.
Cf. U.K. 24 & 25 Geo. 5 c. 50, s. 6.
Inserted by 2332, 1936, s. 15.

32a. (1) Where an applicant for a driver's licence has not previously held a licence and applies for a licence after a day to be proclaimed by the Governor as the day on which this section shall come into operation, the registrar shall not issue a licence unless the applicant produces to the registrar a certificate from an examiner certifying that the applicant has passed an examination conducted by that examiner, in the rules required by law to be observed by owners and drivers of motor vehicles. No person shall be deemed to have passed an examination for the purposes of this section unless he has answered correctly at least three-quarters of the questions asked in the examination.

Passage inserted by 2416, 1938, s. 14.

Although a person may have answered correctly at least three-quarters of the questions asked in the examination, the registrar may treat him as having failed if he has given an incorrect answer to any question dealing with any rule which in the registrar's opinion is one of special importance.

(2) Every member of the police force shall be an examiner for purposes of this section, and the Governor may appoint such other persons as he thinks fit to be examiners.

Amended by 45, 1939, s. 11.

(3) The examination shall consist of twelve questions to be answered by the applicant in writing; and the questions for each applicant shall be selected by the examiner from a series of questions formulated and supplied to him by the registrar.

(4) A person who has sat for and failed to pass an examination under this section may again sit for a similar examination at any time after an interval of two clear days.

Age of drivers to whom licences may be issued.
Cf. U.K. 20 & 21 Geo. 5 c. 43, s. 9.
Amended by 2332, 1936, s. 16.

33. No licence (whether to drive a motor vehicle or a motor cycle) shall be issued to any person who has not previously been granted a licence and who is under the age of sixteen years.

Licences may be refused in certain cases.
1480, 1921, s. 17.
Cf. U.K. 20 & 21 Geo. 5 c. 43, s. 4 (6).

34. Upon the direction in writing of the Minister, the registrar shall refuse to issue or renew a licence to any person who has been convicted of driving a motor vehicle whilst so much under the influence of intoxicating liquor as to be incapable of exercising effective control of such motor vehicle, or of driving a motor vehicle in any road in a culpably negligent manner, furiously, or recklessly, or at a speed or in a manner which is dangerous to the public, or of any offence which, in the opinion of the Minister, renders him unfit to hold a licence, or who, in the opinion of the Minister, is otherwise unfit to hold a licence.

Appeal on refusal to issue or renew licence.
1480, 1921, s. 18.
Cf. U.K. 20 & 21 Geo. 5 c. 43, s. 5 (5); 24 & 25 Geo. 5 c. 50, s. 6.

35. (1) Any applicant for the issue or renewal of a licence whose application has been refused may, on giving to the registrar at least seven clear days' notice in writing of his intention so to do, appeal against such refusal to the Local Court of Adelaide, or, at the option of the applicant, to the local court nearest to his residence.

(2) If after hearing the appeal the local court decides that the application ought to be granted, the registrar shall issue or renew the licence accordingly.

(3) The decision of the local court shall be final and conclusive, and shall not be challenged, appealed against, reviewed, quashed, or called in question, or be subject to prohibition or mandamus, in any court on any account whatever.

(4) The local court on the hearing of any such appeal may make any order as to costs which it thinks fit.

(5) For any such appeal the local court shall consist of a special magistrate.

Duration of licence.
Substituted by 48, 1951, s. 11.

36. Unless cancelled or suspended under this Act—

(*a*) every licence in force at the commencement of the Road Traffic Act Amendment Act, 1951, shall continue in force until the next following thirtieth day of June;

(*b*) every licence granted after the said commencement shall continue in force for a period of twelve months commencing on the first day of the month in which it is issued.

Quarterly licences for members of the defence force.
Inserted by 61, 1940, s. 6, and amended by 40, 1945, s. 8 (1).

36a. (1) Notwithstanding the other provisions of this Part the registrar may at any time during a period of war upon payment of a fee of two shillings and sixpence, issue to any member of any naval, military, or air force of the Commonwealth or of any other part of His Majesty's Dominions, a driver's licence having a currency of three months. Subject to this Act, such a licence shall authorize the person to whom it is issued to drive a motor vehicle of any kind during the period specified in the licence.

Substituted by 40, 1945, s. 8 (2), and amended by 42, 1952, s. 3.

(2) In this section "a period of war" means a period commencing on the day on which the Commonwealth becomes engaged in a war and ending upon the expiration of six months after the day declared by the Governor by proclamation to be the day on which that war shall be deemed to cease.

If licence lost, duplicate may be issued.
1480, 1921, s. 14.

37. (1) Upon the application of the holder of any licence the registrar may, on proof to his satisfaction of the loss or destruction of such licence, and on payment of a fee of two shillings and sixpence, issue to the holder of the licence a duplicate licence bearing all memoranda endorsed on the original licence.

(2) Such duplicate shall avail for all purposes as if it were the original licence.

Register of licences. 1480, 1921, s. 19. 2095, 1932, s. 8.

38. (1) The registrar shall keep a register of the names and addresses of all licensed drivers, and of all endorsements on, and renewals and cancellations of, licences.

(2) The prescribed forms of application received by the registrar from persons applying for licences shall be bound or otherwise assembled by the registrar and arranged in order as the registrar determines and shall constitute the register of licences within the meaning of this Act: Provided that the regulations may provide that the register of licences shall be constituted and kept in any other way.

Suspension of licence and disqualification of holder on conviction. Cf. U.K. 20 & 21 Geo. 5 c. 43, ss. 7, 8; 24 & 25 Geo. 5 c. 50, s. 5. Inserted by 2332, 1936, s. 17, and amended by 45, 1939, s. 12.

38a. (1) When any person is convicted, before the Supreme Court or any other court, for any offence against any provision of this Act relating to motor vehicles, or for any offence in the commission of which a motor vehicle was used, or the commission of which was facilitated by the use of a motor vehicle, the court may order that that person be disqualified either for a period fixed by the court or until further order from holding and obtaining a driver's licence.

Subsec. (1a) inserted by 55, 1948, s. 6, and amended by 29, 1950, s. 5.

(1a) If any person after being convicted for an offence against any of the following sections of this Act, namely, sections 43, 43b, 121, and 131, is convicted for a second or subsequent offence against the same section, the court shall order that that person shall be disqualified for a period fixed by the court or until further order from holding or obtaining a driver's licence: Provided that the court, if satisfied by evidence given on oath, that any such offence is trifling, may certify accordingly and if such a certificate is given the offence to which it relates shall not be taken into account for purposes of this subsection: Provided also that—

(*a*) a conviction for an offence committed on or before the sixth day of January, nineteen hundred and forty-nine; or

(*b*) a conviction for an offence committed ten years or more before the commission of a second or subsequent offence against the same section,

shall not be taken into account for the purposes of this subsection.

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s. 38a. GEORGE v. TROTTER (1938) S.A.S.R. 48. Where the defendant entered an intersection at a very fast rate of speed and narrowly escaped a collision and was convicted under section 131, held that the defendant's licence was rightly suspended.

AUSTIN v. DAYMAN (1939) S.A.S.R. 136. Circumstances discussed which may be taken into account in considering whether an order for disqualification should be made.

HATCHER v. O'SULLIVAN (1949) S.A.S.R. 240. Held, before the enactment of the proviso to subsection (1a), that, upon conviction of a second offence against one of the sections specified in section 38a, the court must make an order of disqualification from holding or obtaining a licence, notwithstanding that the first offence was committed prior to the passing of the amending Act of 1948.

(2) An order made under this section may be in addition to any other penalty to which the defendant is liable.

Power of suspension, cancellation and disqualification where vehicle used for criminal purposes. Inserted by 2332, 1936, s. 17.

38b. If a court of summary jurisdiction on complaint duly laid is satisfied that any person has used or is likely to use a motor vehicle in connection with the commission of any offence by himself or any other person, or to facilitate the escape of himself or any other person from arrest or punishment, it may order that the person who used or is likely to use the vehicle be disqualified either for a period fixed by the court or until further order from holding and obtaining a driver's licence.

Disqualification of addicts to liquor or drugs. Inserted by 2332, 1936, s. 17.

38c. If a court of summary jurisdiction presided over by a special magistrate on complaint duly laid by the Commissioner of Police or by the registrar, is satisfied that any person is by reason of intemperance in the consumption of alcoholic liquor or by reason of the habitual use of drugs, likely to cause danger to the public if he drives a motor vehicle on roads, the court may order that that person be disqualified either for a period fixed by the court or until further order from holding and obtaining a driver's licence.

Removal of disqualification. Cf. U.K. 20 & 21 Geo. 5 c. 43, s. 7. Inserted by 2332, 1936, s. 17.

38d. (1) Where an order has been made against any person disqualifying him from holding and obtaining a driver's licence until further order that person may on complaint duly laid before a court of summary jurisdiction, and served on the Commissioner of Police as defendant to the proceedings, apply to that court for an order removing the disqualification, and the court may, if it deems it expedient to do so, order that the disqualification be removed as from any date which it thinks proper.

(2) No application shall be made under this section earlier than three months after the making of the original order for disqualification, nor shall any application under this section be made within three months of a previous application relating to the same order of disqualification.

Suspension of licence on the ground of incompetence to drive. Inserted by 2332, 1936, s. 17.

38e. (1) If the Commissioner of Police or the registrar has reasonable cause to suspect that any person holding a driver's licence is incompetent to drive a motor vehicle without danger to the public, he may require that person to satisfy him by a practical test that he is competent to drive a motor vehicle without danger to the public and if he fails to pass such a test may suspend the licence held by him.

(2) The Commissioner of Police or the registrar, at the request of any person whose licence has been suspended

under this section, shall at a convenient time conduct a further test of that person's ability to drive a motor vehicle; and if that person fails to pass the test he shall be entitled to undergo further tests from time to time at intervals of not less than fourteen days. When that person passes a test the suspension of his licence shall forthwith cease.

Suspension of licence of person suffering from disease or disability.
Inserted by 45, 1939, s. 13.

38ee. (1) If the Commissioner of Police or the registrar suspects that any person holding a driver's licence is suffering from any disease (mental or physical) or any disability which impairs or may at any time impair his ability to drive a motor vehicle he may suspend the licence of that person for such period as he thinks proper.

(2) If the Commissioner of Police or the registrar is subsequently satisfied that the ability of the said person to drive a motor vehicle is not impaired, or is not impaired to such an extent as to justify the continuance of the suspension, he may remove the suspension.

(3) Where the licence of any person has been suspended under this section, that person may on complaint duly laid before a court of summary jurisdiction and served on the Commissioner of Police or the registrar, as the case may be, as defendant to the proceedings apply to that court for an order removing the suspension, and the court may if it deems it expedient to do so order that the suspension shall be removed as from any date which it thinks proper, or that the period of suspension shall be altered, or may make any other order relating to the suspension which the court thinks just.

Cancellation or suspension of licence of driver disqualified in another State.
Inserted by 37, 1953, s. 8.

38ef. Where the holder of a driver's licence under this Act is by reason of any judgment, order, or decision given or made pursuant to any law of any other State or Territory of the Commonwealth, disqualified, prevented or prohibited from driving a motor vehicle, the registrar may suspend or cancel the driver's licence issued to him under this Act.

Mode of suspension by Commissioner of Police or registrar.
Inserted by 2332, 1936, s. 17.

38f. Every suspension imposed by the registrar or the Commissioner of Police, shall be by a document in writing under his hand, and shall be served on the holder of the licence either personally or by registered post.

Refusal or revocation of temporary registration of vehicle from other States.
Inserted by 2332, 1936, s. 17.

38g. (1) If the registrar has reasonable cause to suspect that any applicant for temporary registration of a motor vehicle registered in another State, or any person who has been granted such temporary registration, has used, is using, or is likely to use that motor vehicle in connection

with the commission of any offence by himself or any other person, or to facilitate the escape of himself or any other person from arrest or punishment, he may refuse to issue or, as the case may be, revoke such temporary registration.

(2) The revocation shall be by a document in writing under the hand of the registrar, and personally served on the person thereby affected.

Offences in connection with licences. 1480, 1921, s. 35.

39. Any person who—

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Para. (a) repealed by 37, 1953, s. 9.

(*b*) without lawful excuse has in his possession a licence or any article resembling such licence and liable to be mistaken therefor; or

(*c*) forges or fraudulently alters or uses or fraudulently lends or allows to be used by any other person any licence,

shall be guilty of an offence.

Warning devices, silencers, and lights on motor vehicles.

Duty to carry warning device. 1480, 1921, s. 30. 1695, 1925, s. 10. Cf. U.K. 20 & 21 Geo. 5 c. 43, s. 59 (1) (b). Amended by 2332, 1936, s. 18, and by 2416, 1938, s. 15.

40. (1) Any person who drives in any road or who, being the owner, causes or permits any person to drive on any road a motor vehicle which has not attached thereto, under the immediate control of the hand or foot of the driver, a proper horn or other instrument capable of giving audible and sufficient warning of the approach and position of that motor vehicle, shall be guilty of an offence:

Provided that this subsection shall not apply to any trailer so long as the motor vehicle to which that trailer is attached complies with this subsection.

(2) Any driver of a motor vehicle who does not whenever necessary, by sounding the horn or other instrument attached thereto, give audible and sufficient warning of the approach or position of that motor vehicle, shall be guilty of an offence.

s. 40. JOLLY v. WALLMAN (1936) S.A.S.R. 121. Where a dangerous situation arises at a time when it is too late for a warning to be effective, there is no need to give warning of the approach of a vehicle.

Inserted by 2332, 1936. s. 18.

(3) A bell or siren shall not be taken to be a proper horn or other instrument within the meaning of this section except where the motor vehicle to which it is attached is—

(*a*) being used at the time by the Fire Brigades Board or a fire brigade or the Police Department; or

(*b*) an ambulance; or

(*c*) an emergency vehicle being used at the time by the Municipal Tramways Trust.

Misuse of warning devices.
Inserted by 2332, 1936, s. 19.

40a. (1) If any person—

(*a*) uses the warning device of a motor vehicle otherwise than for giving reasonable warning of the approach of that vehicle; or

(*b*) uses the warning device of a motor vehicle in such a manner as to produce an offensive noise,

he shall be guilty of an offence.

(2) If any person in any road sounds any bell or siren attached to or being upon any motor vehicle other than—

(*a*) a vehicle being used at the time by the Fire Brigades Board, or a fire brigade, or the Police Department; or

(*b*) an ambulance; or

(*c*) an emergency vehicle being used by the Municipal Tramways Trust,

he shall be guilty of an offence.

Mechanical signals on vehicles with left-hand drive.
Inserted by 40, 1945, s. 9.

40b. (1) Every motor vehicle with left-hand drive shall be fitted with a mechanical or electrical device of a kind approved by the registrar, by which driving signals substantially similar to those prescribed by section 134 of this Act may be given.

(2) A motor vehicle shall be deemed to have left-hand drive if the steering wheel is on the left of a vertical plane bisecting the vehicle longitudinally.

(3) A person who drives or causes or permits any person to drive on any road a motor vehicle which in any particular does not comply with this section shall be guilty of an offence.

Mechanical signals on wide vehicles. Inserted by 48. 1951, s. 12 and amended by 41, 1952, s. 4.

40c. (1) Every motor vehicle which is seven feet wide or more, or which carries a load seven feet wide or more, shall be fitted with a mechanical or electrical device of a kind approved by the registrar, by which driving signals substantially similar to those prescribed by section 134 of this Act may be given: Provided that a trailer drawn by a motor vehicle fitted with such a device need not itself be so fitted.

(2) A person who drives or causes or permits any person to drive on any road a motor vehicle which in any particular does not comply with this section shall be guilty of an offence.

Duty of drivers as to silencers and elimination of noise, smoke, etc. 1480, 1921, s. 31. 2095, 1932, s. 11.

41. (1) Any person who in any road drives a motor vehicle—

(*a*) which has not attached to it and in use a silencer which eliminates all unnecessary noise; or

(*b*) which has attached to it a silencer to which any alteration has been made which reduces or is likely to reduce the effectiveness of such silencer; or

(*c*) on which there is any device which may be used to reduce the effectiveness of the silencer,

shall be guilty of an offence.

(2) Any person who makes any alteration to a silencer which reduces or is likely to reduce its effectiveness shall be guilty of an offence.

(3) Any driver of a motor vehicle who allows it to make or emit any unnecessary noise, smoke, visible vapour or smell shall be guilty of an offence.

Lights on motor vehicles. 1480, 1921, s. 32. 1527, 1922, s. 6. 1695, 1925, s. 11. 1827, 1927, s. 7. Para. (a) amended by 2416, 1938, s. 16.

42. (1) Every motor vehicle (other than a motor cycle or trailer) which is at any time between half an hour after sunset and half an hour before sunrise on any road shall carry attached thereto—

(*a*) two lighted lamps carried one on each side of such motor vehicle, such lamps being so constructed and carried as to show a bright white, yellow or amber-coloured light in front of such motor vehicle; and

s. 41. DAYMAN v. ELLIS (1933) S.A.S.R. 274. Section 41 requires that the silencer must at the material time be in actual use and eliminate all unnecessary noise.

s. 42. RUDALL AND OTHERS v. DEACON AND OTHERS (1943) S.A.S.R. 271. Appeal to the High Court dismissed (1943) 67 C.L.R. 642 (note); (1943) S.A.S.R. xxiii. (note). It is not necessary that the red light required to be carried pursuant to paragraph (*b*) of subsection (1) shall be carried at the extreme edge of the off side rear part of the vehicle.

Para. (b) amended by 2322, 1936. s. 20, and by 20, 1944, s. 6 (a).

(*b*) a lighted lamp carried on the rear of such motor vehicle, such lamp being so constructed and carried as to illuminate and render easily distinguishable from a distance of at least forty feet each figure and letter on the number plate attached to the rear of such motor vehicle, and to show a red light in such a position and manner as to be clearly visible at a distance of at least two hundred yards to any person approaching such motor vehicle from the rear:

Provided that—

Amended by 20, 1944, s. 6 (a).

(*a*) if one or more trailers are attached to such motor vehicle the light provided for by subdivision (*b*) hereof shall be placed on the rear of such trailer, or on the rear of the rearmost of such trailers, if there is more than one, instead of on such motor vehicle:

(*b*) this subsection shall not apply to any such motor vehicle if and so long as such motor vehicle is stationary in a road and is standing under or near a lighted public street lamp or other lamp, so illuminating such road as to render such motor vehicle clearly visible and to remove any risk of accident by collision or otherwise; and

Amended by 2332, 1936, s. 20.

(*c*) this subsection shall not apply to any such motor vehicle if and so long as such motor vehicle is stationary in a road, and the rear lamp of such motor vehicle is alight and is showing a light sufficiently bright to indicate the presence of such motor vehicle, and to remove any risk of accident by collision or otherwise.

Inserted by 2332, 1936, s. 20, and amended by 2416, 1938, s. 17.

(1a) Every motor vehicle which, or the load on which, is more than six feet six inches wide and which is at any time between half an hour after sunset and half an hour before sunrise on any road, shall carry attached to the extreme off-side of the vehicle or, where there is a load projecting from the off-side of the vehicle, at the extreme off-side of that load, a lighted lamp so constructed and carried as to show a bright green light in front of the vehicle clearly visible at a distance of at least two hundred yards from the front of the vehicle, and a bright red light clearly visible at a distance of at least two hundred yards from the rear of the vehicle, or alternatively two lighted lamps showing respectively a green light and a red light complying with the foregoing provisions of this subsection. The lamp so carried shall be not less than three and not more than six

feet from the ground, and shall be affixed as near as practicable to the edge of the vehicle or load.

It shall be sufficient compliance with this subsection if any lamp or lamps carried in pursuance of the other provisions of this Act also comply with this section.

(1b) Every motor vehicle the load on which extends more than three feet behind the rear of the motor vehicle and which is at any time between half an hour after sunset and half an hour before sunrise on any road shall carry attached to the extreme rear of that load a lighted lamp so constructed and carried as to show a red light clearly visible from a distance of two hundred yards from the rear of the motor vehicle. Inserted by 2332, 1936, s. 20.

For the purpose of this subsection any frame work, fixed or placed on a motor vehicle, shall be deemed to be the load or portion of the load on that motor vehicle.

(1c) Whenever any part of a motor vehicle, which is at any time between half an hour after sunset and half an hour before sunrise on any road, projects to the rear for more than three feet beyond the lamp carried on the rear of the motor vehicle pursuant to paragraph (*b*) of subsection (1) of this section, a lighted lamp shall be kept attached to the rearward extremity of the said projecting part of the motor vehicle in such a position and manner as to show a red light clearly visible from a distance of two hundred yards from the rear of the motor vehicle. Inserted by 45, 1939, s. 14.

(2) Every motor cycle which is on any road between half an hour after sunset and half an hour before sunrise shall carry—

(*a*) a lighted lamp attached to the front of the motor cycle and so constructed and carried as to show a bright white, yellow or amber-coloured light in front of the motor cycle and also illuminate and render easily distinguishable from a distance of at least ten yards each figure and letter on the number-plate attached to the front of the motor cycle: Amended by 2416, 1938, s. 16.

(*b*) a lighted lamp attached to the rear of the motor cycle and so constructed and carried as to show a red light clearly visible at a distance of at least two hundred yards from the rear of the motor cycle and illuminate and render easily distinguishable from a distance of at least forty feet each figure and letter on the number-plate attached to the rear of the motor cycle:

(*c*) if a side-car is attached to the motor cycle, in addition to the lighted lamps provided for by the preceding paragraphs a lighted lamp attached to the front of that side-car, such lamp being so constructed and carried as to show a bright white light in front of the side-car:

Provided that this subsection shall not apply to any motor cycle if and so long as such motor cycle is stationary in a road and is standing under or near a lighted public street lamp or other lamp so illuminating such road as to render the motor cycle clearly visible and to remove any risk of accident by collision or otherwise.

Inserted by 48, 1951, s. 13 (1).

(2a) The driver of a motor vehicle which is fitted with a device for dipping the main beam of its headlights shall keep the headlight dipped at any time when, between half an hour after sunset and half an hour before sunrise—

(*a*) the main beam of the headlights of any other vehicle approaching the vehicle from the opposite direction on the same road has been dipped while visible to such driver, and thereafter until the vehicles pass one another;

(*b*) the vehicle is within three hundred yards of any other vehicle approaching it from the opposite direction on the same road.

Substituted by 20, 1944, s. 6 (b) and amended by 48, 1951, s. 13 (2).

(3) If any person drives or leaves stationary on any road, or causes or permits any person to drive or leave stationary on any road, any motor vehicle which in any particular does not comply with this section or if any person fails to comply with subsection (2a) of this section, he shall be guilty of an offence.

Brakes on Motor Vehicles.

Brakes on motor vehicles.
Cf. U.K. 20 & 21 Geo. 5 c. 43, s. 59 (1) (a).
Inserted by 2332, 1936, s. 21.

42a. (1) In this section, unless the context otherwise requires—

"independent brake" means a brake of which the entire operating mechanism or system is either—

(*a*) separate from all parts and connections of any other brake or brake system, so that the brake in question cannot be adversely affected by the operation or failure of any other brake; or

(*b*) common to any other brake or brake system only in parts or connections which are of such design and strength, that there is no reasonable probability of failure of the independent brake by reason of the failure of any other brake or brake system:

"retaining brake" means a brake so constructed and of such a nature that it is capable, when applied on used grades with any load carried or likely to be carried by the vehicle, of retaining all road-wheels, other than the steering-wheels, immovable for an indefinite period and without further attention than the initial application:

"tractor" means any motor vehicle used solely for the purposes of traction, and not for the carriage thereon of passengers (other than the driver) or goods:

"used grades" includes every road of whatever grade upon which the motor vehicle in question is used or likely to be used.

(2) In this section the term "capable of stopping" as applied to a brake means capable of bringing to a standstill the vehicle to which it is attached from a speed of twenty miles per hour upon a hard, dry, level road having a surface of tar, bitumen, concrete, or similar substance, and free of loose material, without assistance from the compression of the engine, within the specified distance from the point at which the brake is applied.

(3) Every motor vehicle (not being a motor cycle, and not being a tractor the maximum possible speed of which is fifteen miles per hour or less) shall be equipped with two independent brakes attached thereto.

(4) At least one of the brakes shall be a retaining brake.

(5) At least one of the brakes shall be so constructed as to act directly on the wheels, and not through transmission gear.

(6) In the case of a vehicle driven by steam—

(*a*) if the engine is capable of being reversed; and

(*b*) if the engine is incapable of being disconnected from all the road-wheels or all the axles, other than the front wheel or axle, save by the sustained action of the driver; and

(*c*) if there is no differential gear or similar mechanism between any two of the axles,

then it shall be sufficient if the vehicle is equipped with one brake independent of the engine, and complying with the requirements of subsections (4) and (5) of this section.

(7) One brake of a motor vehicle shall, if that brake acts on four wheels, be capable of stopping the vehicle within thirty feet, and if it acts on two wheels, within forty-five feet, and the other brake shall be capable of stopping the motor vehicle within seventy feet.

(8) Every motor cycle (with or without a side-car attached) shall be equipped with at least one brake which shall be capable of stopping the cycle within forty feet.

Amended by 2416, 1938, s. 19 (1).

(9) Every motor cycle having a side-car attached shall, after the first of April, nineteen hundred and thirty-eight, be equipped with two independent brakes attached thereto, one being a brake complying with the requirements of the last preceding subsection and the other a brake of reasonable efficiency.

Inserted by 2416, 1938, s. 19 (2).

(9a) A three wheeled motor vehicle (not being a motor cycle with a side-car attached) shall be equipped with two independent brakes, one of which shall be capable of stopping the vehicle within forty feet and the other a brake of reasonable efficiency.

(10) A trailer need not be equipped with brakes, if the motor vehicle by which it is drawn has brakes capable of stopping that vehicle with the trailer attached, within the distance prescribed by this section.

(11) A motor vehicle of the self-laying track type, having a continuous band or bands as its sole means of locomotion or traction, or having in addition thereto no more than two wheels in contact with the ground, is hereby exempted from the requirements of subsection (5).

(12) Each brake referred to in this section shall be capable of easy adjustment, and shall be maintained at all times in good working order.

Inserted by 2416, 1938, s. 19 (3).

(12a) The Governor may make regulations prescribing the standards or percentages of efficiency (as ascertained or measured by any brake-testing apparatus mentioned in the regulations) for brakes on motor vehicles of any class and if the brakes on any motor vehicle do not comply with any such regulation, that motor vehicle shall be deemed not to comply with this section.

Nothing in this subsection or in the regulations made under this subsection shall affect the obligation to comply with the other subsections of this section.

(13) Any person who drives or causes or permits any person to drive on any road any motor vehicle which in any particular does not comply with this section shall be guilty of an offence.

Windscreen Wipers and Rear Vision Mirrors.

Windscreen wipers. Inserted by 2332, 1936, s. 21.

42b. (1) Every motor vehicle having a windscreen shall be equipped with a windscreen wiper, capable at all times of effectively removing rain or other moisture from the portion of the windscreen immediately in front of the driver, and so constructed and situated that it can be controlled or operated from the driver's seat of the vehicle.

(2) If the motor vehicle is registered for the first time after the first of January, nineteen hundred and thirty-seven, the windscreen wiper shall be capable of being operated by a mechanical power.

(3) Any person who drives or causes or permits any person to drive on any road any motor vehicle which in any particular fails to comply with this section, shall be guilty of an offence.

Reflecting mirrors. Inserted by 2332, 1936, s. 21.

42c. (1) Every motor vehicle, other than a motor cycle, shall be equipped with a mirror so constructed and fitted to the motor vehicle as to give the driver of the motor vehicle a view along the carriage-way of the road behind the vehicle, for at least one hundred yards on a straight road: Provided that this section shall not apply to a motor vehicle when drawing a trailer.

Subsec. (2) substituted by 2416, 1938, s. 18.

(2) Any person who drives or who, being the owner, causes or permits any person to drive on any road a motor vehicle which in any respect fails to comply with this section shall be guilty of an offence.

(3) It shall be a defence to any charge made under this section if the defendant shows that owing to the mode of construction of the vehicle, or the load carried thereon, it was not practicable to comply with this section.

Duties of Drivers and Owners of Motor Vehicles.

Provision as to speed of motor vehicles
1480, 1921. s. 20. 2095, 1932, s. 9. Cf. U.K. 20 & 21 Geo. 5 c. 43, s. 10; 24 & 25 Geo. 5 c. 50, ss. 1, 2.

43. (1) Any person who drives a motor vehicle on any road at an excessive speed shall be guilty of an offence.

(2) It shall be *prima facie* proof only that a person has driven at an excessive speed if it is proved that he drove on a road—

(*a*) in any municipality, town, or township at a greater speed than twenty-five miles per hour; or

(*b*) outside a municipality, town, or township at a greater speed than forty miles per hour.

Subsec. (3) repealed by 46, 1941, s. 4.

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(4) In considering whether an offence has been committed under this section the court shall have regard to the nature, condition, and use of the road upon which the offence is alleged to have been committed and to the amount of traffic which at the time actually is or which might reasonably be expected to be upon such road and to the vehicle concerned, and to all other circumstances affecting the matter, whether of the same nature as those mentioned or not.

Speed of motor cycles carrying pillion passengers.
Inserted by 2332, 1936, s. 22.

43a. (1) Any person who on any road, drives at a greater speed than twenty-five miles per hour a two wheeled motor cycle carrying any person in addition to the driver, shall be guilty of an offence.

(2) This section does not apply to a motor cycle having a side-car attached thereto.

Speed in municipalities and towns.
Inserted by 55, 1948, s. 7, and substituted by 29, 1950, s. 6.

43b. (1) Any person who drives a motor vehicle on a road in a municipality, town, or township at a greater speed than thirty-five miles an hour shall be guilty of an offence.

(2) This section shall not restrict the operation of any other provision of this Act relating to the speed at which motor vehicles may be driven.

S. 44 repealed by 2332, 1936, s. 23.

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S. 43. BOND v. HALL (1938) S.A.S.R. 59. Where evidence was given as to speed by reference to a speedometer but there was evidence that the speedometer had not been tested, held that the recording by the speedometer was lawful evidence (and see also section 157 (3) enacted since this decision).

GIBSON v. JENNINGS AND ANOTHER (1938) S.A.S.R. 330. A speed exceeding that mentioned in subsection (2) is an element to consider on the question of negligence in a civil action.

Duty of driver to produce licence and give name and address. 1480, 1921, s. 22. Cf. U.K. 20 & 21 Geo. 5 c. 43, s. 4 (5). Amended by 48, 1951, s. 14 (a).

45. (1) Any driver of a motor vehicle who—

(*a*) when requested by a member of the police force in the execution of his duty under this Act to produce his licence does not either produce his licence to the said member forthwith upon the making of the request, or produce it within forty-eight hours after the making of the request, at a police station named by the said driver to the member of the police force at the time of the making of the request; or

(*b*) when requested by a member of the police force to state his name and place of abode or the name and place of abode of the owner of such motor vehicle refuses or fails to do so or states a false name or place of abode,

shall be guilty of an offence.

(2) Any inspector may without any warrant other than this Act apprehend any driver of a motor vehicle who is guilty of any offence under this section.

Inserted by 48, 1951, s. 14 (b).

(3) A document purporting to be signed by the Commissioner of Police and purporting to certify that a licence has not been produced as required by this section shall be *prima facie* evidence of the matter purporting to be so certified.

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Driving whilst drunk or under the influence of drugs. Substituted by 2416, 1938, s. 20, and amended by 55, 1948, s. 8, and by 48, 1951, s. 15.

48. (1) Any person who—

(*a*) drives a motor vehicle; or

(*b*) occupies the driver's seat and attempts to put a motor vehicle in motion,

whilst he is so much under the influence of intoxicating liquor or a drug as to be incapable of exercising effective control of the vehicle shall be guilty of an offence.

s. 48. BURROWS v. HANLIN (1930) S.A.S.R. 54. The opinion of persons, not experts, as to whether a man is drunk, or capable of driving a car, is not admissible as evidence.

DAYMAN v. SIMPSON (1935) S.A.S.R. 320. Where the defence suggests that an expert witness, called by the prosecutor as to the condition of the defendant, has given an unsound opinion, that should be suggested to the witness before he leaves the box. Complaint referred for re-hearing where this rule was not observed.

Penalty—For a first offence, a fine of not less than thirty pounds and not more than fifty pounds or imprisonment for not more than three months and in either case disqualification from holding and obtaining a driver's licence for such period as the court thinks fit, but in no case less than three months.

For a second offence, imprisonment for not less than one month and not more than six months and disqualification from holding and obtaining a driver's licence for such period as the court thinks fit but in no case less than six months.

For a third or any subsequent offence, imprisonment for not less than three months and not more than twelve months and disqualification from holding and obtaining a driver's licence for such period as the court thinks fit, but in no case less than three years.

Inserted by 1948, 1951, s. 15 (g).

(1a) In determining whether an offence is a first, second, third or subsequent offence within the meaning of subsection (1) of this section, a previous offence for which the defendant was convicted more than five years before the commission of the offence under consideration shall not be taken into account, but a previous offence for which the defendant was convicted within the said period shall be so taken into account, whether the conviction took place before or after the passing of the Road Traffic Act Amendment Act, 1951.

(2) Notwithstanding any other Act the minimum amount of any fine and the minimum period of imprisonment or disqualification prescribed by this section shall not be reduced or mitigated in any way except as follows:—

In the case of a first offence, the court, if it is satisfied by evidence given on oath that the offence is trifling, may order disqualification for a period less than three months but not less than fourteen days.

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s. 48. (*contd.*) HENNIG v. ROBERTSON. ROBERTSON v. HENNIG (1937) S.A.S.R. 400. Where a person, who had been convicted under section 26 of the Motor Vehicles Act, 1921, of driving a motor vehicle whilst so much under the influence of liquor as to be incapable of exercising effective control of the vehicle, committed this offence under section 48 of this Act, held that the penalty to be inflicted was that appropriate to a second offence under section 48.

CHUCK v. WEST (1938) S.A.S.R. 51. It is not necessary on a charge under section 48 to show that the defendant was drunk.

PULLEINE v. BUTTON (1948) S.A.S.R. 1. Upon a charge under section 48 proof that the defendant actually drove the vehicle for some distance in an apparently normal manner and without mishap does not necessarily compel a finding that he was capable of exercising effective control of it. The court may be satisfied that the defendant was incapable of exercising effective control of the vehicle upon inferences drawn from evidence which may not include any actual act of driving or notwithstanding evidence of acts of apparently normal driving.

(3) The court by which any person is convicted under this section on the complaint of a member of the police force, may, in addition to ordering any other penalty, order on the application of the complainant that the defendant pay to the complainant a reasonable sum to cover the expenses of any of the following things:—

(*a*) apprehending the defendant:

(*b*) conveying him to any police station:

(*c*) keeping him in custody until trial:

(*d*) medically examining him.

Any amount received by the complainant under this section shall be paid by him into the general revenue of the State.

(4) For the purposes of subsection (1) of this section a person shall be deemed to be incapable of exercising effective control of a vehicle if at the relevant time owing to the influence of intoxicating liquor or a drug the use of any mental or physical faculty of that person was lost or appreciably impaired. This subsection shall not be deemed to restrict the meaning of the words "incapable of exercising effective control of a vehicle". Inserted by 55, 1948, s. 8 (c).

* * * * * * * * * * * S. 49 repealed by 2332, 1936, s. 26.

50. (1) Every person registered as the owner of a motor vehicle and every holder of a licence who permanently changes his place of abode shall, within fourteen days of so doing, give written notice to the registrar of his new place of abode. Registered owners and licensed drivers to notify change of address. 1480, 1921, s. 28.

(2) Every person to whom any trader's plates have been issued and who changes his principal place of business during the period of operation of those plates shall, within fourteen days of so doing, give written notice to the registrar of his new principal place of business. Inserted by 46, 1951, s. 5.

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s. 48. (*contd.*) HUNTER v. FITZGERALD (1951) S.A.S.R. 126. Observations as to the nature of the offence of driving a motor vehicle whilst so much under the influence of liquor as to be incapable of exercising effective control over the vehicle.

THOMAS v. O'SULLIVAN (1951) S.A.S.R. 149. Where the defendant, a mild diabetic, had taken an excessive dose of insulin with the result that he drove erratically, held that he was guilty of an offence against section 48.

WEBB v. O'SULLIVAN (1952) S.A.S.R. 65. Observations as to the principles on which penalties should be imposed for driving a motor vehicle whilst under the influence of liquor.

SIMS v. O'SULLIVAN (1952) S.A.S.R. 179. Held, that "appreciably impaired" means an impairment capable of being appreciated, valued or recognized by the mind.

PICKEN v. O'SULLIVAN (1952) S.A.S.R. 184. The fact that a disqualification from holding a driver's licence will be a severe penalty to the defendant because he earns his living by driving a motor vehicle does not in itself justify a reduction in the period of disqualification which would otherwise have been ordered.

HUTT v. O'SULLIVAN (1953) S.A.S.R. 158. Observations as to the circumstances in which imprisonment should be imposed for a first offence of driving a motor vehicle whilst under the influence of liquor.

Side-car to be on left side of motor cycle.
1480, 1921, s. 33.

51. (1) No motor cycle having a side-car attached thereto shall be driven or shall stand in any road unless such side-car is so attached on the left side of such motor cycle.

(2) If any person owns or drives any motor cycle not complying with this section in any particular he shall be guilty of an offence: Provided that where the owner and driver of the cycle are different persons both shall not be punished in respect of the same contravention.

S. 52 repealed by 2332, 1936, s. 27.

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Penalty for using motor vehicle without consent of owner.
1480, 1921, s. 37.
1695, 1925, s. 13.
Cf. U.K. 20 & 21 Geo. 5 c. 43, s. 28.

53. (1) Any person who drives or uses any motor vehicle without first obtaining the consent of the owner thereof shall be guilty of an offence.

Penalty—For a first offence, imprisonment for not more than twelve months. For any subsequent offence, imprisonment for not less than three months or more than two years.

Subsec. (1) 2416, 1938, amended by s. 21, and by 46, 1941, s. 6.

(2) The court may, in addition to any other penalty imposable under this section, order the defendant to pay to the owner of the motor vehicle used in contravention of this section such a sum as the court thinks proper by way of compensation for any loss or damage suffered by the owner.

(3) This section shall not apply to any member of the police force in the execution of his duty under this Act.

S. 54 repealed by 2332, 1936, s. 27.

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Interfering with motor vehicle.
1480, 1921, s. 39.
Cf. U.K. 20 & 21 Geo. 5 c. 43, s. 29 (2)

55. Any person who interferes with or tampers with a motor vehicle or any part thereof, without first obtaining the consent of the owner thereof, shall be guilty of an offence.

Procuring use of car by fraud.
1480, 1921, s. 40.

56. Any person who procures the use or hire of any motor vehicle by fraud or misrepresentation shall be guilty of an offence and liable to a fine not exceeding twenty pounds or to imprisonment for any period not exceeding six months, or to both such fine and imprisonment.

s. 53. BOLLMEYER v. DALY (1933) S.A.S.R. 295; 5 Austn. Digest 168. "Use" covers every degree of use. The *mens rea* necessary to support a charge under section 53 is an intention to use a motor vehicle without the consent of the owner.

LOGAN v. COPP (1942) S.A.S.R. 45. When a soldier was convicted, on a plea of guilty, of unlawfully using a motor vehicle without first obtaining the consent of the "Commonwealth Military Defence Department" alleged in the complaint to be the owner of the vehicle, held that the conviction was bad as the owner of the vehicle must, by reason of section 111 of the Defence Act, 1903-1939, be deemed to be the commanding officer of the corps.

CRAFTER v. SIMPSON (1943) S.A.S.R. 87. When a soldier, without any authority from the officer commanding his unit, took and used on his own affairs a motor cycle belonging to the Commonwealth, held that he could properly be convicted of an offence under section 53.

Production of licence at court. 1480, 1921, s. 41. Cf. U.K. 20 & 21 Geo. 5 c. 43, s. 8. Amended by 41, 1952, s. 5.

57. (1) Whenever a licensed driver is charged with any offence against any provision of this Act relating to motor vehicles he shall produce his licence to the court at the time of the hearing of the charge.

(2) Any such driver who fails without reasonable excuse to produce his licence as aforesaid shall be guilty of an offence.

False statements. Substituted by 37, 1953, s. 10.

58. (1) Any person who makes any false statement to the registrar or any other public officer or any member of the police force in or in connection with any application or request for the issue or renewal of any licence, registration, permit, permission, certificate, or other document or instrument provided for in this Act or issued or to be issued in connection with the administration of this Act, or for the issue of a duplicate of any such licence, registration, permit, permission, certificate or other document or instrument shall be guilty of an offence.

Penalty—One hundred pounds, or imprisonment for six months.

(2) On a charge of an offence under subsection (1) of this section it shall not be necessary for the prosecutor to prove the state of mind of the defendant, but the defendant shall be entitled to be acquitted if he proves that when making the statement he believed and had reasonable grounds for believing that it was true.

(3) This section applies to written and oral statements, and in respect of written and oral applications and requests.

Penalty on improper use of vehicles registered for reduced fee. Substituted by 2416, 1938, s. 22.

59. (1)—

(*a*) If any commercial motor vehicle, for the registration of which a reduced registration fee has been paid as allowed by paragraph (7) of section 9 of this Act, is during the period of the registration used for the carriage of His Majesty's mails, goods, or passengers for pecuniary reward or for carrying goods in the course of any trade or business other than that of a primary producer; or

Amended by 35 1943, s. 10.

(*b*) if any commercial motor vehicle for the registration of which a reduced registration fee has been paid as allowed by paragraph (8) of section 9 of this Act is during the period of registration

used for any purpose other than a purpose set out in the said paragraph (8) as the case may be; or

(*c*) if any motor tractor for the registration of which a reduced registration fee has been paid as allowed by paragraph (10) of section 9 of this Act is during the period of the registration used for any purpose other than a purpose set out in the said paragraph (10),

and the balance of the full registration fee for the said period has not been paid before the vehicle is so used, then the person driving the vehicle and, if that person is employed by any other person to drive the vehicle, then the employer also shall be guilty of an offence.

Inserted by 61, 1940, s. 7.

(1a) If any trailer which has been registered without fee as provided in subparagraph (*h*) of paragraph (13) of section 9 of this Act is during the period of the registration used for any purpose other than the carriage of equipment and fuel for generating producer gas for the propulsion of the motor vehicle by which the trailer is drawn, the full registration fee which would be payable under paragraph (5) of section 9 of this Act for the registration of the trailer for the said period, shall forthwith become due and payable and may be recovered from the owner by the registrar on complaint in a court of summary jurisdiction, and in addition the driver of the motor vehicle by which the trailer is drawn shall be guilty of an offence.

(2) The carriage of goods and passengers on any motor vehicle which is on the establishment of any unit of the military forces of the Commonwealth, shall not, if those goods or passengers are carried in connection with military training or other military operations carried on by the Commonwealth, be regarded as the carriage of goods or passengers within the meaning of paragraph (*a*) of subsection (1) of this section.

Powers and duties of police.
1480, 1921, s. 43.
Cf. U.K. 20 & 21 Geo. 5 c. 43, s. 49.

60. (1) Every member of the police force shall see that this Part is duly observed.

(2) Any member of the police force in the execution of his duty under this Part may give such reasonable directions to persons driving motor vehicles upon any road as are, in his opinion, necessary for the safe and efficient regulation of the traffic thereon, or for the purpose of ascertaining whether any offence against this Part has been or is being committed.

(3) Any person who—

(*a*) obstructs or hinders any member of the police force in the exercise of his duties under this Part; or

(*b*) in any way interferes with or prevents the exercise of any of the powers conferred or the discharge of any of the duties imposed by this Part upon members of the police force; or

(*c*) disobeys any lawful order or direction of a member of the police force in the exercise of his duties under this Part,

shall be guilty of an offence.

Regulations as to Motor Vehicles.

Regulations. 1480, 1921, s. 44. Cf. U.K. 20 & 21 Geo. 5 c. 43, s. 30.

61. (1) In addition to any power by any other section of this Part conferred on the Governor to make regulations (which power shall in every case be implied for the purpose of any section in which the word "prescribed" is used), the Governor may make regulations prescribing all matters and things which by this Part are contemplated, required or permitted to be prescribed, or which appear to him to be necessary or convenient to be prescribed for the purpose of more effectually carrying out any of the provisions of this Part, or for better effecting the objects of this Act, and in particular (without limiting the effect of this section) for all or any of the following purposes, namely:—

I. Regulating the use of motor vehicles and the conditions under which they may be used;

II. Regulating the speed of motor vehicles in particular localities or under particular circumstances, and for such purposes varying the rates of speed declared by this Part to be *prima facie* evidence of driving at excessive speed;

III. Prescribing and regulating the affixing and use of warning devices on motor vehicles;

IV. Prescribing and regulating the affixing of efficient brakes on motor vehicles;

IVA. Requiring exposed chains on motor vehicles to be protected by guards complying with such requirements as are prescribed by the regulations; Inserted by 48, 1951, s. 16.

s. 61. GRAVES v. WALKOM (1926) S.A.S.R. 34. The breach of a statutory regulation may tend to show negligence on the part of the plaintiff or defendant.

FORBY v. LAUCKE (1933) S.A.S.R. 60. The existence of a statutory regulation for the use of the highway is a circumstance to be taken into account in applying the principles of common law in an action for negligence.

Inserted by 48, 1951, s. 16.

(ivb.) Prescribing the methods by which trailers may be attached to or connected with the motor vehicles by which they are drawn, and requiring such trailers and motor vehicles to be fitted with safety chains complying with such requirements as are prescribed by the regulations;

(v.) Providing for minimising the noise and the issue of smoke or fumes from the working of motor vehicles;

(vi.) Prohibiting the use of motor vehicles that, owing to defects in construction or other causes, are unsuitable for safe use;

(vii.) Prohibiting or restricting the use of motor vehicles upon any specified roads, or within the roads in any specified area, either generally or within certain hours;

Cf. U.K. 20 & 21 Geo. 5 c. 43, s. 16.

(viii.) Prohibiting or regulating the carrying of any person on a motor cycle in addition to the rider thereof;

(ix.) Regulating the form of the registered numbers assigned to motor vehicles, and the manner of placing them on such vehicles;

(x.) Providing that any regulations under this section may be of a local nature and limited in their application to a particular area, or may be restricted in their operation to any specified class of motor vehicle;

(xi.) Providing for the erection of uniform signs and notices for the guidance of motor drivers;

Substituted by 45, 1939, s. 15.

(xii.) Providing for the temporary registration, or the exemption from registration, of motor vehicles owned by persons resident outside the State and temporarily in the State, and for the issue of temporary licences to the drivers of such vehicles or for the exemption of such drivers from the obligation to hold licences;

Inserted by 46, 1941, s. 7.

(xiia.) Providing for the transfer or cancellation of the registration of a motor vehicle when the ownership of the vehicle passes to any person on the bankruptcy of the registered owner, or on repossession of the vehicle pursuant to a hire-purchase agreement, or on any other involuntary alienation, and prescribing the conditions under which refunds of the registration fee may be made in such cases, and any other matters relevant to such changes of ownership;

XIII. Providing for the regulation of the owners and drivers of motor vehicles; and

XIV. Providing for any other purpose which the Governor may consider necessary for the safety or convenience of the public, or for the protection of property;

XV. Requiring motor vehicles to be provided with apparatus for deflecting, dipping, dimming, or otherwise adjusting the headlights thereof and for regulating the use of such apparatus. Inserted by 2416, 1938, s. 23.

(2) Any such regulation may impose a penalty not exceeding twenty pounds for any breach of the same or any other regulation.

(3) Regulations made under paragraph XII of subsection (1) of this section may apply to any class of vehicles specified in such regulations, and such class may be specified either by reference to the weight, power, power-weight, carrying capacity, purpose, construction, or any other characteristic of vehicles. Inserted by 48, 1954, s. 3.

This subsection shall not be deemed to restrict the operation or meaning of any provision of this section.

62. When any regulation or by-law made by any municipal or district council or other authority is inconsistent with a regulation made under this Part, the latter shall prevail, and the former shall, to the extent of the inconsistency, be invalid. Inconsistency of regulation or by-law. 1480, 1921, s. 47.

Legal Proceedings and Evidence.

63. Any contravention of or failure to observe any provision of this Part, whether by act or omission, shall be an offence. Offences. 1480, 1921, s. 48.

64. Any person guilty of an offence under this Part for which no specific pecuniary penalty is provided shall be liable to a penalty of not more than twenty pounds. Penalties. 1480, 1921, s. 49.

65. (1) A document purporting to be an extract from, or copy of, any entry contained in the register of motor vehicles or in the register of licences and purporting to be certified as such under the hand of the registrar shall, in all courts and upon all occasions whatsoever be admissible as evidence, and shall be *prima facie* evidence of the truth of the matters stated in such document without the production of such registers, or any licence, notice, or other document upon which any entry may be founded. Copy of record of registration and licences to be evidence. 1480, 1921, s. 50. 1695, 1925, s. 14. 2095, 1932, s. 15.

(2) A document purporting to be a certificate under the hand of the registrar stating all or any of the following matters, namely:—

(*a*) That the person therein described was not on any given date the holder of a licence:

(*b*) That the person therein described had not on any given date registered any motor vehicle whatever, or any particular motor vehicle therein described:

(*c*) That no trader's plate or no trader's plate bearing a particular number had on any given date been issued to the person therein described:

(*d*) That any number therein mentioned was not the number of any trader's plate in force on any given date:

(*e*) That any motor vehicle therein described was not on any given date a registered motor vehicle:

(*f*) That any number therein mentioned was not on any given date assigned to any motor vehicle whatever, or to any particular motor vehicle therein described:

(*g*) That any person therein described had not on any given date notified the registrar in the prescribed form of the transfer of any motor vehicle therein described:

(*h*) That any person therein described had not on any given date delivered to the registrar the registration card issued in respect of any transferred motor vehicle therein described:

(*i*) That any person therein described had not on any given date notified the registrar in writing of his permanent change of address from any address therein described to any other address therein described,

shall in all courts and upon all occasions whatsoever, be admitted as *prima facie* evidence of the truth of the matters stated as aforesaid.

Facilitation of proof.
1480, 1921, s. 51.

66. In any proceedings for an offence against this Part—

(*a*) proof that a motor vehicle has not upon it a distinguishing number as prescribed by this Part shall be *prima facie* evidence that that motor vehicle is not registered;

(*b*) proof that a person is registered as the owner of a motor vehicle shall be *prima facie* evidence that that person is the owner of that motor vehicle;

(*c*) the fact that any place is described as a street or road shall be *prima facie* evidence that that place is a road within the meaning of this Part; and

(*d*) the allegation in the complaint that any road whereon it is alleged that any such offence was committed is situated in a municipality, or in a town or township, shall be *prima facie* evidence that that road is situated as alleged.

Endorsement of disqualification.
Cf. U.K. 20 & 21 Geo. 5 c. 43, ss.7, 8.
Cf. U.K. 24 & 25 Geo. 5 c. 50, s. 5.
Substituted by 2332, 1936, s. 28.

67. (1) When a holder of a driver's licence is disqualified under this Act from holding and obtaining a licence, or when the licence of any such holder is suspended, he shall forthwith produce his licence to such person as the court or other person or authority ordering the disqualification or suspension directs for the purpose of having a memorandum of the disqualification or suspension endorsed thereon.

(2) Any person who fails to produce a licence as and when required to do so under this section shall be guilty of an offence.

Effect of disqualification from holding licence.
Cf. U.K. 20 & 21 Geo. 5 c. 43, ss. 4 (6),7.
Inserted by 2332, 1936, s. 28.

67a. (1) A driver's licence shall during the period during which it is suspended or the holder is disqualified from holding and obtaining a licence be of no force or effect.

(2) The registrar shall not issue a driver's licence to any person who is disqualified from holding and obtaining a driver's licence.

Subsec. (3) inserted by 48, 1951, s. 17.

(3) If a person drives a motor vehicle while his licence is suspended or while he is disqualified from holding and obtaining a licence he shall be guilty of an offence and liable to imprisonment for not more than six months.

Enforcement of obligation to procure driver's licence.
Inserted by 2332, 1936, s. 28.

67b. The Commissioner of Police shall at intervals of not less than twelve months take such steps as are reasonably practicable to ascertain whether any persons are driving motor vehicles without holding driver's licences.

Suspension of registration.
Inserted by 2332, 1936, s. 29.

67c. In any proceedings against the owner of a motor vehicle for any offence against this Act if the court is satisfied that the vehicle does not comply with any requirement of this Act or is otherwise so defective that it cannot be driven on a road without danger to the public, the court may order that—

(*a*) the registration of the vehicle be suspended and not renewed; or

(*b*) if the vehicle is unregistered, that the vehicle be not registered,

until the vehicle is made to comply with this Act or otherwise rendered safe for use to the satisfaction of a police officer.

Offences by employees. Inserted by 2332, 1936, s. 30.

67d. If a person charged with driving a motor vehicle which does not comply with a requirement of this Act as to lights, warning devices, brakes, windscreen wipers, rear-vision mirrors, or other equipment, proves—

(*a*) that he is the employee of another person;

(*b*) that he drove the vehicle on the relevant occasion under the express instructions of his employer;

(*c*) that he was not aware that the vehicle did not comply with this Act or that before driving the vehicle he called the attention of his employer to the fact that the vehicle did not comply with this Act,

that person so charged shall be acquitted.

Suspension of orders of disqualification. Inserted by 2416, 1938, s. 24.

67e. (1) A person who by virtue of an order of a court under this Act is disqualified from holding and obtaining a driver's licence may appeal against the order in the same manner as against a conviction.

(2) Pending the hearing and determination of any such appeal the operation of any such order may be suspended—

(*a*) in the case of an order made by a court of summary jurisdiction, by the court which made the order, or a judge of the Supreme Court;

(*b*) in the case of an order made by the Supreme Court, by a judge of that Court.

(3) An order of suspension may be made before or after the institution of the appeal, but shall not have any effect until the defendant—

(*a*) has duly instituted the appeal and paid the appropriate court fees; and

(*b*) has served on the registrar the order of suspension or a copy thereof, and a notice that the appeal has been duly instituted and the fees paid.

s. 67e. COX v. BUTTON (1949) S.A.S.R. 244. On an appeal under section 67e the appellate court may rescind the order of disqualification or may increase or reduce the period of disqualification. Observations as to the principles upon which the appellate court will act.

Notice of disqualification of drivers and suspension of licences. Inserted by 45, 1939, s. 16.

67f. (1) Whenever a court makes an order disqualifying a person from holding and obtaining a driver's licence, and whenever the Commissioner of Police suspends a driver's licence, the proper officer of the court or, as the case may be, the Commissioner of Police, shall forthwith send to the registrar a notice in writing setting out the date on which the order of disqualification was made or the licence suspended, the period of the disqualification or suspension, and short particulars of the grounds thereof.

(2) If any such order of disqualification is quashed or varied by a court on appeal, the proper officer of the court shall forthwith send to the registrar a notice in writing setting out the date of the order made on the appeal and the effect thereof.

(3) If any such suspension is removed by the Commissioner of Police, he shall forthwith send to the registrar a notice in writing setting out the date of the removal of the suspension, the date as from which it takes effect and the grounds therefor.

(4) In this section "proper officer" means—

(*a*) in relation to the Supreme Court, the Master of that court:

(*b*) in relation to any other court, the clerk of that court.

Delivery of licence to registrar and endorsement. Inserted by 45, 1939, s. 16.

67g. (1) The registrar may by notice in writing served personally or by post on any holder of a driver's licence in relation to whom an order of disqualification has been made under this Act or whose licence has been suspended or cancelled, require him to deliver his licence to the registrar or to some member of the police force specified by the registrar in the notice, at a place and within a reasonable time specified in the notice.

(2) Any person who without reasonable excuse (proof of which shall lie on such person) fails to comply with a notice under this section shall be guilty of an offence.

(3) The registrar or any member of the police force to whom a licence is delivered under this section—

(*a*) may endorse thereon particulars of any suspension or cancellation thereof or any order of disqualification made against the holder thereof; and

(*b*) in a case where the licence is cancelled or where the suspension or disqualification extends until or beyond the time of the expiration of the licence, may retain the licence.

Summary proceedings for offences.

68. All proceedings for offences against this Part shall be disposed of summarily.

Persons in service of the Crown bound.

69. This Part applies to persons in the public service of the Crown while engaged on such service, as well as when not so engaged.

Liability in tort of persons taking vehicles on hire and driving them for carriage of passengers and goods for hire.

Inserted by 46, 1941, s. 3.

69a. (1) If—

(*a*) the owner of a motor vehicle lets it on hire to a person who, for the purpose of or by virtue of any industrial award is deemed to be a servant of that owner; and

(*b*) whilst the vehicle is so let the person taking it on hire drives it in the course of a business of carrying passengers or goods for hire.

that person shall, as regards liability for any injury, loss, or damage caused by him whilst so driving the vehicle, be deemed to be the servant of the owner and to have been so driving the vehicle in the course of his employment by the owner.

(2) In this section "industrial award" means any award, order, or determination of the Commonwealth Court of Conciliation and Arbitration, or of the Industrial Court or any industrial board constituted by or under the Industrial Code, 1920-1937.

Common law or statutory liability not affected.

Cf. U.K. 20 & 21 Geo. 5 c. 43, s. 33.

70. Nothing in this Part shall affect any liability of any person under any statute or at common law.

PART IIA.

PART IIA.

INSURANCE AGAINST THIRD PARTY RISKS ARISING OUT OF THE USE OF MOTOR VEHICLES.

Interpretation and application of this Part.

Inserted by 2332, 1936, s. 31.

70a. (1) In this Part, unless the context otherwise requires—

"approved insurer" means any person or association of persons carrying on the business of insurance

s. 70. FORBY v. LAUCKE (1933) S.A.S.R. 60. Section 70 means that the other provisions of the Act are not to alter the principles upon which liability falls to be determined under any other statutes or at common law. "The existence of a statutory regulation for the use of the highway is a circumstance to be taken into account in applying the principles of the common law in an action for negligence.

s. 70a. JOHNSON v. LAVENDER (1952) S.A.S.R. 267. Held that subsection (3) of section 70a applies to the Crown only in right of the State of South Australia.

who or which has been approved by the Treasurer as an approved insurer under this Part:

"insured" when used as a noun has the same meaning as "insured person" as hereinafter defined: Inserted by 45, 1939, s. 17.

"insured person" means the owner of a motor vehicle in respect of which a policy of insurance is in force under this Part and the driver and the person in charge at the material time whether with or without the consent of the owner:

"owner" includes every person who is the owner or joint owner or part owner of a motor vehicle and any person who has the use of any motor vehicle under a hire purchase agreement, but does not include an unpaid owner of a motor vehicle the subject of a hire purchase agreement:

"policy of insurance" includes a cover note which is binding on the insurer.

(2) Other words and expressions used in this Part shall, unless the context otherwise requires, have the same meaning as they have in Part II of this Act.

(3) This Part shall not render it obligatory to insure any vehicle owned by the Crown and used solely in the public business of the State or any vehicle owned by the Municipal Tramways Trust and used solely in connection with the business of that Trust: Provided that in relation to any motor vehicle which is owned by the Crown or the Muncipal Tramways Trust and is not insured the Crown or the Municipal Tramways Trust shall be under the same liabilities and have the same rights as an insurer who has issued to the Crown or the Municipal Tramways Trust (as the case may be) a policy of insurance complying with this Part in relation to the use of that vehicle.

70b. (1) After a day to be proclaimed by the Governor as the day on which this Part shall come into operation no person shall use, or cause or permit any other person to use, a motor vehicle on a road unless there is in force in relation to the use of the vehicle by that person or that other person, as the case may be, a policy of insurance complying with this Part.

Insurance against third party risks. U.K. 20 & 21 Geo. 5 c. 43, s. 35. Inserted by 2332, 1936, s. 31. Subsec. (1) amended by 35, 1943, s. 11, and by 20, 1944, s. 7.

s. 70b. RAKE v. BOND (1938) S.A.S.R. 253. The discretionary powers of the court to order disqualification discussed.

PENNEY v. BOURKE (1938) S.A.S.R. 328. Where a person had used a motor car without having a policy of insurance in force for approximately three weeks, held that the suspension of his driver's licence for a period of three months was not excessive.

Any person contravening this subsection shall be guilty of an offence.

Penalty: A fine of not less than twenty pounds and not more than one hundred pounds and disqualification from holding and obtaining a driver's licence for not less than three months and not more than twelve months.

Notwithstanding any other Act the minimum amount of any fine and the minimum period of disqualification prescribed by this section shall not be reduced or mitigated in any way except as follows:—

In the case of a first offence, if the court for special reasons thinks fit to do so, it may impose a fine of less than twenty pounds and order disqualification for a period less than three months.

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s. 70b. (*contd.*) SCOTT v. WARD (1939) S.A.S.R. 51. Where evidence was given by a police constable on a complaint for an offence against subsection (5) that he had required the appellant to produce his policy of insurance at a police station, held that the demand for the production of the policy was not a demand within the meaning of the subsection.

VEARS v. KERINS (1940) S.A.S.R. 99. Where the defendant drove an unregistered and uninsured motor vehicle along a country road and his only excuse was that he had not sufficient money to pay the premium, held that he should have been disqualified from holding a driver's licence.

GASSNER v. FROST (1940) S.A.S.R. 295, affirming GASSNER v. FROST (1940) S.A.S.R. 77. Where a farmer drove a motor tractor for the purpose of carting wheat over a public road which was merely a dirt track and hardly ever used, held that, in the circumstances, the justices' refusal to disqualify was correct. Observations on the meaning of "special reasons."

DAYMAN v. MCKENZIE (1941) S.A.S.R. 103. Where the only reason given by a defendant for driving a motor vehicle on public roads after his policy of insurance had expired was that he was a member of Parliament for a country district and required to use his car about the affairs of his constituents, held that this was not a sufficient reason for exempting from disqualification.

DAVIES v. SPROD (1943) S.A.S.R. 53. Where the defendant had an oral agreement with an insurance company to hold him covered each time his renewal premium became due up to a matter of three months and after the expiry of his policy, but before the expiration of three months, drove his motor car on a public road, held that no policy of insurance complying with Part IIA. was in force. The requirement of the Act is not satisfied by there being in force a contract by an insurance company to treat the position as being the same as it would be if there were a policy of insurance in force (in the business sense) and the Act requires that there be a policy itself in force and by "policy" is meant a document.

SCROOP v. DAYMAN (1944) S.A.S.R. 51. When a defendant pleaded guilty to an offence under section 70b but did not take advantage of an opportunity to obtain an adjournment to lead evidence of special circumstances and later appealed and affidavit evidence was admitted as to such circumstances, held, in those circumstances, the period of suspension should be reduced to three months.

HAMMOND v. O'SULLIVAN (1947) S.A.S.R. 1. Where the defendant gave evidence that he failed to renew his policy by oversight, that the insurance expired only a few days before the offence, that he required to use the vehicle for the purpose of his business, and that he was financially in a position to meet any claim up to £1,000, held that these facts did not amount to "special reasons" within the meaning of subsection (1).

JAMES v. COGHLAN (1950) S.A.S.R. 48. The minimum penalties prescribed by section 70b must be imposed except in cases where it is palpably unjust to do so, and the discretion of the court to reduce such minimum penalties for special reasons, in the case of a first offence, should be exercised only for grave and weighty reasons.

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Subsec. (2) repealed by 35, 1943, s. 11.

(3) Proceedings for an offence under this section may be commenced—

(*a*) within a period of six months from the date of the commission of the alleged offence; or

(*b*) within a period which exceeds neither three months from the date on which it came to the knowledge of the prosecutor that the offence had been committed nor one year from the date of the commission of the offence,

whichever period is the longer.

(4) In any prosecution for an offence under this section, the allegation in the complaint that at any time mentioned in the complaint there was not in force in respect of any particular motor vehicle a policy of insurance complying with this Part shall be *prima facie* evidence of the fact so alleged.

Cf. U.K. 20 & 21 Geo. 5 c. 43, s. 40.

(5) Any owner of a motor vehicle shall on being so requested by a member of the police force produce evidence that there is in force in respect of every motor vehicle owned by him a policy of insurance complying with this Part. The owner shall be deemed to have complied with this subsection if he produces the necessary evidence at a police station (to be nominated by the owner to the member of the police force at the time when the request is made) within five days of the time when its production was requested.

Any person who without just excuse fails to comply with this subsection shall be guilty of an offence and liable to a fine not exceeding fifty pounds.

(6) Every application for registration of a motor vehicle shall contain a statement by the owner of the vehicle or by the person applying for registration on behalf of that owner that a policy of insurance complying with this Part is in force and a statement of the name of the insurer who has issued the policy.

Liability of insurers. Inserted by 17, 1942, s. 5.

70ba. (1) An insurer who has issued a policy shall, notwithstanding that the insured person named therein has not agreed to pay or has not paid the premium for the policy, be bound by the policy to the same extent as if the said insured person had agreed to pay and had paid that

premium: Provided that this section shall not affect any right which the insurer may have to cancel the policy with the consent of the Treasurer or to recover any premium owing under the policy.

(2) In this section "policy" includes any document purporting to be a policy or cover note and to comply with this Part.

Effect of certificate of insurance.
Inserted by 35, 1943, s. 12.

70bb. Where an insurer has given a certificate certifying that a policy of insurance has been issued by him in relation to a motor vehicle and that the policy complies with this Part and will unless lawfully cancelled remain in operation for a period specified in the certificate, he shall, until a policy conforming to the statements in the certificate is actually issued, or comes into force by virtue of the renewal of a previous policy, be deemed to have issued a policy conforming to the statements in the certificate.

Requirements in respect of policies.
Cf. U.K. 20 & 21 Geo. 5 c. 43, s. 36.
Inserted by 2332, 1936, s. 31, and amended by 35, 1943, s. 13.

70c. (1) In order to comply with this Part, a policy of insurance must—

(*a*) be issued by an approved insurer:

(*b*) except as provided in this section insure the owner of the vehicle mentioned in the policy and any other person who at any time drives that vehicle, whether with or without the consent of the owner, in respect of all liability for negligence which may be incurred by that owner or other person in respect of the death of, or bodily injury to, any person caused by or arising out of the use of the vehicle in any part of the Commonwealth.

Substituted by 48, 1951, s. 18.

(2) A policy of insurance in relation to any motor vehicle shall be deemed to comply with this Part notwithstanding that the liability of the insurer under the policy is limited to four thousand pounds (including costs) in respect of any claim made by or in respect of any one passenger carried in that vehicle.

Subsec. (2a) inserted by 2416, 1938, s. 25 (1), repealed and re-enacted by 45, 1939, s. 18, and repealed by 35, 1943, s. 13 (3).

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Subsec. (3) repealed by 2416, 1938, s. 25 (2).

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Policies to give cover required by amending Acts.
Inserted by 35, 1943, s. 14.

70ca. When any Act comes into operation which alters the insurance required to be given by a policy under this Part or the rights or liabilities of the insurer under any such policy, every policy of insurance which has been issued for the purpose of providing insurance required by this Part and is in force when the said Act comes into operation, or at any time thereafter, shall be deemed to be altered so as to provide the insurance required by this Part, as altered by the said Act.

Policy not affected by change of ownership of vehicle.
Inserted by 35, 1943, s. 14.

70cb. (1) Notwithstanding any agreement to the contrary a policy of insurance issued under this Part—

(*a*) shall not be cancelled or otherwise terminated solely by reason of a change of ownership of the vehicle in relation to which the policy was issued; but

(*b*) shall, subject to any lawful termination thereof, enure in favour of every person who during the period for which the policy was granted or renewed becomes an owner for the time being of the vehicle in respect of which the policy was issued, and in favour of every person who during that period drives that vehicle whether with or without the consent of the owner.

(2) So long as a policy of insurance is in force every owner of the vehicle in respect of which the policy was issued (whether originally a party to the policy or not) shall be bound by all the terms warranties and conditions in the policy as if he had expressly agreed to them.

Liability of insurers.
Cf. U.K. 24 & 25 Geo. 5 c. 50, s. 10.
Inserted by 2332, 1936, s. 31.
Subsec. (1) amended by 2416, 1938. s. 26 (1), and 35, 1943, s. 15 (1).

70d. (1) Any person who has obtained a judgment against an insured person in respect of death or bodily injury caused by negligence in the use of a motor vehicle specified in a policy of insurance under this Part may recover by action from the insurer such amount of the money (including costs or a proportionate part thereof) payable pursuant to the judgment as relates to death or bodily injury and is unsatisfied: Provided that before the action in which judgment was obtained against the insured person, came on for

s. 70d. MILLAR v. MILLER (1940) S.A.S.R. 185, special leave to appeal to the High Court refused, 64 C.L.R. 662 (note); (1940) S.A.S.R. VIII. (note). Where an accident occurred in November, 1938, and notice was given to the Treasurer in July, 1939, held that, in the circumstances, notice had not been given as soon as possible after the plaintiff knew that the identity of the driver of the vehicle causing the accident could not be ascertained. Discussion of the meaning of "knew."

hearing, the insurer knew that that action had been commenced, but this proviso shall not apply where the judgment was obtained outside the State: Provided also that the right to recover under this subsection shall be subject to any limitations prescribed by the policy of insurance as to the amount in respect of which the insured is indemnified.

Amended by 48, 1951, s. 19 (a).

(2) Where an insured person has caused death or bodily injury by negligence in the use of a motor vehicle specified in a policy of insurance under this Part but that insured person is dead or cannot be served with process, any person who could have obtained a judgment in respect of the death or bodily injury so caused against that insured person if he were living or if he had been served with process may recover by action against the insurer the amount of the judgment which he could have so recovered against the insured person: Provided that he cannot so recover unless he proves that he gave to the insurer notice of the claim and a short statement of the grounds thereof as soon as possible after he knew that the insured person was dead or could not be served, or that such notice was given within such time as would prevent the possibility of the insurer being prejudiced by want of such notice: Provided also that the right to recover under this subsection shall be subject to any limitations prescribed by the policy of insurance as to the amount in respect of which the insured is indemnified.

Amended by 48, 1951, s. 19 (b).

(3) Where the driver of a motor vehicle has caused death or bodily injury by negligence in the use of a motor vehicle, but the identity of the vehicle cannot after due inquiry and search be ascertained, any person who could have obtained a judgment in respect of the death or bodily injury so caused against that driver may obtain by action against a nominal defendant to be named by the Treasurer the judgment which in the circumstances he could have recovered against the driver of the vehicle: Provided that as soon as possible

s. 70d. (*contd.*) HAUBER v. THE HALIFAX FIRE INSURANCE COMPANY LIMITED AND ANOTHER (1940) S.A.S.R. 341. Meaning of "specified" in subsection (1). Observations on the scheme of Part IIA.

WALTON v. FAWCETT (1948) S.A.S.R. 158; 22 A.L.J. 326. Where the wife of a driver of a vehicle was a passenger in the vehicle and was injured in a collision, held that the husband's claim in respect of the loss of his wife's services was within the ambit of subsection (2) and that the court had power to award such damages.

EXECUTOR TRUSTEE AND AGENCY COMPANY OF SOUTH AUSTRALIA LIMITED AND OTHERS v. THE INSURANCE OFFICE OF AUSTRALIA AND COMMONWEALTH RAILWAYS COMMISSIONER (1949) S.A.S.R. 337. The liability of an insurer under subsection (2) where the insured vehicle is not one used in the business of carrying passengers for hire, is unlimited in amount, whether or not the policy of insurance contains any limitation of liability. In the case of a vehicle used in the business of carrying passengers for hire, the insurer may by the policy limit his liability to the maximum amount specified in paragraph (*b*) of subsection (6).

after he knew that the identity of the vehicle could not be ascertained, he gave to the Treasurer notice of the claim and a short statement of the grounds thereof.

(4) It shall be no defence by an insurer to an action against him under this section that he is not liable under a policy of insurance by reason of the fact that—

(*a*) the policy was obtained by any mis-statement or non-disclosure whether fraudulent, material, or otherwise;

(*b*) the insured person has committed any breach of any term, condition or warranty of a policy or any provision of this Part; or

(*c*) the insured has failed to comply with any condition of the policy as to what the insured person should do or should not do after the event giving rise to liability.

(5) The insurer may, in addition to any other right or remedy he may have, recover from the insured person liable in respect of any such accident, and if two or more persons were so liable from those persons jointly and severally—

(*a*) such part of any judgment so obtained against the insurer; or

(*b*) such sums as the insurer has paid in payment settlement or compromise of the claim or judgment against the insured person or the insurer; and

(*c*) such costs and expenses,

as would not have been recovered from or incurred or paid by the insurer but for the last preceding subsection of this section, and that amount may be recovered either in a separate action or by means of third party procedure in the action against the insurer by the person who obtained the judgment: Provided that if the insured person has made any written request to the insurer that he should settle or compromise up to any specified sum or should pay or should contest the claim, and if the insurer acts unreasonably in failing to comply with such request then the insurer shall not recover more than the amount of the liability which the insurer would have paid or incurred if he had not so acted unreasonably.

(6) This section shall not apply—

Para. (a) repealed by 35, 1943, s. 15 (2).

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Para. (b) repealed by 48, 1951, s. 19 (c).

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(*c*) to any accident which happened before the commencement of this Part.

Amended by 45, 1939, s. 19 (a).

(7) Subject to subsection (7a) of this section a nominal defendant shall not be liable to satisfy any judgment obtained against him but the judgment and the nominal defendant's costs shall be paid by all those who were approved insurers at the date of the accident giving rise to the liability in proportions determined by the Treasurer who, in so determining, shall have regard to the premium income for insurance under this Part received by each such insurer during the previous year.

Inserted by 2416, 1938, s. 27.

The Treasurer may out of the general revenue of the State and without any appropriation other than this Act pay the amount of any judgment obtained against a nominal defendant under this section and of the nominal defendant's costs; and the approved insurers who are under this subsection liable for such judgment and costs shall upon demand made by the Treasurer repay to him their respective proportions of any amounts so paid by him.

Inserted by 45, 1939, s. 19 (b).

(7a) Any association consisting of not less than ten approved insurers may submit for the Treasurer's approval a scheme under which it is proposed that all approved insurers will contribute money in proportions provided for in the scheme for—

(*a*) satisfying claims made in respect of death or bodily injury caused by negligence in the use of a motor vehicle where the identity of the vehicle cannot be ascertained; and

(*b*) satisfying judgments obtained against nominal defendants under this section; and

(*c*) paying the costs of such defendants.

If the Treasurer approves of any scheme so submitted every approved insurer shall enter into and execute an

agreement between himself and all other approved insurers for the purpose of carrying the scheme into effect, and shall carry out the obligations imposed upon him by the agreement; and the Treasurer may by notice in the *Gazette* declare that any approved insurer who refuses to enter into or execute such an agreement or fails or refuses to carry out any such obligation shall cease to be an approved insurer.

Subsection (7) of this section, so far as it provides that the Treasurer shall determine the proportions in which approved insurers are to satisfy judgments and pay nominal defendant's costs, and that the Treasurer may satisfy judgments and pay a nominal defendant's costs, shall not apply in relation to any judgment against a nominal defendant which is satisfied pursuant to a scheme approved by the Treasurer under this subsection, or in relation to any nominal defendant's costs which are paid pursuant to any such scheme.

(8) No policy shall be deemed to comply with this Act if any term, warranty, or condition thereof is in form or substance a term, warranty, or condition of which the committee appointed under section 70m of this Act has expressed its disapproval by notice in the *Gazette*: Provided that every such notice shall come into effect upon the expiration of three months after the publication thereof in the *Gazette* and not earlier.

Cf. U.K. 20 & 21 Geo. 5 c. 43, s. 38; 24 & 25 Geo. 5 c. 50, s. 12.

70da. If a person is convicted of having driven or used a vehicle in contravention of section 53 of this Act, and an insurer pays any money or incurs any costs in respect of a claim for death or bodily injury caused by such driving or use of the vehicle, the insurer may recover the amount of the money so paid and the costs so incurred from the person so convicted.

Right of insurer against unauthorized user of vehicle.
Inserted by 41, 1952, s. 6.

70e. (1) Upon the happening of any accident which results in the death of or causes bodily injury to any person and is caused by, or arises out of the use of a motor vehicle, the driver and the person in charge thereof shall give written notice forthwith to the insurer concerned, and such notice (which notice shall not be subject to discovery or admissible in evidence in any proceedings except proceedings for an offence under this section) shall set forth the following information with as full particulars as the owner is able to give:—

Duties of owner or insurer.
Cf. U.K. 24 & 25 Geo. 5 c. 50, s. 13.
Inserted by 2332, 1936, s. 31.

(*a*) The fact of the accident:

(*b*) The time and place at which it occurred:

(*c*) The circumstances of the accident:

(*d*) The name and address of any person killed or injured therein:

(*e*) The names of any witnesses of the accident.

(2) When neither the driver nor the person in charge of the motor vehicle is the owner of the motor vehicle concerned the owner shall give a like notice immediately upon the accident coming to his knowledge.

(3) An insured person, immediately upon any claim being made upon him in respect of an accident, shall give notice of the claim to the insurer concerned, and supply to that insurer such particulars of the claim as he requires.

(4) If any person fails to comply with any requirement of subsection (1) or subsection (3) of this section he shall be guilty of an offence and liable to a fine not exceeding five pounds.

(5) An insured person shall not, without the consent in writing of the insurer concerned—

(*a*) enter upon, or incur any expense in, any litigation:

(*b*) make any offer or promise of payment or settlement:

(*c*) make any payment or settlement: or

(*d*) make any admission of liability,

in respect of any claim in respect of which he is insured with such insurer, but this provision shall not prevent any person truthfully answering any question reasonably asked of him.

(6) The insurer shall be entitled to recover from an insured person who has failed to comply with any provision of this section all moneys paid and costs incurred by the insurer in relation to any claim arising out of the accident in respect of which such failure has occurred.

Power of insurers to deal with claims against insured.
Inserted by 2332, 1936, s. 31.

70f. (1) The insurer may on behalf of the insured, conduct the negotiations in respect of any claim against the insured, and may assume the conduct and control of any legal proceedings in respect of any such claim, and at any stage of those negotiations or proceedings may pay, compromise, or settle any such claim.

(2) The insured shall sign and execute all such warrants, authorities, and other documents as are necessary to give

effect to this section, and, if the insured makes default in doing so or is absent or cannot be found, the warrants, authorities, or other documents may be signed or executed by the insurer on behalf of the insured.

(3) Where, as the result of the use of a motor vehicle an accident happens which results in the death of or bodily injury to any person, as well as damage to property, and claims are made in respect of the death or bodily injury and also in respect of the damage to property, and the person against whom claims are made is insured against his liability for death or bodily injury but not against his liability for damage to property, then nothing said or done in any negotiations for settlement of either of the claims, and no judgment given in any legal proceedings in respect of either of the claims, shall be evidence in any legal proceedings in respect of the other claim unless the negotiations or proceedings in respect of both claims are conducted or controlled by the person against whom the claims are made with the authority of the insurer, or by the insurer with the authority of the said person.

Inserted by 2416, 1938, s. 28.

70g. (1) Where—

Emergency treatment.

Cf. U.K. 24 & 25 Geo. 5 c. 50, s. 16.

Inserted by 2332, 1936, s. 31.

(*a*) (i) any legally qualified medical practitioner or registered nurse renders emergency treatment in respect of bodily injury (including fatal injury) to any person caused by or arising out of the use of a motor vehicle; or

(ii) the person so injured is immediately after such injury conveyed in any vehicle; and

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Para. (b) repealed by 2416, 1938, s. 29 (a).

(*c*) notice in writing of a claim under this section is given by the medical practitioner, nurse, or person who conveyed the injured person, to the insurer who issued the policy of insurance in force under this Part in relation to the said motor vehicle within one month after the occurrence out of which the death or bodily injury arose,

Amended by 2416, 1938, s. 29 (b).

the insurer shall make such of the following payments as are applicable to the case:—

(i) To the medical practitioner the sum of one pound one shilling for each person to whom emergency treatment is rendered together with any travelling

Amended by 48, 1951, s. 20 (a).

expenses reasonably and necessarily incurred in respect of the emergency treatment so rendered:

Amended by 48, 1951, s. 20 (b).

(ii) To the nurse the sum of fifteen shillings for all emergency treatment rendered by her to the person or persons injured in the accident together with any travelling expenses reasonably and necessarily incurred in respect of the emergency treatment so rendered which sum shall, if emergency treatment is rendered to two or more persons, be deemed to have been paid on behalf of all those persons in equal shares:

(iii) To any person who conveyed the injured person as mentioned in paragraph (*a*) of this subsection, an amount to be ascertained in accordance with the regulations.

Substituted by 2416, 1938, s. 29 (c).

(2) Where bodily injury (including fatal injury) is caused by or arises out of the use of two or more motor vehicles in respect of which policies were issued by different insurers each such insurer shall pay an equal share of the payments required to be made under subsection (1) of this section.

(3) The liability (if any)—

(*a*) of the owner or driver of such motor vehicle in respect of the death or bodily injury;

(*b*) of the insurer to the owner or driver in respect of the contract of insurance; and

Inserted by 2416, 1938, s. 29 (d).

(*c*) of the injured person or his personal representatives to the person to whom the payment is made under this section,

shall be reduced by the amount paid by the insurer under this section.

(4) In this section "emergency treatment" means such medical or surgical treatment or examination by a legally qualified medical practitioner or a registered nurse as is immediately required as the result of any such injury as mentioned in subsection (1).

Inserted by 2416, 1938, s. 29 (e).

(5) Every policy issued in pursuance of this Part of this Act which is in force at the time of the enactment of this subsection shall be deemed to impose an obligation on the insurer named therein to make the payments prescribed by this section.

Every policy of insurance issued after the enactment of this subsection shall not be deemed to comply with this Part unless it binds the insurer to make the payments prescribed by this section.

(6) A sum payable under this section shall be recoverable as if it were a simple contract debt due from the insurer to the person entitled to that sum. Inserted by 2416, 1938, s. 29 (e).

(7) The Commissioner of Police shall if so requested by a person who alleges that he is entitled to a payment under this section furnish that person with any information at his disposal as to the identification marks of any motor vehicle which that person alleges to be a motor vehicle out of the use of which the death or bodily injury arose, and as to the identity and address of the person who was using the vehicle at the time of the event out of which the death or bodily injury arose. Inserted by 2416, 1938, s. 29 (e).

(8) Any person who was using a motor vehicle at the time when death or bodily injury was caused by or arose from such use, shall upon request of any person who alleges that he is entitled to payment under this section, furnish such person with the name and address of the insurer who issued the policy in force in relation to that vehicle at the time of the death or injury. Inserted by 2416, 1938, s. 29 (e).

70h. In the event of any payment being made (whether or not with an admission of liability) by an insurer under or in consequence of a contract of insurance under this Part in respect of the death of or bodily injury to any person caused by or arising out of the use of a motor vehicle, the insurer shall, in addition to making any payments for any purpose provided for by this Part, make such payments with respect to hospital treatment as are payable pursuant to the Part VI of the Hospitals Act, 1934-1951. Claim for hospital treatment under Part VI. of the Hospitals Act. Inserted by 2332, 1936, s. 31, and substituted by 30, 1951, s. 4.

70i. Every action brought against the owner or driver of a motor vehicle for damages in respect of the death of or bodily injury to any person caused by or arising out of the use of that vehicle, shall be tried without a jury. Actions to be tried without jury. Inserted by 2332, 1936, s. 31.

70j. The registrar shall not grant a certificate of temporary registration in respect of any motor vehicle of a person visiting the State unless in his opinion that person is adequately insured against any liability which may be incurred by him in respect of the death of or bodily injury to any person caused by or arising out of the use of that motor vehicle in the State. Insurance by visiting motorists. Inserted by 2332, 1936, s. 31.

70k. (1) Any approved insurer may apply on complaint to a court of summary jurisdiction for an order that any person be disqualified for such period as the court fixes from holding and obtaining a driver's licence. Power to suspend or cancel driver's licences on application of approved insurer.

(2) If it is proved to the satisfaction of the court that the defendant is likely, in the event of his continuing to Inserted by 2332, 1936, s. 31.

drive motor vehicles, to endanger unduly the safety of the public, the court may make such order under subsection (1) as it thinks just.

Amended by 40, 1945, s. 10.

(3) An insurer shall not terminate a policy of insurance complying with this Part before its expiry by effluxion of time except upon twenty-one days' notice in writing given to the person to whom the policy was issued and to the Registrar of Motor Vehicles, unless the insurer substitutes another policy of insurance which complies with this Part, and commences immediately upon the termination of the previous policy.

(4) Upon the termination of the policy on such a notice, the motor vehicle specified in the policy shall be an unregistered vehicle unless and until the registrar is satisfied that another policy of insurance has been issued in respect of the use of that vehicle.

Information to be furnished by insurers. Inserted by 2332, 1936, s. 31.

70l. (1) Every approved insurer shall, whenever so required by the Treasurer, furnish to the Treasurer such information as the Treasurer reasonably requires relating to the following matters:—

(*a*) Premiums received for insurance under this Part:

(*b*) Claims paid under this Part:

(*c*) Persons insured under this Part:

(*d*) Any other matters relevant to this Part.

(2) Any insurer who without lawful excuse fails to furnish any information to the Treasurer within two months after receipt of a written notice demanding such information shall be guilty of an offence and liable to a penalty of one hundred pounds.

(3) Any insurer who wilfully or negligently furnishes any false information to the Treasurer shall be guilty of an offence and liable to a penalty of two hundred pounds.

nquiries into remium. nserted by 332, 1930, 31.

70m. (1) Upon the recommendation of the Treasurer the Governor may from time to time appoint a committee to inquire into and report upon the question whether the premiums charged for insurance under this Part are fair and reasonable.

(2) The persons appointed to such a committee shall be—

(*a*) a judge of the Supreme Court or a special magistrate or a legal practitioner actually practising law, who shall be chairman:

(*b*) the Public Actuary:

(*c*) two persons appointed as representing owners of motor vehicles:

(*d*) two persons appointed as representing approved insurers.

(3) The members referred to in paragraphs (*c*) and (*d*) of the last preceding subsection shall be appointed after consultation with such body or bodies as in the opinion of the Treasurer represent the interests of approved insurers and owners of motor vehicles respectively.

(4) The committee shall have all the powers of a Royal Commission, and the Royal Commissions Act, 1917, with the necessary modifications shall apply to the chairman and other members of the committee and its proceedings and to witnesses and persons summoned as witnesses before the committee.

(5) The Treasurer shall lay every report of the committee before Parliament.

Summary procedure.
Inserted by 2332, 1936, s. 31.

70n. Proceedings for any offence against this Part shall be disposed of summarily.

Regulations.
Inserted by 2332, 1936, s. 31.

70o. The Governor may make any regulations necessary or convenient for carrying this Part into effect or for facilitating the operation of this Part, and may by any regulation impose penalties recoverable summarily and not exceeding twenty pounds for breach of any regulation.

Contracting out of liability for negligence.
Inserted by 2416, 1938, s. 30.

70p. Any contract (whether under seal or not) by virtue of which any person in advance contracts out of any right to claim damages or any other remedy for the negligence of any other person in driving a motor vehicle shall to that extent be void.

Rights of persons named in policies.
Inserted by 2416, 1938, s. 30.

70q. Notwithstanding anything in any enactment, a person issuing a policy of insurance whether under this Part or otherwise in relation to a motor vehicle shall, as from the date of the policy, be liable to indemnify the persons or classes of persons specified in the policy in respect of any liability which the policy purports to cover in the case of these persons or classes of persons.

Medical examination of claimants.
Inserted by 2416, 1938, s. 30.

70r. (1) Where any claim has been made by or on behalf of any person for bodily injury caused by or arising out of the use of a motor vehicle, such person shall from time to time if and as required by the person against whom the claim is made, submit himself for examination by a duly qualified medical practitioner provided and paid by the person against whom the claim is made: Provided that a person shall not be required to submit himself for examination under this section otherwise than in accordance with

such regulations (if any) as may be made by the Governor nor at more frequent intervals than are prescribed by those regulations.

(2) If any person refuses to submit himself to any examination as required by this section, or in any way obstructs the examination his right to commence proceedings or (if commenced) to continue proceedings shall be suspended until the examination has taken place.

(3) A person shall not be entitled to any damages or compensation for any period during which he refuses to submit himself to or obstructs the examination or during which he has unreasonably delayed making a claim.

(4) Upon demand made by or on behalf of the person submitting himself to an examination under this section the person against whom the claim is made shall deliver to him a full and true copy of any report of the medical practitioner, and if default is made in such delivery for one week the report shall cease to be privileged from discovery.

Soliciting instructions to claim.
Inserted by 2416, 1938, s. 30, and repealed and re-enacted by 45, 1939, s. 20.
Subsec. (1) substituted by 46, 1941, s. 9 (1).

70s. (1) No person shall—

(*a*) for or in the expectation of directly or indirectly receiving any reward accept instructions or authority to act on behalf of any person in respect of the making, commencement, resisting, compromise or settlement of any claim or action for damages for the death of or bodily injury to any person or for injury to the property of any person arising out of the use of a motor vehicle;

(*b*) for or in the expectation of directly or indirectly receiving any reward make, commence, cause to be made or commenced, negotiate, settle, or compromise, on behalf of any person, any such claim or action;

(*c*) hold himself out as being willing to act for reward on behalf of any person in making, commencing, resisting, negotiating, settling, or compromising any such claim or action.

Substituted by 35, 1943, s. 16.

(2) This section shall not apply to—

(*a*) any qualified legal practitioner acting in the course of his profession;

(*b*) any officer of an association *bona fide* formed for the protection of the interests of employees and whether registered under any Commonwealth or State Act or not, when acting in the course of his duties for a member of that association;

(*c*) any person employed or instructed by an approved insurer to act on its behalf in connection with—

i. any claim or action in a case where the insurer is liable to indemnify the person against whom the claim is made or the action brought:

ii. any claim for injury to property in a case where the insurer is exercising rights of subrogation in respect of that injury and where the person so employed or instructed limits himself to making and settling the claim without threatening or otherwise referring to legal proceedings in respect thereof.

(3) Any agreement to pay any money for work done or services rendered contrary to this section shall be void, and any money so paid shall be recoverable by the person who has paid it.

(4) If any person contravenes this section in any way he shall be guilty of an offence and liable to a fine not exceeding one hundred pounds.

PART III.

LICENSING OF VEHICLES OTHER THAN MOTOR VEHICLES.

71. In this Part, unless the context otherwise requires— Interpretation. 1699, 1925, s. 3. 1823, 1927, s. 3.

"licence" means a licence issued pursuant to this Part and "licensed" and "unlicensed" have corresponding meanings:

"metropolitan area" means the Muncipalities of Adelaide, Brighton, Glenelg, Henley and Grange, Hindmarsh, Kensington and Norwood, Port Adelaide, Prospect, St. Peters, Thebarton, Unley, and Woodville, and the District Council Districts of Burnside, Campbelltown, Marion, Mitcham, Payneham, Walkerville, West Torrens, and Yatala South,

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s. 71. (Definition of "metropolitan area.") The following district council districts have been constituted municipalities:—Burnside, *Gazette* 16th May, 1935, p. 1308; West Torrens, *Gazette* 9th December, 1943, p. 755; Mitcham, Gazette 16th December, 1943, p. 781; Marion, *Gazette* 30th March, 1944, p. 381; Walkerville, *Gazette* 24th August, 1944, p. 221; Payneham, *Gazette* 27th September, 1945, p. 489; Campbelltown, *Gazette* 11th April, 1946, p. 569. The name of the district council district of Yatala South has been altered to Enfield, *Gazette* 11th July, 1935, p. 38, and the district constituted a municipality, *Gazette* 30th March, 1944, p. 415.

and the Garden Suburb, and any other municipalities and district council districts or parts of municipalities or district council districts contiguous to any part of the metropolitan area as defined for the time being to which the Governor, by proclamation, declares that this Act shall apply:

"owner" includes the holder under a hire purchase agreement and the verb "to own" has a corresponding meaning:

"registrar" means the Registrar of Motor Vehicles holding office under Part II of this Act, or any deputy registrar of motor vehicles:

"road" includes every public road, street, terrace, thoroughfare, or other public place, and every private road or street commonly used by the public, or to which the public are permitted to have access:

"vehicle" means every vehicle of any description whatsoever which is drawn or propelled by animal but not human power and used or ordinarily intended to be used on roads or streets.

Exemption of certain vehicles.
1699, 1925, s. 4.

72. The following vehicles are exempted from the operation of this Part, namely:—

(*a*) Every vehicle owned by the Fire Brigades Board, or any volunteer fire brigade:

(*b*) Any ambulance vehicle for the use of which no charge is made:

(*c*) Any vehicle owned by the corporation or council of any municipality, or by any district council, and used solely in connection with the construction and maintenance of roads.

Duty to obtain licences for vehicles.
1699, 1925, ss. 5, 10, 11.
Cf. U.K. 10 & 11 Geo. 5 c. 72, s. 13.
Amended by 17, 1942, s. 6.

73. (1) Any person who on any road within the metropolitan area drives, or causes or permits to be driven, any vehicle which is not licensed pursuant to this Part shall be guilty of an offence and liable to a penalty of not more than twenty pounds: Provided that a vehicle shall not be required to be licensed by reason only of the fact that it is drawn or towed unladen behind another vehicle, if that other vehicle is licensed.

(2) Any person who owns any vehicle which is driven on any road within the metropolitan area and is not licensed pursuant to this Part shall be guilty of an offence and liable to a penalty of not more than twenty pounds.

Applications for and issue of licences. 1699, 1925, ss. 5 (2), 6.

74. (1) A licence may be obtained on application duly made in accordance with this Part and the regulations to the registrar or some other person authorized for that purpose by the Minister.

(2) No licence shall be issued to any applicant unless and until the fee as set out in the next succeeding section has been paid to the registrar or other person authorized pursuant to the last preceding subsection.

(3) Every application for a licence shall be made during the currency of the year in which the licence is to have effect or in the month immediately preceding that year.

Fee for licence. 1699, 1925, the schedule. 1823, 1927, s. 5. Cf. U.K. 51 & 52 Vict. c. 8, s. 4; 10-&-11 Geo. 5 c. 72, s. 7 (6).

75. (1) The licence fee for a vehicle shall be calculated as follows:—

(*a*) If the weight unladen of the vehicle does not exceed 25cwts. the fee shall be calculated at the rate of two shillings per cwt. of such weight:

(*b*) If the weight unladen of the vehicle exceeds 25cwts. but does not exceed 40cwts. the fee shall be calculated at the amount of the fee for a vehicle of 25cwts., plus five shillings for every cwt. by which the weight unladen of the vehicle exceeds 25cwts.:

(*c*) If the weight unladen of the vehicle exceeds 40cwts. the fee shall be calculated at the amount of the fee for a vehicle of 40cwts., plus nine shillings for every cwt. by which the weight unladen of the vehicle exceeds 40cwts.

The weight of a vehicle shall be calculated to the nearest hundredweight.

(2) Where a licence is issued to take effect from a date between the thirty-first day of March and the thirtieth day of September in any year one-half the amount payable for a licence for a year shall be payable.

(3) Notwithstanding the foregoing provisions of this section—

(*a*) the minimum fee payable for a licence for a vehicle used or ordinarily capable of being used solely or mainly for the carriage of goods or merchandise shall be one pound, or, if the licence is issued between the first day of April and the thirtieth day of September, ten shillings; and

(*b*) the minimum fee payable for a licence for any other vehicle shall be ten shillings, or, if the licence is issued between the first day of April and the thirtieth day of September, five shillings.

Duration of licences.
1699, 1925, s. 6 pt.

76. Every licence shall remain in force until the thirtieth day of September next after the day on which it commences to take effect.

Evidence in support of application for licence.
1699, 1925, s. 7.
Cf. U.K. 10 & 11 Geo. 5 c. 72, s. 5 (1).

77. The applicant for a licence shall produce to the registrar or other person authorized to issue licences such evidence as to the nature and weight of the vehicle in respect of which a licence is applied for as the registrar or other person authorized as aforesaid requires or as is prescribed.

Licence discs.
1699, 1925, s. 8.
1823, 1927, s. 4.
Cf. U.K. 10 & 11 Geo. 5 c. 72, s. 6.

78. (1) The registrar or other person issuing a licence shall deliver to the applicant a metal disc of a size and shape to be fixed annually by the Minister by notice published in the *Gazette*, and to be annually varied, on which shall be inscribed the year of issue and any other particulars which may be prescribed.

(2) The disc shall, during the whole period in respect of which it is issued, be kept securely fixed to the vehicle in respect of which the disc and the licence are issued.

(3) Any person—

(*a*) who drives a vehicle licensed under this Part to which vehicle there is not affixed the metal disc delivered with the licence for such vehicle to the person applying for the same; or

(*b*) who drives a vehicle licensed under this Part on which vehicle the said disc is affixed otherwise than in the manner prescribed by this Part or any regulation under this Part,

shall be guilty of an offence and shall be liable to a penalty not exceeding ten pounds.

Duplicate licences and discs.
1699, 1925, s. 9.

79. (1) Upon application, the registrar or other person authorized to issue licences, may, on proof to his satisfaction of the loss or destruction of any licence or disc, and on payment of a fee of two shillings and sixpence, issue to the applicant a duplicate licence or disc.

(2) Any such duplicate licence or disc shall be effectual for all purposes as if it were the original licence or disc.

Affixing discs to wrong vehicles.
1699, 1925, s. 12.

80. Any person who affixes any disc issued pursuant to this Part, to any vehicle other than the vehicle in respect of which the disc was issued, shall be guilty of an offence and liable to a penalty of not more than twenty pounds.

Penalty for unlawfully obtaining licence.
1699, 1925, s. 13.
Cf. U.K. 10 & 11 Geo. 5 c. 72, s. 13 (2), (11).

81. Any person who—

(*a*) by any false statement or misrepresentation obtains or attempts to obtain a licence or disc under this Part; or

(*b*) without lawful excuse has in his possession a licence or disc, or any article resembling a licence or disc and liable to be mistaken therefor; or

(*c*) forges or fraudulently alters or uses, or fraudulently lends or allows to be used by any other person, any licence or disc,

shall be guilty of an offence and liable to a penalty of twenty pounds.

Facilitation of proof.
1699, 1925, s. 14.
Cf. U.K. 10 & 11 Geo. 5 c. 72, s. 13 (3).

82. In any proceedings for an offence against this Part—

(*a*) proof that a vehicle has not affixed upon it a disc of the size and shape fixed by the Minister for the current year shall be *prima facie* evidence that the vehicle is unlicensed;

(*b*) the allegation in the complaint that any person is the owner of a vehicle shall be *prima facie* evidence that that person is the owner of the vehicle;

(*c*) the allegation in the complaint that any place is a road shall be *prima facie* evidence that the place is a road within the meaning of this Part;

(*d*) the allegation in the complaint that any road wherein it is alleged that any such offence was committed is situated within the metropolitan area shall be *prima facie* evidence that the road is situated as alleged; and

(*e*) any conveyance shall be deemed to be a vehicle within the meaning of this Part unless the defendant satisfies the court to the contrary.

Summary proceedings for offences.
1699, 1925, s. 15.

83. All proceedings in respect of offences against this Part shall be disposed of summarily.

Regulations.

84. The Governor may make any regulations necessary or convenient for carrying into effect the provisions and objects of this Part, including (though without limiting the operation of this section) regulations in respect of the following matters:—

I. the form of licence and the application therefor:

II. any matters in this Part left to be expressed or ascertained by regulations.

PART IV.

PART IV.

WIDTH OF TIRES.

Interpretation. 1580, 1923, s. 3.

85. In this Part, unless some other meaning is clearly intended—

"council" means a municipal or district council, and includes the Renmark Irrigation Trust No. 1:

"inspector" means inspector of the Highways and Local Government Department appointed for the purposes of this Act by the Minister:

"load" includes everything inanimate or animate carried on a vehicle:

"local government area" or "area" means a municipality or a district council district, and includes the area of the Renmark Irrigation Trust No. 1:

"motor vehicle" means any motor vehicle within the meaning of Part II of this Act: Provided that the term shall not include—

(*a*) any motor vehicle not used exclusively or principally for the conveyance of goods; or

(*b*) any trailer, semi-trailer, or jinker:

"non-mechanical vehicle" means any waggon, dray, trolly, cart, car, truck, or any other vehicle drawn or propelled by animal power, or any trailer, semi-trailer, or jinker attached to any vehicle (howsoever drawn or propelled) or to any motor vehicle; but does not include any motor vehicle:

"owner", when used in relation to a vehicle, includes not only the owner but also the hirer or borrower or other person for the time being entitled to the possession of the vehicle and also any manager, overseer, foreman, agent, or other representative of the owner with whose orders the driver or other person in charge of the vehicle is bound to comply:

"road" means any street, road, terrace, thoroughfare, court, lane, alley, cul-de-sac, or other place, commonly used by the public, or to which the public are permitted to have access:

"vehicle" includes motor vehicles and non-mechanical vehicles:

Part IV. JAMES v. JOHNSON (1922) S.A.S.R. 294. The term "carry" in Part IV. means to support or sustain and applies to a stationary vehicle. Held, that the weight of the load carried by a jinker usually connected with a horse dray, was its weight ascertained when the jinker was disconnected from the dray and stationary.

"width" when used in relation to the tire of a wheel of a vehicle means— Substituted by 35, 1943, s. 17.

(*a*) in the case of a metal tire or a solid rubber tire, the width of the bearing surface of the tire:

(*b*) in the case of a pneumatic tire, the full width of the tire measured at any part where the tire is not distorted.

Maximum axle load for non-mechanical vehicles. Substituted by 35, 1943, s. 18.

86. Any person who drives or causes or permits to be driven on any road—

(*a*) any non-mechanical vehicle carrying on any axle thereof a greater weight than the maximum which may lawfully in accordance with the rules contained in section 92 be carried on a two-wheeled vehicle fitted with wheels of the same diameter and width of tire as the two wheels turning on such axle;

(*b*) any non-mechanical vehicle having metal tires and carrying on any axle thereof a greater weight than six tons and ten hundredweights; or

(*c*) any non-mechanical vehicle having rubber tires and carrying on any axle thereof a greater weight than eight tons,

shall be guilty of an offence.

Maximum total load for non-mechanical vehicles. 1580, 1923, s. 4 (1).

87. Any person who drives or causes or permits to be driven on any road—

(*a*) any non-mechanical vehicle carrying a weight greater than that calculated in accordance with the rules contained in section 92;

(*b*) any non-mechanical vehicle having metal tires and carrying a weight greater than that calculated at the rate of five tons for each axle of such vehicle; or

(*c*) any non-mechanical vehicle having rubber tires and carrying a weight greater than that calculated at the rate of six tons for each axle of the vehicle,

shall be guilty of an offence.

Maximum axle load for motor vehicles. 1580, 1923, s. 6 (1).

88. Any person who drives or causes or permits to be driven on any road—

(*a*) any motor vehicle carrying on any axle thereof a greater weight than the maximum which may lawfully in accordance with the rules contained in

section 92 to be carried on a two-wheeled vehicle fitted with wheels of the same diameter and width of tire as the two wheels turning such axle;

(*b*) any motor vehicle having metal tires and carrying on any axle thereof a greater weight than six tons and ten hundredweights; or

(*c*) any motor vehicle having rubber tires and carrying on any axle thereof a greater weight than eight tons,

shall be guilty of an offence.

Maximum total load for motor vehicles. 1580, 1923, s. 6(2).

89. Any person who drives or causes or permits to be driven on any road any motor vehicle carrying a weight greater than that computed in accordance with the rules contained in section 92 shall be guilty of an offence.

Exemptions. 1580, 1923, s. 4 (4).

90. The provisions of this Part as to the maximum total load or maximum axle load for vehicles shall not apply to—

(*a*) any tractor or traction engine not usually used upon a road; or

(*b*) the conveyance of any piece of heavy machinery or other merchandise which cannot be taken apart without great expense or loss: Provided that the vehicle conveying such machinery follows the special route (if any) along which the town or district clerk of every municipality or district through which such machinery is carried, has ordered that it be conveyed to its destination.

Penalty. 1580, 1923, ss. 4 (3), 6 (3). **Amended by 55, 1948, s. 9, and by 37, 1953, s. 11.**

91. If any person is guilty of an offence against section 86, 87, 88, or 89 he shall be liable to a penalty calculated at the rate of not less than five shillings and not more than two pounds for each hundredweight or part of a hundredweight carried in excess of the weight allowed by this Act.

Rules as to maximum weight. 1580, 1923, the schedule.

Amended by 35, 1943, s. 19 (a).

92. The rules for determining by reference to the width of tires, the maximum weight which may be carried by any vehicle are as follows:—

1. The maximum weight which may be carried on any vehicle shall be calculated at the rate of seven hundredweights for each inch of the total width of the tires on all wheels fitted to such vehicle which are thirty inches or less in diameter and at the rate of eight hundredweights for each inch of the total width of the tires on all wheels fitted to such vehicle

which are more than thirty inches in diameter: Provided that where the vehicle has metal tires and carries a load any part of which exceeds ten feet in height from the level of the roadway or ten feet in width the maximum weight shall be calculated at the rate of seven hundredweights for each inch of the total width of all tires on all wheels fitted to such vehicle:

II. In computing the maximum weight which may be carried on a three-wheeled vehicle that vehicle shall be treated as if it were a two-wheeled vehicle fitted with two wheels of such vehicle which turn on the same axle:

III. (*a*) For the purpose of these rules if the two wheels on any vehicle which turn on the same axle are not of the same width the wider tire shall be deemed to be of the same width as the narrower tire: Amended by 35, 1943, s. 19 (b).

(*b*) The total width of each tire shall be calculated to the nearest quarter of an inch:

IV. In computing the actual weight carried on any vehicle or axle the weight of the vehicle itself shall be taken into account:

V. These rules apply in respect to all vehicles.

93. (1) The following rules shall be observed in respect of every vehicle having metal tires on any road:— Rules to be observed with respect to tires. 1580, 1923, s. 5.

I. The tire of each wheel of any such vehicle shall have an even-bearing surface across its full width:

II. No tire of any such vehicle shall be less than one-and-a-quarter inches in width.

(2) If any vehicle in respect of which any of the said rules is not complied with is on any road, the person in charge of such vehicle and also the owner of such vehicle shall be guilty of an offence: Provided that both shall not be punished in respect of the same non-compliance.

(3) This section shall not apply to any vehicle not plying for hire, and constructed or adapted and ordinarily used for the carriage of passengers only, even if goods or merchandise are on any particular occasion carried in such vehicle.

Authorized officers.
1580, 1923, s. 7.
1714, 1925, s. 2.

94. (1) Any council may appoint any person to be an authorized officer for the purpose of carrying out the provisions of this Part within the area of such council, and any person so appointed shall, within the area of the council appointing him, be an authorized officer for the purposes of this Part.

(2) The Minister may appoint any person to be an authorized officer for the purpose of carrying out the provisions of this Part in any part of the State, and any person so appointed shall, within any such part of the State, be an authorized officer for the purposes of this Part.

Weighing machines.
1580, 1923, s. 8.
1641, 1924, s. 2.

95. (1) Any council may within its area erect weighing machines with suitable houses or structures for the weighing of vehicles, goods, or merchandise, or may provide any weighing apparatus of a prescribed kind for similar purposes, and may license any weighing machine erected, or any such apparatus as aforesaid provided, by any person within its area.

(2) The Minister may in any part of the State erect weighing machines with suitable houses or structures for the weighing of vehicles, goods, or merchandise, or may provide any weighing apparatus of a prescribed kind for similar purposes, and may license any weighing machine erected, or any such apparatus as aforesaid provided, by any person within any part of the State not within a local government area.

Vehicles and load to be weighed if required.
1580, 1923, s. 9.

96. (1) Every person in charge of a vehicle on any road shall, if required by any member of the police force, any inspector, or any authorized officer, forthwith cause such vehicle, with the load (if any) thereon, to be weighed by means of any available weighing apparatus of a prescribed kind provided or licensed by a council or the Minister, or at the most convenient weighing machine erected or licensed by a council or the Minister, for the purpose of ascertaining the weight of such vehicle, and the load thereon, or the weight carried on any axle of such vehicle.

(2) If there is any such weighing apparatus or such a weighing machine within one mile of the place where the requisition is made, and any such person refuses or fails to comply with any such requisition, that person shall be guilty of an offence.

Load may be measured. 1580, 1923, s. 10.

97. (1) Every person in charge of any vehicle on any road shall, if required by any member of the police force, any inspector, or any authorized officer, allow that member of the police force, inspector, or officer—

(*a*) to measure and examine such vehicle, or the tires or the load on such vehicle; or

(*b*) to ascertain the weight of the load on the vehicle, or the weight carried on any axle of such vehicle, by measurement or otherwise in accordance with the appropriate regulation.

(2) If any such person—

(*a*) refuses or fails to comply in any respect with subsection (1) of this section; or

(*b*) obstructs or interferes with any such member, inspector, or authorized officer, in doing any act mentioned in subsection (1),

he shall be guilty of an offence.

Weight ascertained in accordance with regulation *prima facie* proof. 1580, 1923, s. 11.

98. (1) The weight of the load on any vehicle ascertained in accordance with the appropriate regulation shall, in any proceedings in respect of any offence against this Act, be taken to be, in the absence of proof to the contrary, the actual weight of that load, unless the owner or the person in charge of the vehicle—

(*a*) at the time of the ascertainment as aforesaid, gives notice to such member of the police force, inspector, or authorized officer of his intention to have the load weighed at a weighing machine erected or licensed by a council or the Minister, or by means of any weighing apparatus of a prescribed kind provided or licensed by a council or the Minister; and

(*b*) forthwith upon such weighing delivers, or causes to be delivered, to such member of the police force, inspector, or authorized officer the document showing the result of such weighing.

(2) In the event of any proceedings for an offence against this Act in respect of the load so weighed, the document (if any) showing the result of such weighing received by such member of the police force, inspector, or authorized officer shall be produced to the court at the hearing.

(3) The weight carried on the axle of any vehicle ascertained in accordance with the appropriate regulation shall, in any proceedings in respect of any offence against this Act, be taken to be, in the absence of proof to the contrary, the actual weight carried on such axle.

Vehicles may be stopped and questions asked.
1580, 1923, s. 12.

99. (1) Any member of the police force, any inspector, or any authorized officer may require the person in charge of any vehicle on any road to stop, and may request such person to state his name and address and the name and address of the owner of the vehicle.

(2) Any person in charge of any vehicle on any road who—

(*a*) upon being requested to stop as aforesaid, refuses or fails to stop; or

(*b*) upon being requested to stop as aforesaid, refuses or fails to state his name or address, or the name or address of the owner of the vehicle, or states a false name or address,

shall be guilty of an offence.

(3) Any member of the police force may, without any warrant other than this Act, apprehend any person who is guilty of any offence under this section.

Power to compel unloading of excess weight
Inserted by 37, 1953, s. 12.

99a. (1) Where a member of the police force or an inspector or authorized officer has ascertained that the load on a vehicle which is on any road, or the load on any axle of any such vehicle, exceeds by more than ten hundredweights the maximum load or axle load permitted by this Part to be carried on such vehicle or axle, he may direct the driver or person in charge of the vehicle that the vehicle is not to be driven on a road (except for the purpose of driving it off the carriage way or driving it to a place nominated by the driver or person in charge and approved by the inspector or authorized officer, for the purpose of unloading) until that part of the load which is in excess of the permitted maximum is removed from the vehicle.

(2) Any person who contravenes any such direction shall be guilty of an offence and liable to a fine not exceeding fifty pounds.

S. 100 repealed by 2332, 1936, s. 32.

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Vehicle to be weighed if required. 1580, 1923, s. 14.

101. (1) The owner of any vehicle, upon being served with a notice in the prescribed form signed by any member of the police force, any inspector, or any authorized officer and by a justice of the peace, requiring him with all practical speed to cause the vehicle to be weighed unladen by means of any apparatus of a prescribed kind provided or licensed by a council or the Minister, which is available, or on any weighing machine erected or licensed by a council or the Minister, shall forthwith obey such order, and shall forthwith upon such weighing deliver, or cause to be delivered, to such member of the police force, inspector, or officer the document showing the result of such weighing.

(2) Any such owner who refuses or fails forthwith to obey any such order or forthwith upon such weighing to forward the document showing the result of such weighing, as provided by subsection (1) hereof, shall be guilty of an offence.

(3) This section shall not apply if—

(*a*) the distance from the place where such vehicle is at the time of service of the notice to such apparatus or the nearest weighing machine erected or licensed by a council or the Minister is greater than two miles; and

(*b*) the owner produces to the inspector or authorized officer signing such notice a statement of the weight of such vehicle signed by the person in charge of any such apparatus or weighing machine, wherever situated.

Regulations. 1580, 1923, s. 15.

102. (1) In addition to any power by any other section of this Part conferred on the Governor to make regulations (which power shall in every case be implied for the purpose of any section in which the word "prescribed" is used) the Governor may make regulations—

(*a*) prescribing the method of ascertaining the weight of the load on any vehicle, and the weight carried on any axle of any vehicle, whether by weighing, measurement, or otherwise; and

(*b*) prescribing the kinds of apparatus which the Minister or a council may provide or license for the weighing of vehicles, goods, or merchandise for the purposes of this Part; and

(*c*) prescribing all matters and things which by this Part are contemplated, required, or permitted to be prescribed, or which appear to him to be necessary or convenient to be prescribed, for the purpose of more effectually carrying out any of the provisions of this Part or for better effecting the objects of this Part.

(2) Any such regulation may fix penalties not exceeding in any case the sum of ten pounds for the breach of the same or any other regulation.

Alteration of maximum loads.
1580, 1923, s. 16.
1961, 1930, s. 3.

103. (1) The Governor may make regulations restricted in their application to any road or roads named therein, or any part or parts of the State described therein, prescribing for vehicles or any class of vehicles a maximum weight which may be carried on any such vehicle or on the axle thereof, lower than that fixed by or under this Part. Such regulations may definitely fix the maximum weight applicable to any case or may prescribe the method by which the said maximum weight is to be calculated, and may differentiate between vehicles having different kinds of tires.

(2) Any maximum weight so fixed shall, subject to the restrictions aforesaid, be deemed to be substituted for that fixed by or under the relevant provisions of this Part.

Evidence.
1580, 1923, s. 17.

104. In any proceedings for an offence against this Part—

(*a*) the production of a statement purporting to be signed by the person in charge of any apparatus of a prescribed kind owned or licensed by a council or the Minister, or any weighing machine erected or licensed by a council or the Minister shall be *prima facie* evidence of the weight of the load or of the vehicle therein specified, or of the weight both of such load and of such vehicle, or the weight carried on the axle of such vehicle; and

(*b*) any apparatus of a prescribed kind or weighing machine shall, until the contrary is proved, be deemed to be apparatus of a prescribed kind or a weighing machine erected or licensed by a council or the Minister (as the case may require) for the purposes of this Part.

105. Any person who is guilty of any offence against this Part for which no other penalty is provided shall be liable for the first offence to a penalty of not more than ten pounds, and for every subsequent offence to a penalty of not less than two pounds and not more than twenty pounds.

Penalty. 1580, 1923, s. 18.

106. All proceedings in respect of offences against this Part shall be disposed of summarily.

Summary proceedings for offences. 1580, 1923, s. 19.

107. All money collected as fines in respect of convictions under this Part shall be paid into general revenue: Provided that where any fine is imposed in respect of an offence committed within a local government area and the complaint in respect of the offence was made by an officer of the council of such area, one moiety of such fine shall be paid to the council for the use and benefit of the area.

Appropriation of penalties. 1580, 1923, s. 20.

PART V.

LIGHTS AND EQUIPMENT ON VEHICLES OTHER THAN MOTOR VEHICLES.

Heading amended by 2416, 1938, s. 31.

108. In this Part, unless the context or subject matter requires a different construction—

Interpretation. 1370, 1919, s. 4. Cf. U.K. 17 & 18 Geo. 5 c. 37, s. 15.

"council" means any municipal or district council, and includes the Renmark Irrigation Trust No. 1:

"bicycle" does not include motor bicycle:

"inspector" means any inspector appointed by or under this Part:

"local government area" means a municipality or district council district, as the case may require, and includes the Renmark Irrigation District No. 1:

"owner", used with reference to a vehicle, includes not only the owner, but also the hirer or borrower or other person for the time entitled to the possession of the vehicle, and also any manager, overseer, foreman, agent, or other representative of the owner, with whose orders the driver or other person in charge of the vehicle is bound to comply:

"road" includes every public street, road, terrace, thoroughfare, or other public place, and every private street or road commonly used by the public, or to which the public are permitted to have access:

"tricycle" does not include motor tricycle:

"vehicle" means any vehicle other than a motor vehicle within the meaning of Part II of this Act, and includes a handcart and a road roller.

Vehicles to carry lights at night.
1370, 1919, s. 5.
1858, 1925, s. 2.
Cf. U.K. 17 & 18 Geo. 5 c. 37, s. 1.

109. (1) No person shall drive upon any road or cause or permit to be upon any road at any time between half an hour after sunset and half an hour before sunrise, any vehicle which has not attached thereto:—

(*a*) two lighted lamps carried one on each side of such vehicle, each lamp being so constructed and carried as to show a bright white light in front of such vehicle; and

(*b*) a lighted lamp carried on the off side of the rear of such vehicle, such lamp being so constructed and carried as to show a red light at the rear of such vehicle, which said light is clearly visible to any person approaching the vehicle from the rear.

Subsec. (2) inserted by 2332, 1936, s. 33.

(2) No person shall drive upon any road or cause or permit to be upon any road at any time between half an hour after sunset and half an hour before sunrise any vehicle which, or the load on which, is more than seven feet wide unless that vehicle carries attached to the extreme off side of the vehicle or, where there is a load projecting from the off side of the vehicle, at the extreme off side of the load, a lighted lamp so constructed and carried as to show a bright green light in front of the vehicle.

It shall be a sufficient compliance with this subsection if any lamp carried in pursuance of subsection (1) of this section also complies with this subsection.

Lights on bicycles and tricycles.
1370, 1919, s. 6.
1858, 1928, s. 3.
2019, 1931, s. 2.
2169, 1934, ss. 2, 3.
Cf. U.K. 17 & 18 Geo. 5 c. 37, ss. 5, 9; 24 & 25 Geo. 5 c. 50, s. 19.

110. (1) No person shall ride any bicycle or any tricycle upon any road at any time between half an hour after sunset and half an hour before sunrise unless it has attached thereto either one or two lighted lamps complying with this section.

(2) Where one lamp is carried it shall be affixed on the off side of the bicycle or tricycle in such a position and manner as to show a bright white light clearly visible to

s. 109. YELLOW CABS (SOUTH AUSTRALIA) LIMITED v. BLIGHT (1929) S.A.S.R. 118. **Failure** to comply with section 109 may be negligence.

any person approaching the bicycle or tricycle from the front and a red light clearly visible to any person approaching the bicycle or tricycle from the rear.

(3) Where two lamps are carried—

(*a*) one shall be affixed on the front of the bicycle or tricycle in such a position and manner that a bright white light from the lamp is clearly visible to any person approaching the bicycle or tricycle from the front; and

(*b*) one shall be affixed on the rear of the bicycle or tricycle not more than twenty inches above the ground in such a position and manner that a red light from the lamp is clearly visible to any person approaching the bicycle or tricycle from the rear. Para. (b) amended by 2332, 1936, s. 34.

(4) In this section the term "visible" means "visible at a distance of at least two hundred yards from the bicycle or tricycle on which the lamp or lamps is or are carried". Amended by 2332, 1936, s. 34.

(5) This section shall apply within— Substituted by 45, 1939, s. 21.

(*a*) every municipality and every district council district:

(*b*) the Garden Suburb:

(*c*) such other areas as the Governor declares by proclamation to be areas within which this section applies.

The Governor may by proclamation declare any area defined or mentioned in the proclamation to be an area within which this section shall apply, and may by proclamation revoke or vary any proclamation previously made under this subsection.

(6) This section shall come into operation on a day to be fixed by proclamation which shall not be earlier than the first of March, one thousand nine hundred and thirty-five, and may be a day other than the day on which the remainder of this Act comes into operation.

(7) Until this section comes into operation section 6 of the Lights on Vehicles Act, 1919, as existing prior to the passing of the Lights on Vehicles Act Amendment Act, 1934, shall remain in operation.

Reflectors on bicycles and tricycles.
Inserted by 37, 1953, s. 13.

110a. (1) No person shall ride any bicycle or tricycle upon any road at any time between half an hour after sunset and half an hour before sunrise unless in addition to being equipped with lighted lamps as required by this Part it has affixed to the rear thereof a red reflector complying with this section.

(2) In order to comply with this section, a reflector must—

(*a*) be of a size, shape and pattern prescribed by regulations, and comply with any other requirements so prescribed;

(*b*) be affixed in such a position on the rear of the bicycle or tricycle as to reflect to the rear a light shining towards the reflector from behind the bicycle or tricycle;

(*c*) be free from dirt, mud, or other matter likely to render the reflector ineffective.

(3) This section shall come into force on a day to be proclaimed by the Governor.

Lights where load projects.
1370, 1919, s. 7.
Cf. U.K. 17 & 18 Geo. 5 c. 37, s. 6.

111. (1) Whenever any load carried on any vehicle which is being driven or is standing upon any road at any time between half an hour after sunset and half an hour before sunrise projects more than three feet behind the body of the vehicle, a lighted lamp shall be kept attached to the rearward extremity of such load in such a position and manner as to show a red light clearly visible to any person approaching such vehicle from the rear or passing such vehicle from the front.

Substituted by 20, 1944, s. 8.

(2) If any person drives or leaves stationary on any road or causes or permits any person to drive or leave stationary on any road, any vehicle which in any particular does not comply with this section, he shall be guilty of an offence.

Lights on projecting parts of vehicles.
Inserted by 45, 1939, s. 22.

111a. (1) Whenever any part of a vehicle which is being driven or is standing upon any road at any time between half an hour after sunset and half an hour before sunrise, projects to the rear for more than three feet beyond the lamp carried on the rear of the vehicle pursuant to paragraph (*b*) of subsection (1) of section 109 of this Act, a lighted lamp shall be kept attached to the rearward extremity of the said projecting part of the vehicle in such a position and manner as to show a red light clearly visible from a distance of two hundred yards from the rear of the vehicle.

s. 110a. This section was proclaimed to come into operation on 1st July, 1954; *Gazette* 14th January, 1954, p. 57.

(2) If any person drives or leaves stationary on any road or causes or permits any person to drive or leave stationary on any road, any vehicle which in any particular does not comply with this section, he shall be guilty of an offence.

Substituted by 20, 1944, s. 9.

112. (1) Any driver of a vehicle or any rider of a tricycle or bicycle who, when requested by an inspector, in the execution of his duty under this Part, to stop or to state his name and place of abode, refuses or fails to do so, or when so requested, states a false name or place of abode, shall be guilty of an offence.

Duty to stop and give name and address. 1370, 1919, s. 8.

(2) Any inspector may, without any warrant other than this Part, apprehend any person who is guilty of any offence under this section.

112a. No person shall ride any bicycle or tricycle on any road unless that bicycle or tricycle is equipped with an efficient brake in proper working order.

Brakes on bicycles. Inserted by 2416, 1938, s. 32.

112b. No person shall ride any bicycle or tricycle on any road unless that bicycle or tricycle has attached thereto a bell or other suitable instrument capable of giving audible and sufficient warning of the approach of that bicycle or tricycle.

Warning devices on bicycles. Inserted by 2416, 1938, s. 32.

A siren shall not be a suitable instrument within the meaning of this section.

112c. Every rider of a bicycle or tricycle shall, whenever necessary, by sounding the warning instrument attached thereto, give audible and sufficient warning of the approach of the bicycle or tricycle.

Duty to use warning instrument. Inserted by 2416, 1938, s. 32.

113. (1) Every member of the police force and every inspector in the Highways and Local Government Department of the public service shall, without any further appointment, be an inspector under this Part for the whole State.

Who to be inspectors under Act. 1370, 1919 s. 9.

(2) The Governor may appoint any other person to be an inspector under this Part for the whole State, or for any particular portion of the State.

(3) Any council may appoint any other person to be an inspector under this Part within the local government area of such council.

(4) The exercise by every inspector appointed otherwise than for the whole State of his powers and duties under this Part shall be limited to the portion of the State or the local government area, for which he was appointed.

Offences. 1370, 1919. s. 10.

114. Any contravention of or failure to observe any provision of this Part, whether by act or omission, shall be an offence.

Penalties. 1370, 1919, s. 11. Amended by 55, 1948, s. 10.

115. Any person guilty of an offence under this Part shall be liable to a penalty for a first offence of not more than five pounds, and for any subsequent offence of not more than ten pounds.

Appropriation of penalties. 1370, 1919, s. 15.

116. All moneys received for or on account of penalties imposed for offences against this Part shall be paid to the Treasurer for the public uses of the State; except moneys received in respect of an offence committed within the limits of a local government area, which shall be paid over to, and for the use of, the council of such area.

Facilitation of proof. 1370, 1919, s. 14 (a). 1609, 1924, s. 2.

117. Whenever in any proceedings for an offence against this Part, any place is described as a road such description shall be *prima facie* evidence that that place is a road within the meaning of this Part.

Summary proceedings for offences. 1370, 1919, s. 16.

118. All proceedings in respect of offences against this Part shall be disposed of summarily.

PART VI.

PART VI.

GENERAL RULES TO BE OBSERVED BY TRAFFIC.

General provisions as to traffic. Cf. U.K. 20 & 21 Geo. 5 c. 43, ss. 1, 2. Inserted by 2332, 1936, s. 35, and amended by 55, 1948, s. 11.

119. (1) In this Part, unless the context otherwise requires—

"vehicle" includes motor vehicle as defined in Part II of this Act, vehicle propelled by animal power, bicycle, tricycle, and any other like vehicle propelled by human power, but except as provided in subsection (3) of this section, does not include a vehicle run on a tramway or railway line:

"animal" means horse, mule, ass, bullock, camel, or other beast used to draw or carry vehicles, loads, or human beings:

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s. 119. LIPPETT v. ROBERTSON (1953) S.A.S.R. 13. Held that streets within Woomera Village were "roads" within the meaning of Part VI. *See also* the Prohibited Areas (Application of State Laws) Act, 1952.

"cross-over" means vehicular track which passes through the strip of land separating the carriage-ways of a double road and gives access from one carriage-way to the other, and includes any such track which is a continuation or part of a road adjoining a double road, but does not include any such track which is a continuation or part of a road intersecting a double road: Inserted by 48, 1951, s. 21.

"driver" means any person driving or riding a vehicle or animal and as regards a trailer means a person driving the vehicle by which the trailer is being drawn:

"left" means left reckoned by reference to the direction in or towards which the vehicle, animal, or person is proceeding or facing at the material time:

"road" includes every public road, street, terrace, thoroughfare, or other public place, and every private road or street commonly used by the public, or to which the public are permitted to have access:

"trailer" means any vehicle without motive power constructed or adapted or used for being drawn by another vehicle: Provided that a vehicle without motive power constructed and adapted for being drawn by a motor vehicle shall not be deemed a trailer, but shall be deemed part of the motor vehicle by which it is drawn if—

* * * * * * * * * * * Para. (a) repealed by 46, 1941, s. 10.

(*b*) it is constructed for attachment to a motor vehicle by means of a turntable and king pin; and

(*c*) a substantial part of its weight and of the weight of its load rests upon the motor vehicle by which it is drawn.

(2) This Part does not apply to any stock travelling loose on a road.

(3) In sections 120, 121, 123, and 139 of this Act the word "vehicle" shall include a tramcar. Inserted by 55, 1948, s. 11 (b).

Careless driving.
U.K. 20 & 21 Geo. 5 c. 43, s. 12.
Inserted by 2332, 1936, s. 35.

120. (1) If any person drives or rides any vehicle or animal or walks on a road without due care or attention or without reasonable consideration for other persons using the road he shall be guilty of an offence.

(2) If any person rides a bicycle on any road without having at least one hand upon the handle-bar in such a

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s. 120. HUNT v. BOND (1930) S.A.S.R. 46; 12 Austn. Digest 285. Held, that a complaint alleging negligent driving, without giving particulars of the negligence, was sufficient.

WINTULICH v. LENTHALL (1932) S.A.S.R. 60. Held (under section 21 of the Motor Vehicles Act, 1921, which made it an offence to drive a motor car negligently, that the standard of care required was that which an ordinary prudent man would deem necessary in the circumstances presented to him, in order to avoid injury or damage to the person or property of others. Wilful or intentional negligence need not be proved.

NEALE v. WALSH (1932) S.A.S.R. 429. Any substantial breach of the ordinary duty to take care amounted to "driving negligently" within the meaning of section 21 of the Motor Vehicles Act, 1921.

KIERNAN v. PIERCE (1933) S.A.S.R. 137. Where the circumstances proved against a defendant proved to have been involved in a collision are such that he may be presumed to know why the collision occurred, and the only evidence before the court indicates that the other party was not blameworthy, the defendant must either explain why the collision occurred or submit to the conclusion that it occurred because he was driving negligently.

TAYLOR v. GEARY (1939) S.A.S.R. 89. Where the defendant, driving a motor vehicle, had collided with a horse-drawn vehicle emerging from a side-street and crossing over the road on which the defendant was travelling, and there was evidence to show that the defendant, had he been keeping a proper look-out, could have seen there was ample room to pass behind the other vehicle, held that he had been properly convicted under subsection (1) for driving without due care.

JOHNS v. SILBEY (1939) S.A.S.R. 133. Where a collision occurred between a motor vehicle driven by the defendant and a cycle, held that the dismissal of a complaint under subsection (1) for driving without due care could be supported upon the view that the defendant had been guilty of a mere error of judgment in the emergency created by the cyclist. The court should take into account the difficulty created by conditions of poor visibility.

DAYMAN v. SARIS (1939) S.A.S.R. 176. The negligence of a driver of a vehicle contributing to a collision with another vehicle is irrelevant on a charge under subsection (1) for driving without due care against the driver of the second vehicle.

VIRGO v. ELDING (1939) S.A.S.R. 294. To constitute the offence of driving without due care, it is not necessary to show that the driver is driving without due regard to the safety of other users of the highway. Where a driver had fallen asleep at the wheel and his car had run off the road, held that he was properly convicted of driving without due care.

DAYMAN v. SARIS (1939) S.A.S.R. 445. Held, in the particular facts, that the driver of a vehicle drove without due care.

STEPHENS v. STEWART (1941) S.A.S.R. 24. Where a driver of a vehicle turned his vehicle for the purpose of proceeding in the opposite direction, held out his hand to signal the turn, but did not look for traffic whilst on the turn, held that he drove without due care.

DAYMAN v. GILL (1941) S.A.S.R. 208. Where a driver of a vehicle turned across a street and his explanation was accepted that when he commenced his turn approaching vehicles were at a distance which made it appear safe to cross in front of them, held that the dismissal of the complaint should not be disturbed.

FRASER v. DAYMAN (1942) S.A.S.R. 5. Where a motor car stopped at about twenty feet from the kerb and a motor omnibus overtook and ran down the motor car, held that, notwithstanding the unexpected place where the motor car was stopped, the driver of the omnibus had driven without due care.

HOWE v. DAYMAN (1943) S.A.S.R. 20. There is no general rule that a driver is guilty of driving without due care if he makes a right hand turn in a busy thoroughfare without looking behind him to see whether there is any risk of collision with a following vehicle.

MILKINS v. ROBERTS (1949) S.A.S.R. 251. Nature of the offence of driving or riding a vehicle or animal without due care or attention considered.

position as to have adequate control of the steering of the bicycle he shall be guilty of an offence.

Reckless driving.
U.K. 20 & 21 Geo. 5. c. 43, s. 11; 24 & 25 Geo. 5 c. 50, ss. 4, 5.
Inserted by 2332, 1936, s. 35.

121. (1) If any person drives or rides any vehicle or animal on a road recklessly or at a speed or in a manner which is dangerous to the public he shall be guilty of an offence and liable to a fine for a first offence of not less than ten pounds and not more than fifty pounds, and for any subsequent offence of not less than fifty pounds and not more than one hundred pounds, and may for any subsequent offence be imprisoned for any term not exceeding three months.

(2) In considering whether an offence has been committed under this section the court shall have regard to all the circumstances of the case including the nature, condition and use of the road upon which the offence is alleged to have been committed, and to the amount of traffic which at the time actually is or which might reasonably be expected to be upon that road.

Driving horse-drawn and other vehicles while drunk.
Inserted by 35, 1943, s. 20.

121a. (1) Any person who—

(*a*) drives or rides any vehicle, not being a motor vehicle; or

(*b*) occupies the driver's or rider's seat on a vehicle, not being a motor vehicle, and attempts to put the vehicle in motion,

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s. 121. MOORE v. THE KING (1926) S.A.S.R. 52; 5 Austn. Digest 280; affirmed by MOORE v. THE KING (1926) 39 C.L.R. 602. *Semble,* that if the accused (although not guilty of criminal negligence) had committed the offence of negligent or dangerous driving, and thereby killed a person, he could not make out the defence of homicide by misadventure.

KELLY v. WALSH (1929) S.A.S.R. 481. On a charge of dangerous driving it is not necessary to show that the safety of any particular person was endangered. It is enough if there is some substantial possibility of injury to persons who might reasonably be expected to come upon a road. Conviction quashed where the defendant had not endangered any person and the court was of opinion that there was no potentiality of mischief to the public in the circumstances.

BARNETT v. WALSH (1934) S.A.S.R. 303 Where the defendant and another person, through an error of judgment, endangered each other's safety, but not that of the public, held that the defendant was not guilty of dangerous driving.

KELDOULIS v. FRENCH (1935) S.A.S.R. 192. An attempt to pass between stationary motor cars held to be dangerous driving.

THOMPSON v. COPELAND (1936) S.A.S.R. 45. Held, that "recklessness" implies that the possible consequences of his act are adverted to by the actor, but he is indifferent whether they occur or not.

BOND v. COCKS (1938) S.A.S.R. 14. Circumstances which would justify a reduction of penalty under section 75 of the Justices Act, 1921, discussed.

DANKEL v. BOND (1938) S.A.S.R. 45. Where evidence was given that the defendant (who collided with a woman) drove in a normal manner and at a reasonable speed and that he was not drunk but to some extent under the influence of liquor, and it was inferred he did not keep a proper look-out, held that a conviction for driving in a manner dangerous to the public could not be supported.

SMITH v. DAYMAN. DAYMAN v. THOMSON (1938) S.A.S.R. 477. The condition of the vehicle being driven is part of the manner of driving.

while he is so much under the influence of intoxicating liquor or a drug as to be incapable of exercising effective control of the vehicle or of any animal attached thereto, shall be guilty of an offence and liable to a fine of not more than fifty pounds.

(2) The court by which any person is convicted under this section on the complaint of a member of the police force, may, in addition to ordering any other penalty, order on the application of the complainant that the defendant pay to the complainant a reasonable sum to cover the expenses of any of the following things:—

(*a*) Apprehending the defendant:

(*b*) Conveying him to any police station:

(*c*) Keeping him in custody until trial:

(*d*) Medically examining him.

Any amount received by the complainant under this subsection shall be paid by him into the general revenue of the State.

Inserted by 55, 1948, s. 12.

(3) For the purposes of subsection (1) of this section a person shall be deemed to be incapable of exercising effective control of a vehicle or animal if, at the relevant time, owing to the influence of intoxicating liquor or a drug, the use of any mental or physical faculty of that person was lost or appreciably impaired. This subsection shall not be deemed to restrict the meaning of the words "incapable of exercising effective control of a vehicle".

Crossing railways at unauthorized places. Inserted by 2332, 1936, s. 35.

122. (1) If any person crosses or attempts to cross or rides or drives or attempts to ride or drive any vehicle or animal across any line of railway elsewhere than at an authorized crossing place he shall be guilty of an offence.

(2) If any person crosses or attempts to cross or rides or drives or attempts to ride or drive any vehicle or animal across any line of railway at an authorized crossing place—

(*a*) carelessly; or

(*b*) in such a manner or at such a time as to give rise to the possibility of a collision between that person, vehicle or animal and any train or vehicle which is using the railway at or in the vicinity of the crossing place; or

s. 122. BOND v. CLARKE (1938) S.A.S.R. 55. It is unnecessary to prove *mens rea* to establish an offence.

FLINT v. BARBER (1944) S.A.S.R. 49. It is not necessary that a complaint under paragraph (*b*) of subsection (2) charging a driver with attempting to drive a motor vehicle across a railway line when there was a possibility of a collision with a train should contain a direct and specific allegation that the defendant was the driver of the vehicle.

(*c*) when warned not to do so by an employee of the Railways Commissioner; or

(*d*) when any mechanical or electrical or other warning device at or in the vicinity of the crossing is operating,

he shall be guilty of an offence.

(3) Subsection (1) of this section shall not apply to any part of the State not comprised within a municipality or a district council district. Inserted by 2416, 1938, s. 33.

123. (1) If any person driving or riding or in charge of any vehicle or animal or walking on any road— Obedience to police directions and traffic signs. Cf. U.K. 20 & 21 Geo. 5 c. 43, ss. 20, (3), 49. Inserted by 2332, 1936, s. 35.

(*a*) fails to obey any reasonable direction of any member of the police force given for the purpose of regulating traffic; or

(*b*) fails to conform to the indication given by any sign lawfully placed on or near any road for regulating the movement of traffic or indicating the route to be followed by traffic,

he shall be guilty of an offence.

(2) A traffic sign placed at or near an intersection and showing a light signal shall be deemed to indicate the following rules to be observed by the drivers and riders of vehicles and animals:— Inserted by 20, 1944, s. 10, and amended by 37, 1953, s. 14.

(*a*) While a red, amber, amber-with-red, or amber-with-green signal is being shown, a person shall not drive or ride a vehicle or animal across the stop line in the direction of the signal, except as allowed in paragraph (*c*) of this subsection.

(*b*) While a green signal is being shown a person may drive or ride a vehicle or animal across the stop line in the direction of the signal, and having done so may, notwithstanding a change in the colour of the signal, complete the crossing of the intersection in the direction of the signal, or may, irrespective of the colour of the signal shown on the right or left, turn and proceed to the right or left, but in so turning and proceeding shall take precautions to avoid collision with any pedestrian within the intersection.

(*c*) If, when the signal changes from green to amber or amber-with-green, a vehicle or animal proceeding in the direction of the signal is so close to the stop line that it cannot safely be stopped before crossing that line, a person may drive or ride the

vehicle or animal across the stop line in the direction of the signal, and having done so may, notwithstanding a change in the colour of the signal, complete the crossing of the intersection in the direction of the signal, or may, irrespective of the colour of the signal shown on the right or left, turn and proceed to the right or left, but in so turning and proceeding shall take precautions to avoid collision with any pedestrian within the intersection.

Inserted by 20, 1944, s. 10.

(3) A traffic sign placed at or near an intersection and showing a light signal shall be deemed to indicate the following rules for pedestrians:—

(*a*) While the red, amber, amber-with-red, or amber-with-green signal is showing a pedestrian must not proceed in the direction of the signal, beyond the edge of the footpath on the side of the road opposite to the signal.

(*b*) While the green signal is showing a pedestrian proceeding in the direction of the signal may commence to cross the intersection and having so commenced may, notwithstanding a change in the colour of the signal, complete such crossing except as provided in paragraph (*c*) of this subsection.

(*c*) If, while a pedestrian is on the carriage-way the amber or amber-with-green signal appears, and there is a safety zone between the pedestrian and the signal towards which he is proceeding, he shall not proceed beyond the safety zone until the green signal is shown.

Inserted by 20, 1944, s. 10.

(4) For the purposes of this section a person shall be deemed to be proceeding in the direction of a signal and a vehicle or animal shall be deemed to be driven or ridden in the direction of a signal if, within the intersection, the person proceeds or the vehicle or animal is driven or ridden towards the side or the prolongation of the side of the intersection from which the signal is shown.

Inserted by 55, 1948, s. 13.

(4a) Notwithstanding the other provisions of this section a tramcar may, while an amber light is showing—

(*a*) be driven over the stop line for the purpose of turning; and

(*b*) complete a turn.

Inserted by 20, 1944, s. 10.

(5) Where the indication given by a light signal is inconsistent with a reasonable direction given by a member of

the police force for the purpose of regulating traffic, the direction shall prevail.

Inserted by 20, 1944, s. 10.

(6) In this section—

"intersection" means—

(*a*) the quadrilateral or other area comprised within straight lines joining the corners formed by the intersection of two or more roads; and

(*b*) every part of a road which is within twenty feet of any such quadrilateral or area:

"stop line" means, in relation to any signal, a line marked with studs, paint or other material on the road in such a position as to indicate a stopping place for vehicular traffic approaching the intersection from the side opposite the signal:

"safety zone" means a space on a road indicated as a safety zone by the words "safety zone" marked on the surface of the road or on a sign.

Duty to keep vehicles and animals to the left.

Inserted by 2332, 1936, s. 35.

124. If any person riding or driving any vehicle or animal upon any road—

(*a*) does not keep as near as practicable to his left hand side of that road; or

(*b*) when meeting any other vehicle or animal going in the opposite direction, does not pass on his left hand side of that other vehicle or animal,

he shall be guilty of an offence.

Duty to keep stationary vehicle on left of road.

Cf. U.K. 20 & 21 Geo. 5 c. 43, s. 50.

Inserted by 2332, 1936, s. 35.

125. If any person leaves any vehicle or animal stationary on the carriage-way of any road, and not being drawn in as near as practicable to the left hand side of the road, he shall be guilty of an offence.

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s. 124. DUNN v. BEEVOR (1937) S.A.S.R. 386. Held that the regulation which required vehicles to keep close to the left of the road was not directed to the safety of vehicles emerging from by-streets.

WILLIAMS v. STEWART (1944) S.A.S.R. 254. *Quaere*, whether the word "practicable" is to be interpreted subjectively or objectively.

s. 125. RUDALL AND OTHERS v. DEACON AND OTHERS (1943) S.A.S.R. 271. Appeal to the High Court dismissed (1943) 67 C.L.R. 641 (note); (1943) S.A.S.R. xxiii. (note). Section 125 is a remedial section and should receive a liberal construction pursuant to section 22 of the Acts Interpretation Act. Meaning of "as near as practicable" discussed.

O'SULLIVAN v. BARTON (1947) S.A.S.R. 4. Where a taxi driver was hailed by three pedestrians and stopped his vehicle but kept his engine running and when about to move off a motor cycle collided with the rear of his taxi, held that he had not left his vehicle stationary on the carriage-way within the meaning of section 125.

Overtaking vehicles and animals.
Inserted by 2332, 1936, s. 35, and substituted by 29, 1950, s. 7.

126. (1) The rider or driver of any vehicle or animal on any road when passing any other vehicle or animal going in the same direction shall—

(*a*) if the driver or rider of that other vehicle or animal has signalled his intention to turn to the right keep on his left hand side of that other vehicle or animal;

(*b*) in any other case keep on his right hand side of that other vehicle or animal.

(2) Any person contravening this section shall be guilty of an offence.

Overtaking tram cars.
Inserted by 2332, 1936, s. 35.

127. If any person riding or driving any vehicle or animal does not, when passing any tram car travelling or about to travel in the same direction, keep on his left hand side of the tram car, he shall be guilty of an offence: Provided that if the tramway line is laid so near the left hand side of the road as not to permit the free passage of the animal or vehicle on the left of the tram car, or if owing to any obstruction in the road, it is not practicable to pass on the left of the tram car, the animal or vehicle may lawfully be ridden or driven on the right of the tram car.

Mode of making right turns.
Inserted by 29, 1950, s. 8.

127a. (1) Notwithstanding sections 124, 125, and 126 of this Act, where the driver of a vehicle is about to turn his vehicle to the right from one road to another at an intersection or junction—

(*a*) he shall, except where the road which he is about to leave is a one-way traffic road, so drive his vehicle that when it reaches the intersection or junction it will be as near as practicable to, but on the left of, the centre of the carriage-way of that road:

(*b*) he shall, where the road which he is about to leave is a one-way traffic road, so drive his vehicle that when it reaches the intersection or junction it will be as near as practicable to the right hand boundary of the carriage-way of that road; and

(*c*) in every case he shall upon entering the intersection or junction drive his vehicle parallel with the left boundary of the carriage-way of the road which he is leaving until it is as near as practicable to the left boundary of the carriage-way of the road which he is entering;

s. 127a. REED v. THOMPSON (1952) S.A.S.R. 242. Held that section 127a is applicable whether the vehicle with which the collision might occur is approaching or overtaking the vehicle which is about to turn to the right.

(*d*) if there is upon or near any portion of the intersection or junction any vehicle or any animal with which his vehicle if turned to the right might collide, he shall cause his vehicle to stand until it may turn with safety;

(*e*) in turning to the right at an intersection where a traffic sign with light signals is erected, shall take precautions to avoid collision with any pedestrian within the intersection. Inserted by 37, 1953, s. 15.

(2) Notwithstanding subsection (1) of this section the driver of a vehicle who is about to turn or who turns the vehicle to his right at an intersection or junction shall not drive the vehicle in a position where it is likely to obstruct the progress of any tram car nor allow the vehicle to stand in any such position.

(3) Where the driver of a vehicle turns his vehicle to the right from one road into another at an intersection or junction—

(*a*) if a traffic dome or beacon is placed at or near the centre of the intersection or junction he shall drive his vehicle so as to keep such dome or beacon on his right;

(*b*) he shall in all circumstances take adequate precautions to prevent his vehicle from colliding with any obstruction which may be upon any portion of the intersection or junction.

(3a) A turn to the right from a carriage-way of a double road (whether such turn is made into a cross-over or into an intersecting road) shall be made as if that carriage-way were a one-way traffic road. Inserted by 48, 1951, s. 22 (a).

The other subsections of this section shall apply to such a turn; and in those subsections the expression "one-way traffic road" shall include the carriage-way of a double road and the word "junction" shall include the junction formed by a cross-over and the carriage-way of a double road.

(4) This section shall also apply to riders of animals and to the animals ridden by them and for that purpose the expression "driver of a vehicle" and the word "driver" shall be deemed to include a rider of an animal, and the word "vehicle" shall be deemed to include an animal.

(5) This section shall not affect any duty imposed on any person by section 131 of this Act. Inserted by 48, 1951, s. 22 (b).

128. (1) If any person walking on the carriage-way of a road parallel with the line of the traffic thereon, does not keep as near as practicable to his right hand side of that carriage-way, he shall be guilty of an offence. Pedestrians on road to face traffic. Inserted by 2332, 1936, s. 35.

Inserted by 2416, 1938, s. 34, and repealed and re-enacted by 46, 1941, s. 11.

(1a) Subsection (1) of this section shall not apply to—

(*a*) a person walking on the carriage-way of a road if he is drawing or pushing any vehicle, or leading any animal:

(*b*) any persons marching on the carriage-way of a road in a column or other regular formation;

but section 124 of this Act shall apply to all such persons.

Inserted by 2416, 1938, s. 34.

(1b) If any person riding or driving any vehicle or animal upon any road, does not, when passing any pedestrian who is proceeding towards him on the same side of the road, keep on his right hand side of that pedestrian, he shall be guilty of an offence.

(2) This section shall not restrict the operation of any Act, regulation, or by-law which regulates walking upon roads.

Overtaking other vehicles. Inserted by 2332, 1936, s. 35.

129. If any driver of a vehicle on any road commences to overtake any vehicle proceeding in the same direction, and if the road is not then clearly visible to the driver of the overtaking vehicle, or is not clear of traffic in front of the vehicle which is being overtaken, for a sufficient distance to enable the overtaking vehicle to completely pass the other vehicle without impeding the free passage or endangering the safety of traffic on that road, the driver of the overtaking vehicle shall be guilty of an offence.

Warning by driver of overtaking vehicle. Cf. U.K. 20 & 21 Geo. 5 c. 43, s. 59 (1) (b). Inserted by 2332, 1936, s. 35.

130. (1) If any driver of a motor vehicle, before overtaking another vehicle, signals by use of the warning instrument his desire to pass that other vehicle, thereupon the driver of that other vehicle shall move to his left, if the movement is possible with safety, so as to allow the overtaking vehicle a reasonable space in which to pass.

(2) After the signal has been given, the driver of the vehicle being overtaken shall not increase his speed until the overtaking vehicle has had a reasonable opportunity to pass and draw clear of the overtaken vehicle.

(3) If any person contravenes this section in any way, he shall be guilty of an offence.

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s. 128. CORRELL v. THOMAS (1939) S.A.S.R. 39. The primary distinction intended by subsection (1) is between carriage-way and footway, and if there is no part of the road apparently reserved for walking or some other special purpose, so much of the whole road as is practicable for vehicular traffic is a carriage-way.

DELLAMINA v. GIBBS (1940) S.A.S.R. 282. A "carriage-way" includes any part of the highway which is commonly and reasonably used by vehicles.

s. 129. BLUNDERFIELD v. MATES AND OTHERS (1942) S.A.S.R. 1, appeal to the High Court dismissed, 66 C.L.R. 669 (note). Observations on section 129.

Stop signs. Inserted by 2416, 1938, s. 35, and repealed and re-enacted by 61, 1940, s. 8.

130a. (1) The Commissioner of Police or any municipal or district council with the approval of the Commissioner of Police, may erect or cause to be erected at any place on any road, a sign containing in clearly legible letters of the size prescribed by regulation the word "Stop".

(2) The Commissioner of Police shall, at least one month before the erection of any such sign or, as the case may be, giving his approval to such erection, publish in the *Gazette* a notice of his intention to erect such sign or approve the erection thereof. The notice shall specify the type of sign proposed to be erected or approved and the place where it is to be erected.

(3) Any person objecting to the erection of any such sign may within one month after the publication of the notice in the *Gazette* give the Minister written notice of his objection and of the grounds thereof and the Minister may thereupon either prohibit or approve the erection of the sign, or may approve the erection of the sign subject to any conditions, and the Minister's decision shall be final.

Amended by 37, 1953, s. 16 (a).

(4) When any such sign is erected at any intersection or junction the driver or rider of a vehicle or animal approaching the intersection or junction from the direction in which the sign is facing shall before entering the intersection or junction stop his vehicle or animal.

Substituted by 37, 1953, s. 16 (b).

(5) Section 131 of this Act shall apply in relation to vehicles and animals approaching an intersection or junction at which a sign is erected under this section and nothwithstanding the stopping of any such vehicle or animal pursuant to this section.

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s. 130a. PAGET v. STEWART (1941) S.A.S.R. 148. *Semble*, "The road on both sides" of the intersection refers to so much of the road intersecting the road on which the stop sign is erected as lies on either side of the medial line of the last mentioned road; and it would be an offence to enter the intersection while there was a vehicle travelling along the intersecting road and *a fortiori* if that vehicle had entered the quadrilateral formed by the intersection.

SMALLACOMBE v. DAY (1943) S.A.S.R. 368. Where the appellant had approached a stop sign and failed to see a motor car approaching along the road into which he was converging, held that the appellant was guilty of an offence and it was immaterial whether the driver of the motor car had or had not been guilty of negligence.

SMITH AND OTHERS v. DYER AND WILSON (1949) S.A.S.R. 187. The presence of a stop sign at an intersection does not relieve the driver who has the right of way from the duty of exercising vigilance with reference to possible traffic emerging from the intersecting road, and he is not entitled to assume that he may safely drive across the intersection without looking to see if there is any such traffic.

HINE v. O'CONNOR AND CHAMBERS AND THE FIRE BRIGADES BOARD (1951) S.A.S.R. 1. The presence of a stop sign at an intersection does not relieve the driver who has the right of way from the duty of exercising care with reference to possible traffic emerging from the intersecting road, and he must maintain a proper lookout for such traffic.

(6) When any such sign is erected elsewhere than at an intersection or junction the driver or rider of any vehicle or animal approaching the sign from the direction in which it is facing shall stop his vehicle or animal before any part thereof passes the sign.

(7) Subsections (4) and (6) of this section shall not apply if at the intersection, junction, or place where the sign is erected the traffic was at the material time being controlled by a member of the police force or some other authorized person.

(8) If any person fails to comply with any requirement of subsection (4) or subsection (6) of this section he shall be guilty of an offence.

(9) The Commissioner of Highways shall, at the request of the Commissioner of Police, provide and erect on behalf of the Commissioner of Police any signs which the Commissioner of Police desires to erect under this section.

The cost of all signs so erected shall be defrayed from the moneys appropriated by Parliament for main roads.

(10) Any sign containing the word "Stop" in clearly legible letters of the size prescribed by regulation and erected before the passing of the Road Traffic Act Amendment Act, 1940, shall be deemed to be a sign erected under this section.

Inserted by 37, 1953, s. 16 (c).

(10a) The Commissioner of Police may cause any sign erected under this section to be removed.

(11) In this section—

"intersection" means the quadrilateral or other area comprised within straight lines joining the corners formed by the intersection of two or more roads:

"junction" means that part of a road which is comprised between the lines formed by the production of the alignments of another road which abuts on the first-mentioned road.

Subsec. (12) inserted by 29, 1950, s. 9, and repealed by 37, 1953, s. 16 (d).

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Stop signs at railway crossings. Inserted by 2416, 1938, s. 35, and amended by 41, 1952, s. 7.

130b. (1) The South Australian Railways Commissioner may at or near any level crossing erect signs clearly visible to traffic on the road approaching the crossing and containing in clearly legible letters of the size prescribed by regulation the word "Stop".

(2) The rider or driver of any vehicle or animal approaching a level crossing at or near which any such sign is erected, from the direction in which the sign is facing— Substituted by 45, 1939, s. 24.

(*a*) shall stop his vehicle or animal at least ten yards from the railway line:

(*b*) if, while the vehicle or animal is so stopped, any mechanical or electrical or other warning device in the vicinity of the crossing is operating, shall not put the vehicle or animal in motion again until the warning device has ceased operating.

(2a) Any person approaching on foot a level crossing at or near which any such sign is erected, from the direction in which the sign is facing— Inserted by 45, 1939, s. 24.

(*a*) shall stop at least ten yards from the railway line:

(*b*) if, while he is stationary, any mechanical or electrical or other warning device in the vicinity of the crossing is operating, shall not move forward until the warning device has ceased operating.

(2b) If any person fails to comply with subsection (2) or subsection (2a) of this section in any respect he shall be guilty of an offence. Inserted by 45, 1939, s. 24.

(2c) Nothing in this section shall effect the obligation of any person to comply with any other provision of this Act relating to railway crossings. Inserted by 45, 1939, s. 24.

(3) In this section "level crossing" means a place at which a road and a railway cross each other at the same level.

130c. (1) The Commissioner of Highways may mark on any part of any road a line for the purpose of indicating the division of the carriage-way of that road into traffic lanes. Every such line shall be of the colour and width fixed by the Commissioner and may be either a single or a double line, and the whole or any part of any line may be broken or unbroken. Traffic lanes. Inserted by 2416, 1938, s. 35, and substituted by 48, 1951, s. 23.

(2) Where the carriage-way of a road is divided into traffic lanes by a double line consisting of two unbroken lines placed at or near the centre of such carriage-way the driver or rider of a vehicle or animal shall keep the whole of the vehicle or animal on the left hand side of such line.

(3) Where the carriage-way is divided into traffic lanes by a double line consisting of one broken and one unbroken line placed at or near the centre of the carriage-way the driver

s. 130c. SANDERS v. LITSTER (1947) S.A.S.R. 21. A moving vehicle is not an "obstruction" within the meaning of section 130c.

or rider of a vehicle or animal shall keep the whole of that vehicle or animal on the left hand side of the double line when he is travelling in such a direction that the unbroken line is on the left hand side of the broken line.

(4) The allegation in a complaint that a line was marked on any road by the Commissioner of Highways for the purpose of indicating the division of the carriage-way into traffic lanes shall be *prima facie* evidence of that fact.

(5) For the purpose of this section any bridge used for vehicular traffic shall be deemed to be part of a road.

(6) If a person contravenes this section in any way he shall be guilty of an offence: Provided that it shall be a defence to a charge of contravening this section if the defendant proves that the contravention was necessary in order to avoid an accident or owing to an obstruction on the road.

Speed limits on bridges. Inserted by 55, 1948, s. 15.

130d. (1) The Commissioner of Police may—

(*a*) cause to be erected in accordance with this section, signs indicating a speed limit for vehicles crossing any bridge;

(*b*) cause any signs erected under this section to be removed.

(2) The powers conferred on the Commissioner of Police by this section may be exercised either of his own motion or on the application of the municipal or district council in whose area the bridge is situated.

(3) If the Commissioner of Police refuses an application made to him by a council under this section the council may appeal to the Minister against the decision of the Commissioner.

When an appeal is so made the Minister after obtaining such information as he thinks fit shall decide the matter and his decision shall be final.

(4) The speed limit for a bridge shall be indicated by two signs. One shall be placed at or near each abutment of the bridge, or on the approach to the bridge within two hundred yards of each abutment.

(5) A sign erected under this section shall—

(*a*) have marked thereon figures showing the miles per hour of the speed limit intended to be fixed thereby, followed by the letters m.p.h.;

(*b*) be of such size and shape and be erected in such manner as the Commissioner of Police determines.

(6) A person who drives a vehicle on a bridge at a speed in excess of that indicated by the signs erected on that bridge or the approaches thereof pursuant to this section shall be guilty of an offence.

(7) The allegation in a complaint that any signs are erected pursuant to this section shall be *prima facie* evidence of that fact.

(8) The Commissioner of Highways shall at the request of the Commissioner of Police provide and erect on behalf of the Commissioner of Police any signs which the Commissioner of Police desires to erect under this section.

Right of way at points where roads meet. Inserted by 2332, 1936, s. 35.

131. (1) When two vehicles are approaching the junction or intersection of two or more roads in such circumstances that there is a reasonable possibility that they might arrive at the same point simultaneously, or that a dangerous situation might otherwise be created, the rider or driver of the vehicle who has the other vehicle on his right shall either decrease the speed of his vehicle to such an extent, or stop his vehicle for such time, as is necessary to allow the vehicle

s. 131. THE MUNICIPAL TRAMWAYS TRUST v. AUSTIN (1930) S.A.S.R. 81. In civil proceedings the onus of proving a breach of section 131 and of negativing the proviso to section 131 (1) is on the party who alleges the breach.

MORRIS v. PFUHL (1932) S.A.S.R. 78. Section 131 does not apply to two vehicles approaching an intersection from the same direction along the same road.

RECHNER v. PALMER (1934) S.A.S.R. 409. Held as regards regulation 6A (which section 131 follows, with alterations):—(*a*) Regulation 6A did not apply only when the driver having the other vehicle on his right could see or was otherwise made aware of the approaching vehicle before he reached the intersection: (*b*) the area to which the regulation applied included not only the quadrilateral of the intersection but the immediate neighbourhood: (*c*) regulation 6A did not lessen the obligation of a person who was about to drive out of a by-street into a main thoroughfare.

SUTER v. RUEDIGER AND ANOTHER (1936) S.A.S.R. 130. Held that the driver of a vehicle is entitled to assume that other drivers will observe the regulation applicable to traffic at an intersection, but is not entitled to disregard the possibility of traffic approaching from the left.

RAKE v. ADELAIDE CO-OPERATIVE SOCIETY LIMITED (1937) S.A.S.R. 281. Where two roads running northerly came together in the form of a V at the point of junction with a main road running north-east, held, under the regulation relating to traffic at intersections, that the junction of the two roads was an intersection within the meaning of the regulation. Held also that, in applying the regulation, allowance must be made for the nature of the intersection.

DREW v. GLEESON (1937) S.A.S.R. 380. Where a vehicle is already on a junction the driver does not, by altering his course, acquire a right-of-way as against the driver of another vehicle who is continuing his course and thus crossing the junction. Subsection (1) gives a right to continue a course, not to alter it across that of another vehicle. Meaning of "junction" examined.

DUNN v. BEEVOR (1937) S.A.S.R. 386. Held under the regulation relating to traffic at intersections that an intersection is a place where two or more ways cross each other and that the regulation made no provision for a by-road which merely meets or enters a main thoroughfare without anything in the nature of a crossing.

on his right to continue on its course in front of his vehicle without change of speed: Provided that a person shall not be convicted for failure to comply with this section, if it appears to the court that he was not aware, and could not, by exercising reasonable care, have become aware, of the approach of the other vehicle.

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s. 131. (*contd.*) PEARCE v. BOURKE (1937) S.A.S.R. 404. Where justices, prior to the hearing, visited the intersection for the purposes of refreshing their memories and qualifying themselves to follow the evidence, but it did not appear that they used their own knowledge to correct or supplement the evidence, held that this did not constitute a ground of objection to the proceedings.

ELLIS v. HOEPNER AND ANOTHER (1937) S.A.S.R. 461. Observations as to the application of the regulation relating to traffic at intersections.

BOND v. HOLLOWAY (1938) S.A.S.R. 41. A driver of a motor vehicle on approaching an intersection is not entitled to ignore the risk that another driver will cross over the intersection at a speed beyond that allowed by law.

BOURKE v. SMITH (1938) S.A.S.R. 74. The driver of a vehicle, approaching an intersection when another vehicle is approaching from his right, is not entitled to assume that the other vehicle will alter its course or speed. The speed or course of the other vehicle may become relevant when it becomes necessary to consider whether the defendant's ignorance of its approach was consistent with due care on his part. There is no rule of law which requires a driver to approach an intersection at a speed which enables him to see whether any other vehicle is approaching from his right; the circumstances of each case must be taken into consideration (but see section 130a enacted since this decision).

HART v. BRATCHELL (1938) S.A.S.R. 141. Where two roads intersect by reason of one road curving towards and meeting the other, section 131 applies. It does not necessarily follow that, because a person commits a breach of section 131, the breach confers upon a party injured thereby a civil cause of action for damage. Where section 131 applies, there is an implied duty on the part of the person entitled to proceed to continue on his course without change of speed, unless and until some other course of conduct, being possible, becomes prudent, proper, and imperative in the interests of safety and to avoid a collision.

BARRINGTON v. POWER (1938) S.A.S.R. 321. Where the driver of a motor vehicle approaching a junction became aware of the approach of another vehicle on his right, held that the proviso to subsection (1) did not apply.

SMITH v. MAY (1938) S.A.S.R. 410. In an action for negligence arising out of the death of a person who failed to give way as required by section 131, held that the onus of showing that the defendant could have avoided the collision, if he had acted reasonably, was upon the plaintiff.

MADDERN v. DAYMAN (1939) S.A.S.R. 12. The course of an oncoming vehicle having the right of the road at an intersection is not necessarily a straight line as a divergence from this course may be necessary. The driver of the vehicle whose duty it is to stop or slacken must so manage his vehicle that no act or omission on his part constrains the driver of the vehicle having the right to the road to deviate from his course. The degree of care reasonable to be taken in the circumstances of a given case by the driver of a vehicle under the obligation to stop or slacken speed will be the greater the more hindrances there are to his getting a clear view of the traffic approaching along an intersecting street.

DAYMAN v. DARWIN (1939) S.A.S.R. 29. The degree of error of judgment that can render it inexpedient to inflict any punishment when there has been any infringement of the rule laid down by subsection (1) should be very slight.

TAYLOR v. GEARY (1939) S.A.S.R. 89. Subsection (1) does not mean that a slow moving vehicle cannot enter upon an intersection so long as any fast moving vehicle is approaching at a speed which might create a situation of danger if maintained without alteration. If the circumstances are such that the approaching vehicle must of necessity have ample notice and opportunity to slacken speed, the driver of the slow moving vehicle may be justified in assuming that it will do so and that no situation of danger will be created.

DAYMAN v. SARIS (1939) S.A.S.R. 445. A driver of a vehicle does not comply with the section if he so drives as to suggest that he does not intend to give way.

(2) When a vehicle and a tram car are approaching the junction or intersection of two or more roads in such circumstances that there is a reasonable possibility that they might arrive at the same point simultaneously, or that a dangerous situation might otherwise be created, the rider or driver of the vehicle shall either decrease the speed of his vehicle to such an extent, or stop his vehicle for such time, as is necessary to allow the tram car to pass in front of his vehicle without change of speed.

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s. 131. (*contd.*) VIRGO v. FIDDAMAN (1940) S.A.S.R. 17. If a defendant is driving at a reasonable speed along a main road and sounds his horn when approaching an intersection, he is not bound to stop at every blind corner upon the bare chance of another vehicle ignoring his horn and emerging upon the main road without answering.

MATTHEW v. FLOOD (1940) S.A.S.R. 48. *Semble,* an unmade road is sufficiently a road for the locality to be a junction within the meaning of section 131.

BOWDEN v. PETHERICK (1940) S.A.S.R. 90. Where a cyclist was riding along a street and the driver of a motor car proceeding in the opposite direction along the same street turned into another street at right angles to the first street so that each vehicle had the other on its right, held that section 131 did not apply.

PETERS v. BECK (1940) S.A.S.R. 204. Where a cyclist crossing an intersection at slow speed was struck by a motor vehicle, the driver of which thought, without justification, that the cyclist intended to turn to the left, that is, in the same direction as the motor vehicle was proceeding, held that a breach of section 131 had been committed.

SKINNER v. DAY (1941) S.A.S.R. 19. The provisions of section 131 are applicable not only to an intersection but also to a junction of roads.

DAYMAN v. BLEWETT (1941) S.A.S.R. 32. To escape liability for failure to give way to the vehicle on the right, the person charged must establish on the balance of probabilities that he was not aware, and could not, by exercising reasonable care, have become aware of the approach of the other vehicle. The awareness referred to in the proviso to subsection (1) is of the approach to the intersection and not of the situation of the two vehicles at the time when the approach is over and the intersection is reached or is being crossed. The duty to become aware is directed to the same time.

SWANN v. THOMPSON (1941) S.A.S.R. 150. Where a collision occurred at an intersection where the plaintiff was travelling at an excessive speed and the defendant failed to give way, held that the plaintiff was guilty of contributory negligence and the action failed.

DAYMAN v. TISHER (1941) S.A.S.R. 205. Section 131 is directed to the regulation of crossing and converging lines of traffic.

DAYMAN v. WILCKENS (1942) S.A.S.R. 88. Section 131 requires the driver of a vehicle having an approaching vehicle on the right so to act that the driver of the approaching vehicle can maintain his course and speed, and it is no defence to a complaint under the section that the driver of a motor vehicle is approaching and crossing over an intersection at a slow speed and fails to give way to a vehicle approaching at a fast speed from his right.

PARKER v. DAYMAN (1943) S.A.S.R. 326. A driver with the right-of-way is to be expected to maintain his course and speed when crossing an intersection unless there is something in the circumstances existing at the time that might reasonably demand a change in either. *Semble,* a substantial change of speed by the driver having the right of way while crossing the intersection from that at which the vehicle is travelling when approaching would seem to relieve the other driver from liability under the section, assuming that otherwise there would have been no reasonable possibility of danger.

SLATER v. DAY (1946) S.A.S.R. 146. Duty of driver having another vehicle on his right discussed.

BORN v. O'SULLIVAN (1947) S.A.S.R. 121. A tramway thoroughfare and viaduct, used by tram cars and pedestrians but not by public vehicular traffic is not a "road" within the meaning of section 131.

Amended by 61, 1940, s. 9.

(3) This section shall not apply if at the junction or intersection the traffic was at the material time being controlled by a member of the police force or some other authorized person, or by any system of lights.

(4) Subsection (1) and subsection (2) of this section shall each be deemed to create a single offence, and no objection shall be taken on the ground of duplicity or uncertainty to a complaint under either subsection alleging that, in the circumstances mentioned in the subsection, the defendant "did not decrease the speed of his vehicle to such an extent or stop his vehicle for such time" as is required by the subsection.

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s. 131. (*contd.*) ROBINSON v. CREASER (1948) S.A.S.R. 47. Held: (1) Where vehicles collide within a junction or intersection, having been visible to each other on their approach, and having maintained their respective courses and speeds, the impact affords cogent proof that the relationship of the vehicles to each other and to the junction or intersection was one to which subsection (1) applies. (2) Where the situation postulated in subsection (1) arises, an unqualified duty is imposed on the driver who has the other vehicle on his right to decrease his speed or stop to allow the other vehicle to continue on its course; and the existence of the duty is not negatived by showing that the other driver was negligent. (3) A driver approaching a junction or intersection is relieved by subsection (1) from maintaining a continuous lookout for the actions of drivers approaching a junction or intersection on his left; and his failure to look during the approach or when traversing the junction or intersection will not amount to negligence. If he has received some actual warning of the creation of a situation of danger by the approach of another vehicle from his left hand side, and unreasonably fails to act to prevent a collision, which he has had an opportunity of preventing, he may be guilty of negligence; but the onus is on the other party to prove these facts.

BAKER v. O'SULLIVAN (1949) S.A.S.R. 127. The driver of a vehicle who has another vehicle on his right at a junction or intersection is not relieved from the liability to give way by stopping his vehicle at the boundary of the junction or intersection, and then starting again to cross the junction or intersection.

O'SULLIVAN v. SARIS (1950) S.A.S.R. 127. Where a road bifurcated at an intersection, held that it was the duty of the driver of a vehicle entering the intersection to give way to another vehicle on his right.

MOSS v. CAMPBELL (1951) S.A.S.R. 255. Where two motor vehicles approach an intersection and the driver of the stand-on vehicle stops before entering the intersection for such an appreciable time and in such circumstances as to amount to an invitation to the give-way vehicle to cross the intersection in front of him, the driver of the give-way vehicle is not guilty of an offence against subsection (1) if he proceeds to cross the intersection in front of the stand-on vehicle.

SINCLAIR v. KNIGHT (1952) S.A.S.R. 97. Meaning of the words "approaching the junction or intersection of two or more roads" in section 131 and the relation between sections 130a and 131 considered.

TAMKE v. MCKENZIE (1952) S.A.S.R. 235. Held that, in the circumstances, the driver of a horse-drawn vehicle was guilty of negligence in not giving way at an intersection to a motor cycle on his right.

HENDERON v. MILLAR AND OTHERS (1952) S.A.S.R. 250. The driver of the vehicle having the right of way at an intersection by virtue of section 131 is not relieved by the section from the duty of exercising reasonable care in relation to traffic approaching from the left, and it is his duty to be on the watch for anything that indicates inattention or want of care in others.

SAMUELS v. BLIGH (1954) S.A.S.R. 59. Where the defendant whilst driving a motor vehicle entered an intersection at the same time as another vehicle on the off side and whilst using that vehicle as a shield collided with a vehicle approaching from the right, held on the facts, that he was guilty of an offence against section 131.

(5) This section shall also apply in cases where two animals, or an animal and a vehicle or tram car are approaching a junction or intersection in the circumstances mentioned in subsection (1) and (2), and the term "vehicle" shall be so construed as to include an animal.

Subsec. (6) inserted by 29, 1950, s. 10, and repealed by 48, 1951, s. 24.

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131a. (1) A person shall not drive or ride a vehicle or animal from a cross-over into a carriage-way of a double road unless that carriage-way is sufficiently clear of traffic to enable the vehicle or animal to enter and proceed across or along the carriage-way without danger.

Right of way at cross-overs on double roads. Inserted by 48, 1951, s. 25.

(2) A person who contravenes this section shall be guilty of an offence.

(3) This section shall have effect notwithstanding anything contained in section 131 of this Act.

132. (1) If any person in any municipality, town, or township drives or rides any vehicle or animal over that part of any intersecting roads, which is common to two or more roads, at a greater speed than twenty-five miles per hour, he shall be guilty of an offence.

Speed at intersections. Inserted by 2332, 1936, s. 35.

(2) In this section "intersecting roads" means roads each of which completely crosses and extends on both sides of the other.

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repealed by Subsec. (3) 46, 1941, s. 12.

133. (1) If any person rides or drives any vehicle or animal at a greater speed than six miles per hour—

Speed in certain circumstances. Inserted by 2332, 1936, s. 35.

(*a*) when proceeding from any land abutting on a road into that road; or

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s. 131a. SCOTT v. ANTONY (1953) S.A.S.R. 1. Held that, in the particular circumstances, the driver of a motor vehicle was guilty of an offence against section 131a.

s. 132. BOND v. GOUDIE (1937) S.A.S.R. 416, reversing BOND v. GOUDIE (1937) S.A.S.R. 371. The Port Road is comprised of two carriage ways, one reserved for up and the other for down traffic; the ways are separated by a reserve and cross roads intersect the ways and reverses. Held that, for the purposes of section 132, the Port Road was one road only and, accordingly that a road entering the Port Road and crossing the up track and the reserve to enter the down track but not continuing further, does not form an intersection with the up track.

s. 133. JOLLY v. WALLMAN (1936) S.A.S.R. 121. Held, that a Sunday school was not a school within the meaning of a regulation prescribing a speed limit for vehicles passing schools. (But see subsection (4) enacted since this decision.)

GERAGHTY v. ANGUS AND OTHERS (1938) S.A.S.R. 455, appeal to the High Court dismissed, 62 C.L.R. 747 (note). "Passing" a tram car in a regulation relating to the passing of stationary tram cars, held to mean overtaking a tram car which is using the same road and is going in the same direction as the vehicle.

(*b*) when passing any tram car which, on any road in the course of a journey in the same direction as the overtaking vehicle or animal, has stopped for the purpose of allowing passengers to board or alight,

he shall be guilty of an offence.

(2) If any person rides or drives within ten miles from the General Post Office at Adelaide any vehicle or animal at a greater speed than ten miles per hour when turning from one road into another he shall be guilty of an offence.

(3) If any person rides or drives any vehicle or animal at a greater speed than fifteen miles an hour whilst passing any school or school playground or children's playground at any time when children are going into or coming out of that school or playground, he shall be guilty of an offence: Provided that no person shall be convicted of an offence against this subsection unless the prosecution shows that on or near the road on which the defendant rode or drove a vehicle or animal as aforesaid there was a sign bearing in clear letters the word "school", "school playground" or "children's playground", as the case may be, and erected in such a position as to give reasonable warning to the defendant of the existence of the school or playground.

Proviso added by 2416, 1938, s. 36 (1).

(4) In this section "children's playground" means a children's playground which is maintained by a municipal or district council and "school" includes any church or other building used as a Sunday school, together with the land used in connection therewith.

Amended by 2416, 1938, s. 36 (2).

Signals.

Inserted by 2332, 1936, s. 35, and substituted by 40, 1945, s. 11.

134. (1) Whenever the driver or rider of a vehicle or animal is about to turn his vehicle or animal to the right in or into any road he shall give a clear signal of his intention to do so by extending his right arm horizontally from the right side of the vehicle or animal with the palm facing the front and the fingers extended.

(2) Whenever the driver or rider of a vehicle or animal is about to slow down or stop he shall give a clear signal of his intention to do so by raising his right fore-arm and

s. 134. COLLINS v. GOTTSH (1941) S.A.S.R. 256. It does not follow that, if circumstances arise in which prudence calls for slowing down without being able to comply with subsection (2), a driver is free from negligence in not slowing down.

LE CORNU v. BARRINGTON (1945) S.A.S.R. 163. There is a duty on the driver of a car in starting a stationary car ranked alongside a kerb and intending to turn to his right to give the signal prescribed in subsections (1) and (1a).

LITTLE v. FOX (1950) S.A.S.R. 40. Provided the signal is given for such time as is necessary to give reasonable warning to traffic approaching from behind, it is not necessary that it should also have been given continuously for a distance of one hundred feet before the point where the vehicle turns.

hand in a vertical position with the palm of the hand turned to the front and the fingers extended and pointing upwards.

(3) A clear signal for the purposes of this section means a signal which—

(*a*) is so given as to be clearly visible to traffic approaching the vehicle or animal from behind; and

(*b*) is given for such time as is necessary to give reasonable warning to traffic approaching the vehicle or animal from behind.

A signal shall be deemed to comply with paragraph (*b*) of this subsection if it is given continuously for a distance of one hundred feet before the point where the vehicle or animal turns, slows down, or stops.

(4) It shall be sufficient compliance with the provisions of this section if the appropriate signal is given by a mechanical or electrical device which has been approved by the Registrar of Motor Vehicles.

(5) If any person fails to comply with this section he shall be guilty of an offence.

Requirements as to towing. Inserted by 2332, 1936, s. 35.

135. (1) No person shall drive upon any road any vehicle having any vehicle (not being a trailer) attached thereto for the purpose of being towed, if any of the following provisions is not observed:—

(*a*) The space between the vehicles shall not exceed twelve feet:

(*b*) When the towed vehicle is a motor vehicle, a competent person shall be in charge of that vehicle, to control it so far as the condition of its brakes and mechanism will permit:

(*c*) Where the two vehicles are joined by means of a tow rope, chain or wire, there shall be displayed on the tow rope, chain or wire, midway between the two vehicles, a white flag or cloth, so as to be clearly visible as a warning of danger:

(*d*) Between half an hour after sunset, and half an hour before sunrise, a lighted lamp, showing a bright white light, shall be affixed to the front of the towed vehicle in such a manner as to render clearly visible, any flag or cloth displayed in accordance with paragraph (*c*) of this subsection, and a lighted lamp shall be affixed to the off side of the rear of the towed vehicle, showing a red

light clearly visible at a distance of 200 yards, to any person approaching the vehicle from the rear:

Provided that where the vehicle being towed is fastened in actual contact with the towing vehicle, the white flag or cloth mentioned in paragraph (*c*), and the lighted lamp affixed to the front of the towed vehicle, mentioned in paragraph (*d*), shall not be required.

(2) If any person contravenes this section in any respect, he shall be guilty of an offence.

Causing danger of obstruction.
Cf. U.K. 20 & 21 Geo. 5 c. 43, s. 50.
Inserted by 2332, 1936, s. 35, and substituted by 29, 1950, s. 11.

136. If any person causes or permits any vehicle or animal to remain at rest on any road—

(*a*) in such a position or in such condition or circumstances as to be likely to cause danger to other persons using the road or so as to obstruct the passage of traffic on the road; or

(*b*) in such a position as to obstruct any gate, door or entrance by which vehicles gain access to any land or building, or so as to obstruct any crossing leading from the carriage-way of a road across a footpath to any such gate, door, or entrance,

he shall be guilty of an offence.

Driving or riding on footpaths, etc.
Cf. U.K. 20 & 21 Geo. 5 c. 43, s. 14.
Inserted by 2332, 1936, s. 35.

137. If any person rides, drives, or leads any animal, or rides or drives any vehicle so that that animal or vehicle or any part thereof is on any footpath, causeway, or place set apart or constructed on or by the side of any road for the accommodation of foot passengers, he shall be guilty of an offence: Provided that this section shall not apply where the animal or vehicle is ridden, driven, or led across any such footpath, causeway, or place at right angles in crossing to or from any premises.

Control of animals by driver.
Inserted by 2332, 1936, s. 35.

138. If the driver of a vehicle drawn by an animal on any road, is at such a distance from that vehicle or in such a situation that he cannot properly guide and control the animal drawing the vehicle, he shall be guilty of an offence.

s. 136. NOONAN v. JOHNS (1940) S.A.S.R. 4. Where the driver of a motor car stopped his car with its near side about twelve feet from the kerb in a busy street to allow a passenger to alight and there was a space a short distance away where the driver could have pulled in alongside the kerb, held that the driver had committed an offence against section 136.

Duty to stop in case of accident.

U.K. 20 & 21 Geo. 5 c. 43, ss. 20, 22, 113 (3).

Inserted by 2332, 1936, s. 35.

Subsec. (1) amended by 2416, 1938, s. 38 (a), and by 20, 1944, s. 11.

139. (1) If, owing to the presence of a vehicle on a road, an accident occurs, whereby damage or injury is caused to any person, vehicle, or animal, or any other property real or personal, the driver of the vehicle shall as soon as practicable after the accident happens stop and, if required so to do by any person having reasonable grounds for so requiring, give his name and address, and also the name and address of the owner of the vehicle and, if the vehicle is a registered motor vehicle, the registered number of the vehicle.

(2) When any such accident happens, the driver of the vehicle shall also report the accident at a police station or to a police constable as soon as reasonably practicable, and in any case, within twenty-four hours after the occurrence thereof.

(3) In this section, the expression "animal" means any horse, cattle, ass, mule, sheep, pig, goat, or dog.

Substituted by 43, 1951, s. 26.

(4) If any person fails to comply with this section in any respect he shall be guilty of an offence: Provided that—

(*a*) a person shall not be punished for failing to comply with this section if the court is of opinion that the accident was a trivial one;

(*b*) it shall be a defence to a charge of an offence under this section if it is shown that the defendant did not know that the accident had occurred and that his want of knowledge was not due to carelessness or recklessness;

(*c*) it shall be a defence to a charge of an offence under this section if it is shown that the only damage or injury resulting from the accident was damage or injury to property owned by the defendant.

s. 139. MINERVINI v. WALSH (1928) S.A.S.R. 286. The obligation to stop implies that the vehicle must be brought to rest within such a distance and time as is reasonable in the circumstances.

NOBLET v. CONDON (1935) S.A.S.R. 329. Held that section 52 of the Road Traffic Act, 1934 (re-enacted by section 139 with amendments not material to this case), required the driver to stop so long as reasonably necessary to enable the proper questions to be put, if there was anyone in the vicinity who desired to put them.

JARMAN v. WALSH (1936) S.A.S.R. 25. Held that section 52 of the Road Traffic Act, 1934 (re-enacted by section 139 with amendments not material to this case), required the driver of a motor vehicle to stop in case of accident as soon as practicable in the circumstances.

BOND v. GILBERT (1938) S.A.S.R. 37. The offence of failing to stop may be of a trifling nature although the accident occasioning the stop may be more than trivial.

COX v. BUTTON (1949) S.A.S.R. 244. Observations on the duty to stop imposed by section 139.

CLEMENT v. GILL (1953) S.A.S.R. 25. Where a pedestrian was struck by a motor vehicle, thrown to the ground, shaken and dazed but no evidence was given of any actual physical injury, held that the evidence was insufficient to prove that injury had been caused to him within the meaning of subsection (1).

Inserted by 2416, 1938, s. 38 (c).

(5) An apparently genuine document produced by the prosecution, purporting to be signed by the Commissioner of Police and to certify that any accident specified in the document (whether by reference to the approximate time and place thereof, or to the person or persons involved or otherwise so as to reasonably identify it) had not been reported at a police station or to a police constable prior to any date mentioned in the certificate shall be *prima facie* evidence of the matter so certified.

Inserted by 37, 1953, s. 17.

(6) The penalty for any offence against this section shall be a fine not exceeding one hundred pounds; and in a case where it is proved that the defendant was guilty of failing to stop after an accident in which any person was injured or killed, he may be imprisoned for any term not exceeding six months.

Duty to give information as to identity of driver.
Cf. U.K. 20 & 21 Geo. 5 c. 43, s. 113 (3).
Inserted by 2332, 1936, s. 35, and substituted by 29, 1950, s. 12.

140. (1) Any person shall when requested by a member of the police force or by an inspector appointed under Part II of this Act, truly answer any question put to him seeking information which may lead to the identification of the person who was driving any vehicle on any occasion.

(2) Any person who refuses to answer, or fails to answer truly any such questions shall be guilty of an offence.

Projecting loads.
Inserted by 2332, 1936, s. 35.

141. If any person drives or causes or permits to be driven on any road any vehicle, upon which the load extends beyond any portion of the vehicle, and—

(*a*) the load is not as nearly as practicable parallel to the sides of the vehicle; or

(*b*) any iron, timber, piping, or other solid materials projecting beyond any portion of the vehicle, is not wrapped at the projecting ends thereof, with bagging or other suitable material, and securely tied so as to prevent noise, flapping, and swaying, and covered with some white material so as to indicate the presence of such projection; or

Inserted by 61, 1940, s. 10.

(*c*) the load is not firmly stacked, arranged, or tied down so that it will retain its position in or upon the vehicle whilst the vehicle is in motion,

he shall be guilty of an offence.

Driving without clear view.
Inserted by 46, 1941, s. 13.

141a. If any person drives on any road a motor vehicle while any part of the vehicle, or the load on the vehicle, or anything attached or affixed to the vehicle prevents him from having a clear view of the areas in front and on either side of the vehicle, he shall be guilty of an offence.

Width of vehicles, and number of trailers.

142. (1) No person shall drive any motor vehicle on any road if—

Cf. U.K. 20 & 21 Geo. 5 c. 43, s. 18.

(*a*) the width of the vehicle or of any part of the load thereon exceeds eight feet; or

Inserted by 2332, 1936, s. 35.

(*b*) the over-all length of the vehicle (including the length of any trailers attached thereto and of any load projecting from the front or rear of the vehicle or of any trailer attached thereto) exceeds sixty-six feet; or

Subsec. (1) amended by 46, 1941, s. 14, and by 55, 1948, s. 16 (a).

(*c*) the vehicle has more than two trailers attached thereto.

(2) Any person who contravenes this section shall be guilty of an offence.

In any proceedings for an offence of driving on a road a motor vehicle the width of which exceeds eight feet it shall be a defence to prove that the motor vehicle was, on the first day of September, nineteen hundred and thirty-six, a registered motor vehicle, and that at the said date the motor vehicle was of the same width as at the time of the alleged contravention, and that the load on the motor vehicle did not project beyond either side of the vehicle.

Amended by 17, 1942, s. 7, and by 55, 1948, s. 16 (a).

(3) If the Registrar of Motor Vehicles is satisfied that it is reasonable to permit any vehicle to be driven on any road, although the width of that vehicle or of any part of the load thereon exceeds eight feet or although the overall length of the vehicle (including the length of any trailers attached thereto and of any load projecting from the front or rear of the vehicle or of any trailer attached thereto) exceeds sixty-six feet he may on the application of the owner of the vehicle grant a permit, either general or restricted as to time, place, or circumstances, permitting that vehicle to be driven on any specified roads or on roads generally and such a permit shall render lawful anything done in accordance therewith.

(4) The Governor may by proclamation declare that this section shall not apply to any road or part of a road mentioned in the proclamation, and may from time to time revoke or alter any such proclamation. The operation of this section shall be restricted according to the terms of all proclamations for the time being in force under this subsection.

s. 142. KEANE v. KNOWLES AND ANOTHER (1942) S.A.S.R. 13. Failure to comply with conditions of a permit under subsection (3) is a departure from the proper standard of care for the safety of the highway.

(5) Notwithstanding subsection (1) of this section it shall be lawful to drive on any road a vehicle carrying a load more than eight feet wide if that load consists of any agricultural machine or motor bodies more than eight feet wide.

(6) No agricultural machine shall be deemed to be a vehicle within the meaning of this section.

Amended by 55, 1948, s. 16 (b).

(7) In this section "agricultural machine" means any machine (other than a tractor) used for cultivating land or sowing or harvesting crops and "trailer" includes any vehicle of any kind drawn by a motor vehicle.

Inserted by 2416, 1938, s. 40.

(8) For the purposes of this section any frame work fixed or placed on a motor vehicle shall be deemed to be the load or portion of the load of that motor vehicle.

Restrictoin on carriage of persons on bicycles.
U.K. 24 & 25 Geo. 5 c. 50, s. 20.
Inserted by 2332, 1936, s. 35.

143. (1) If more than one person is carried on a road on a bicycle not propelled by mechanical power and not constructed or adapted for the carriage of more than one person, each of those persons shall be guilty of an offence.

(2) In this section references to a person carried on a bicycle shall include reference to a person riding the bicycle.

(3) This section shall apply only within the areas in which the Governor declares that it shall apply. The Governor may by proclamation declare the areas within which this section shall apply and may at any time by proclamation alter any such area, or revoke any proclamation in force under this section.

Places where passengers must not be carried.
Inserted by 2416, 1938, s. 41, and amended by 40, 1945, s. 12.

143a. No person shall on any road drive any motor vehicle carrying any person on the roof or bonnet thereof.

Holding on to motor vehicles and riding without driver's consent.
Cf. U.K. 20 & 21 Geo. 5 c. 43, s. 29.
Inserted by 2332, 1936, s. 35.

144. (1) If the driver of a vehicle knowingly permits any person riding a bicycle or other vehicle propelled by human power to attach himself to the vehicle being driven while it is in motion on any road, that driver shall be guilty of an offence.

(2) Any rider of a bicycle or other vehicle propelled by human power, who attaches himself to any other vehicle whilst that vehicle is in motion on any road shall be guilty of an offence.

S. 144. WALSH v. FAEHRMANN (1936) S.A.S.R. 49. The onus is on the complainant to prove that the driver did not consent to the defendant's action.

(3) Any person who rides on a vehicle without the consent of the driver of that vehicle shall be guilty of an offence.

Pacing by cyclists. Inserted by 2332, 1936, s. 35.

145. If any person riding a bicycle travels on any road for more than three hundred yards behind any motor vehicle and within six feet from that vehicle he shall be guilty of an offence.

Boarding and alighting from moving vehicles. Inserted by 2332, 1936, s. 35.

146. Any person who in any road, boards or alights from any tram car or vehicle whilst in motion, shall be guilty of an offence.

Driving and riding abreast. Inserted by 2332, 1936, s. 35, and amended by 2416, 1938, s. 42, and by 23, 1939, s. 3 (a).

147. (1) If two or more vehicles are driven or ridden abreast of each other in the same direction on any road, the rider or driver of each of those vehicles shall be guilty of an offence: Provided that this section shall not apply—

(*a*) where two bicycles and no more are ridden abreast:

(*b*) where a vehicle is driven abreast of another vehicle for the purpose of passing that other vehicle.

(2) A vehicle shall be deemed to be abreast of another vehicle if any part of the vehicle is by the side of any part of that other vehicle.

Inserted by 23, 1939, s. 3 (b).

(3) If two bicycles are ridden abreast of each other in the same direction on any road, the rider of the bicycle on the left-hand side of the road shall be guilty of an offence if he does not ride as near as practicable to such left-hand side of the road and the other rider shall be guilty of an offence if he does not ride as near as practicable to the rider on the inside of him.

Prohibition of riding horses abreast. Inserted by 2332, 1936, s. 35.

148. (1) If three or more horses are ridden abreast on the carriage-way of any road within twelve miles of the General Post Office at Adelaide, the rider of each horse shall be guilty of an offence: Provided that this section shall not apply where the horses are ridden by members of the police force on duty.

(2) A horse shall be deemed to be abreast of another horse if any part of that horse is by the side of any part of the other horse.

Leading animals. Inserted by 45, 1939, s. 26, and amended by 55, 1948, s. 17.

148a. If any person on any road within twelve miles of the General Post Office at Adelaide, whilst riding an animal or driving a vehicle, leads three or more animals, he shall be guilty of an offence.

Injurious matter on roads.
Inserted by 2332, 1936, s. 35.

149. If any person deposits or drops or causes or suffers to be deposited or dropped upon any road, any matter or substance likely to cause damage or danger to vehicles, being any wood, stone, sand, gravel, nail, tack, scrap iron, glass, wire, tin, bottle, thorn, clipping, oily or sticky substance or other matter or substance, he shall be guilty of an offence: Provided that it shall be a defence to a charge under this section if the defendant proves that he had taken reasonable precautions to prevent the matter or substance from being so deposited or dropped.

Removal of vehicles from roads.
Cf. U.K. 20 & 21 Geo. 5 c. 43 s. 59 (1) (c): 24 & 25 Geo. 5 c. 50, s. 22.
Inserted by 2332, 1936, s. 35.

150. (1) If—

(*a*) any vehicle or animal is left unattended on a road in such a position or in such a condition or in such circumstances as to be likely to cause danger to other persons using the road; or

(*b*) on any day on which a road is closed to the public or forms part of the route of a procession which has been duly advertised under any enactment, regulation, or by-law, any vehicle is left unattended for more than one hour,

any member of the police force or any officer of any municipal or district council may remove that vehicle or animal to a place of safe custody.

(2) Forthwith after such removal, the person removing the vehicle or animal, or some person on his behalf, shall give the owner written notice of the removal, and of the place to which the vehicle or animal was removed. The notice shall, wherever practicable, be served upon the owner personally; but if it is not so served within fourteen days after the removal, it shall forthwith upon the expiration of those fourteen days be given by public advertisement in two newspapers circulating generally in the State.

(3) If the owner of the vehicle or animal does not, within one month after the service or advertisement of the notice, pay all expenses in connection with the removal, custody, and maintenance of the vehicle or animal, and of serving or advertising the notice, and take possession of the vehicle or animal, the Commissioner of Police, or the municipal or district council whose officer removed the vehicle or animal shall sell it by public auction, and apply the proceeds as follows:—

(*a*) Firstly, in payment of the expenses of the sale:

(*b*) Secondly, in payment of the cost of removal, custody, and maintenance of the vehicle or animal,

and of the notice served or advertised under this section:

(*c*) Thirdly, in payment of the balance to the owner, or if, after reasonable inquiry, the owner cannot be found, to the Treasurer, in aid of the general revenue of the State.

Control of parking outside Parliament House. Inserted by 2332, 1936, s. 35.

151. (1) The Governor may by proclamation declare that any area in that part of any street which abuts on the site of either House of Parliament shall be a prohibited area within the meaning of this section and may revoke or amend any such proclamation.

(2) If any person, whether holding any other licence, permit, or other authority or not, leaves any vehicle or animal stationary in any prohibited area proclaimed under this section, without the permission of the Minister of Works, he shall be guilty of an offence.

(3) This section shall take effect notwithstanding anything in the Local Government Act, 1934, or any other Act or any regulation or by-law.

(4) No prosecution for an offence against this section shall be commenced except with the authority of the Minister of Works. A document purporting to give such consent and purporting to be signed by the Minister of Works shall be *prima facie* evidence of such consent.

Power of police to examine and test vehicles. Inserted by 2332, 1936, s. 35.

152. (1) Any member of the police force may, if he has reasonable cause to suspect that any vehicle has been involved in an accident or has been driven on a road recklessly or at a speed or in a manner which is dangerous to the public or has been stolen or taken without the consent of the owner and is on any land or premises, enter such land or premises and therein search for that vehicle and examine it if found.

(2) Any person who hinders any member of the police force, in the exercise of any power conferred upon him by this section, shall be guilty of an offence.

(3) If any member of the police force or any inspector appointed under Part II of this Act has reasonable cause to suspect that any motor vehicle does not comply with any requirement of this Act he may—

(*a*) require the owner or person in charge of the vehicle

s. 151. References to the "Commissioner of Public Works" altered to "Minister of Works" pursuant to the Amendments Incorporation Act, 1937.

to produce the vehicle to him or to some person named by him for the purpose of being tested:

(*b*) for that purpose remove the vehicle to the nearest convenient place where it can be tested:

(*c*) detain the vehicle for such time as is necessary for testing it.

(4) If the owner or person in charge of any vehicle when so requested by a member of the police force or an inspector appointed under Part II of this Act does not produce the vehicle, together with the key or other device necessary for starting the engine, in accordance with a request under subsection (3) of this section, he shall be guilty of an offence.

Unsafe vehicles.
Inserted by 48, 1951, s. 27.

152a. (1) If the Commissioner of Police or the registrar suspects that any registered motor vehicle is unsafe for use on roads he may inspect or authorize any person to inspect that vehicle.

(2) For the purpose of making any such inspection the Commissioner of Police or registrar or any person authorized by either of them may—

(*a*) direct any person having possession or control of the vehicle to produce it for inspection at a place specified by the said commissioner, registrar, or authorized person:

(*b*) enter any land or premises and remain thereon for such time as is necessary to make the inspection:

(*c*) do anything necessary or convenient to be done for the purpose of making an inspection of the vehicle.

(3) If the Commissioner of Police or the registrar is satisfied that any motor vehicle is unsafe for use on roads he may suspend the registration of that vehicle.

(4) When the registration of a motor vehicle is so suspended the registrar or any person authorized by him or any member of the police force may remove from the vehicle the registration card indicating the registration thereof and for the purpose of so doing may enter and remain upon any land or premises.

(5) If the Commissioner of Police or the registrar is subsequently satisfied that a vehicle the registration of which has been suspended under this section has been made safe for use on roads he may remove the suspension; and if the period for which the vehicle was registered before the

suspension has not expired the registrar shall upon removal of the suspension issue to the owner without fee a registration card similar to that removed from the vehicle under subsection (4) of this section.

(6) Any person who refuses or fails to comply with a direction given by the Commissioner of Police, the registrar, or an authorized person under this section shall be guilty of an offence.

(7) In this section the word "inspect" includes examine and test.

Closing roads for races and exemptions.
Cf. U.K. 20 & 21 Geo. 5 c. 43, ss. 13, 46.
Inserted by 2332, 1936, s. 35.
Para. (a) substituted by 2416, 1938, s. 43.

153. (1) Upon the application of any persons interested the Minister of Local Government may make either or both of the following orders:—

(*a*) That any road or part of a road upon which any races or tests are to be held, and any other adjacent or adjoining road or part of any such road shall be closed to traffic on any day or days:

(*b*) That persons taking part in any races or tests be exempted from the duty to observe any enactment, regulation or by-law prescribing speed limits or other rules to be observed on roads by drivers and riders of vehicles.

(2) No order closing a road shall be made under this section except with the consent of every municipal or district council within whose area the road or part of a road is situated.

(3) At least two clear days before any road is to be closed or any exemption is to operate pursuant to an order under this section the Minister shall by advertisement in two newspapers, one of which shall be a daily newspaper, circulating generally in the State, give notice of the intended closing of the road or exemption. The costs of every such advertisement shall be paid by the applicants.

(4) Any order made under this section shall be subject to any conditions which the Minister thinks fit to impose and upon breach of any condition shall cease to have any effect.

(5) An order under this section shall render lawful anything done in accordance therewith.

(6) If any person is requested by a member of the police force to depart from any road or part of a road closed under this section or to remove any vehicle of which he is

in charge from any such road or part of a road and does not forthwith comply with that request he shall be guilty of an offence.

Vehicles taking part in processions.
Inserted by 2416, 1938, s. 44.

153a. If the Treasurer is satisfied that any vehicle is intended to be ridden or driven on roads solely for the purpose of taking part in a street procession or other like entertainment, he may in writing exempt the owner and driver of that vehicle from the obligation to comply with any specified provisions of this Act on any day or days.

Vehicles used for carrying passengers for hire.
Inserted by 2332, 1936, s. 35, and amended by 55, 1948, s. 18.

154. (1) After a day to be fixed by the Governor by proclamation for the commencement of this section no person shall drive any vehicle or cause any vehicle to be driven for the purpose of carrying passengers for hire unless that vehicle has been inspected and certified to be safe for the carriage of passengers by an officer appointed by the Registrar of Motor Vehicles: Provided that this section shall not apply where a vehicle is driven pursuant to a licence under the Road and Railway Transport Act, 1930, or under any by-law of a local governing authority, or to any vehicle operated or licensed by the Municipal Tramways Trust.

Inserted by 2416, 1938, s. 45.

(2) Every certificate granted under this section shall remain in force for twelve months from the date of the granting thereof unless revoked by any such officer as aforesaid before the expiration of that period on the ground that the vehicle is no longer safe for the carriage of passengers.

(3) Any certificate granted under this section may contain a condition prescribing the maximum number of passengers which may lawfully be carried upon the vehicle to which the certificate relates.

Any person who drives any vehicle carrying more than the maximum number of passengers prescribed in a certificate relating to such vehicle shall be guilty of an offence.

Inserted by 2416, 1938, s. 45.

(4) An apparently genuine document produced by the prosecution and purporting to be signed by the Registrar of Motor Vehicles and to certify that any vehicle specified in the certificate has not during any period specified in the certificate been inspected and certified to be safe for the carriage of passengers as required by this section shall be *prima facie* evidence of the fact so certified.

Inserted by 2416, 1938, s. 45.

(5) It shall lie on the defendant to prove that any vehicle in respect of which a complaint has been laid under this

s. 154. LOMAX v. REED (1952) S.A.S.R. 225. Evidentiary effect of the failure of the driver of a motor vehicle to obtain a certificate, as required by section 154, considered.

section was driven pursuant to a licence under the Road and Railway Transport Act, 1930, or under any by-law of a local governing authority.

(6) The Governor may make any regulations necessary or convenient for the due administration and enforcement of this section and may by regulations impose penalties recoverable summarily and not exceeding ten pounds for breach of any such regulation.

Inserted by 2416, 1938, s. 45.

155. (1) If any light, or any sign showing a light, is on or over or adjacent to any footpath or road in any municipality or district council district or is affixed to the wall or roof or other external part of any building or verandah in any municipality or district council district, and the council of the municipality or district council district is satisfied that the light or sign is dangerous to traffic on any road, the council may give notice in writing to the owner of the light or sign requiring him to remove the light or sign within a reasonable time specified in the notice.

Dangerous lights and signs.
Inserted by 2332, 1936, s. 35.

(2) If within the time specified in the notice that owner does not remove the light or sign, the council may remove it and recover the costs of so doing from that owner in any court of competent jurisdiction as a debt due to the council.

(3) Any notice under this section may be given by post addressed to the last known place of business or abode of the person to whom it is to be given, or by delivering it to that person.

156. When any regulation or any by-law is inconsistent with any provision of this Part, that provision shall prevail and the regulation or by-law shall, to the extent of the inconsistency, be invalid.

Inconsistency of this Part with regulations and by-laws.
Inserted by 2332, 1936, s. 35.

156a. (1) For the purposes of this section the following shall be exempt vehicles—

(*a*) any motor vehicles used by the Fire Brigades Board or by a fire brigade, while it is being driven to any place in answer to a call for the services of a fire brigade, or is in use at a fire:

(*b*) any motor ambulance while it is being driven in the course of, or in connection with, the carriage of patients:

Exemption of fire, ambulance, and police vehicles from certain provisions.
Inserted by 46, 1941, s. 15, and amended by 41, 1952, s. 8.

s. 156a. THE SOUTH AUSTRALIAN AMBULANCE TRANSPORT INCORPORATED v. WAHLHEIM (1948) 77 C.L.R. 215; 22 A.L.J. 545, reversing Wahlheim v. The South Australian Ambulance Transport Incorporated (1948) S.A.S.R. 152. Observations upon the duties of a driver of an exempt vehicle.

(*c*) any motor vehicle being driven by a member of the police force in the execution of his duty.

(2) While a vehicle is an exempt vehicle, the following provisions of this Act, namely:—Paragraph (*b*) of subsection (1) of section 40a; section 43b; paragraph (*b*) of section 123; sections 124 to 127 inclusive, 130a, 130b, 130c, 131 to 133 inclusive, 136, 137, subsection (1) of section 139, 143a, 146, 147, 169, 174 to 176 inclusive, shall not apply in relation to that vehicle or the owner, driver, or person in charge thereof.

Evidentiary provisions. Inserted by 2332, 1936, s. 35.

157. (1) The allegation in any complaint for an offence against this Act, or against any regulation under this Act, that any person was, at any time mentioned in the complaint, the rider or driver of any animal or vehicle shall be *prima facie* evidence of that fact.

Inserted by 2416, 1938, s. 46, and amended by 55, 1948, s. 19 (a), and by 29, 1950, s. 13.

(2) In any complaint for an offence against this Act or against any regulation under this Act allegations as to all or any of the following matters—

(*a*) that any sign was lawfully placed on or near any road, or that any such sign was for any purpose specified in the complaint:

(*b*) that any sign on a road was erected under or complied with any specified statutory provision:

(*c*) that any sign on a road contained any specified words:

(*d*) that any specified place was or was not on any specified date an authorized crossing place on any line of railway:

(*e*) that any place is or was a road:

(*f*) that any intersection, intersecting road, or part of any intersecting roads was or were within a municipality, town, or township named in the complaint:

shall be *prima facie* evidence of the matters so alleged.

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s. 156a. (*contd.*) THE FIRE BRIGADES BOARD v. MUNICIPAL TRAMWAYS TRUST (1950) S.A.S.R. 262. The duties of drivers of tramcars and vehicles, such as fire engines, exempted from compliance with normal provisions for the regulation of road traffic, considered.

HINE v. O'CONNOR AND CHAMBERS AND THE FIRE BRIGADES BOARD (1951) S.A.S.R. 1. Although a fire-engine proceeding to a fire is exempted by section 156a from compliance with certain traffic regulations, the driver is nevertheless bound to exercise reasonable care, and the urgency of the duty upon which it is proceeding will not justify him in driving at a speed which in the circumstances is excessive and dangerous.

(3) A document produced by the prosecution and purporting to be signed by the Commissioner of Police, or by a superintendent or an inspector of police, and purporting to certify that any stop-watch or speedometer specified therein had been tested on a day mentioned therein and was shown by the test to be accurate to the extent indicated in the document, shall be *prima facie* evidence of the facts certified and that the stop-watch or speedometer was accurate to the said extent on each of the fourteen days following the day of the test.

Inserted by 2416, 1938, s. 46, and substituted by 55, 1948, s. 19 (b).

157a. Any contravention of or failure to observe any provision of this Part, whether by act or omission, shall be an offence.

Offences. Inserted by 45, 1939, s. 27.

158. Any person guilty of any offence against this Part, for which no other penalty is provided, shall be liable to a fine of not more than twenty pounds.

Penalty. Inserted by 2332, 1936, s. 35.

159. Proceedings for offences against this Part shall be disposed of summarily.

Summary proceedings. Inserted by 2332, 1936, s. 35.

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S. 160 inserted by 2332, 1936, s. 35, and repealed by 2416, 1938, s. 47.

PART VII.

PART VII.

PROTECTION OF ROADS.

161. In this Part unless the context otherwise requires or some other meaning is clearly intended—

Interpretation. Cf. U.K. 20 & 21 Geo. 5 c. 43, ss. 3, 24, 25. Inserted by 2332, 1936, s. 35.

"commissioner" means the Commissioner of Highways appointed pursuant to the Highways Acts, 1926 to 1935:

"improved main road" means any main road within the meaning of the Highways Acts, 1926 to 1935, which has been formed, metalled, or gravelled, or which has any prepared surface, and includes the shoulders and drains thereof, and any bridge, culvert, guard fence, or post thereon:

"road authority" means the municipal or district council within whose area the road in question is situated, and includes the commissioner when exercising the powers of a council in respect of any work:

"shoulders", when used in relation to a main road, means the protection work formed or constructed of any material whatsoever for strengthening, backing up, or protecting the edges of any improved main road:

"drain", when used in relation to a main road, means any work formed or constructed of any material whatsoever, which is provided for the drainage of such road:

"motor lorry" means a motor vehicle constructed in such a manner as to be ordinarily used for the carriage of goods, wares, or merchandise, or for the conveyance of any kind of material used in any trade, business, or industry, or for use in any work whatsoever other than the conveyance of passengers:

"motor vehicle" means a motor vehicle as defined in Part II of this Act:

"tractor" means a motor vehicle used for hauling other vehicles, but not built to carry passengers or loads other than fuel or water for its own consumption.

Farm implements.
Inserted by 2332, 1936, s. 35.

162. If any person drives or hauls over any improved main road any farm or other implement constructed in such a manner as to injure or damage any portion of the road when travelling thereon he shall be guilty of an offence.

Locking of wheels.
Inserted by 2332, 1936, s. 35.

163. If any person locks or prevents from revolving any wheel of any horse-drawn vehicle whilst such vehicle is proceeding along any improved main road, he shall be guilty of an offence.

Drags.
Inserted by 2332, 1936, s. 35.

164. If any person draws or drags any sledge, timber, tree, or other heavy material on any improved main road, he shall be guilty of an offence.

Wheels with bars, studs, etc.
Inserted by 2332, 1936, s. 35.

165. If any person, except in crossing a road, drives on or within six feet of any part of the metalled, gravelled, rubbled, tarred, or other prepared surface of any improved main road any motor vehicle having attached to the surface of any wheel or tire, which comes into contact with the road, any metal bar, spike, stud, grip, or other metal projection, he shall be guilty of an offence: Provided that this section shall not apply where the wheels or tires of the motor vehicle have no projection on the surface thereof which comes into contact with the road other than cross bars affixed thereto at an angle of not more than forty-five

degrees with the edge of the wheel or tire, and each extending the full width of the wheel or tire, and being not less than three inches in width and not more than three-quarters of an inch in thickness, and being separated by a space of not more than three inches from the cross bar nearest to it on either side.

Caterpillar tractors. Inserted by 2332, 1936, s. 35.

166. If any person, except in crossing a road, uses or drives on or within six feet of any part of the metalled, gravelled, or other prepared surface of any improved main road any tractor of the caterpillar type which has any metal bar, spike, stud, grip, or other metal projection on the track or belt of that tractor, he shall be guilty of an offence.

Stopping vehicles on bridges. Inserted by 2332, 1936, s. 35, and amended by 2416, 1938, s. 48.

167. (1) If any person stops a vehicle on any bridge or culvert on any road for any purpose whatever except in case of a breakdown or other unavoidable accident or the purpose of enabling any person to enter or alight from the vehicle, he shall be guilty of an offence.

(2) If the owner of any vehicle which has stopped on a bridge or culvert because of a breakdown or other unavoidable accident or the purpose of enabling any person to enter or alight from the vehicle, fails to remove the vehicle from that bridge or culvert without unnecessary delay, he shall be guilty of an offence.

Damage to bridges. Inserted by 2332, 1936, s. 35.

168. If any person drives any vehicle on any main road in such a way as to damage any bridge, culvert, guard fence, or post on or appertaining to that main road, he shall be guilty of an offence.

Driving on shoulders of roads. Inserted by 2332, 1936, s. 35.

169. If any person drives any vehicle on the shoulders of any improved main road except for the purpose of passing another vehicle, or leaving the metalled, gravelled, rubbled, tarred, or other improved surface, he shall be guilty of an offence.

Actions likely to cause fire. Inserted by 2332, 1936, s. 35.

170. If any person discharges any ashes, cinders, or other refuse from a tractor or any motor vehicle upon or within twenty feet of a bridge or culvert upon a main road, or upon any main road within twenty feet of the centre of that road, and does not completely extinguish and spread out such ashes, cinders, or refuse, so as not to injure that road or any fence thereon or adjacent thereto, and so as not to interfere with the drainage, he shall be guilty of an offence.

Depositing material on roads.
Inserted by 2332, 1936, s. 35.

171. If any person without the permission of the commissioner in writing stacks or deposits any wood, sand, stone, or material of any description on any main road or part of a main road which is in any way being maintained by the commissioner, he shall be guilty of an offence.

Use of wheel chains.
Inserted by 2332, 1936, s. 35.

172. If any person drives or hauls upon any improved main road any vehicle having solid rubber tires which are fitted with chains, or having metal studs or other metal projections inserted in the rubber thereof, he shall be guilty of an offence.

Defective tires.
Inserted by 2332, 1936, s. 35.

173. If any person drives on any improved main road any motor vehicle having any wheel shod with a rubber tire (not being a pneumatic tire) which has not rubber at least one inch thick over the whole of the outer surface of the wheel, or which is in any way defective, he shall be guilty of an offence.

Maximum air pressure of tires.
Inserted by 37, 1953, s. 18.

173a. If any person drives on any road any motor vehicle having any wheel fitted with a pneumatic tire inflated to a pressure exceeding one hundred pounds per square inch he shall be guilty of an offence.

Speed of heavy vehicles.
Inserted by 2332, 1936, s. 35, and repealed and re-enacted by 45, 1939, s. 28.

174. (1) No person shall drive on any road any commercial motor vehicle drawing a trailer at any speed in excess of those hereinafter prescribed:—

(*a*) If the aggregate weight of the vehicle and of every trailer drawn thereby exceeds eleven tons, twenty miles per hour:

(*b*) If the aggregate weight of the vehicle and of every trailer drawn thereby exceeds six tons, but does not exceed eleven tons, twenty-five miles an hour:

(*c*) If the aggregate weight of the vehicle and of every trailer drawn thereby exceeds three tons, but does not exceed six tons, thirty miles an hour.

(2) No person shall drive on any road any commercial motor vehicle, not drawing a trailer, at any speed in excess of those hereinafter prescribed:—

(*a*) If the weight of the vehicle exceeds eleven tons, twenty-five miles an hour.

(*b*) If the weight of the vehicle exceeds six tons but does not exceed eleven tons, thirty miles an hour:

(*c*) If the weight of the vehicle exceeds three tons, but does not exceed six tons, thirty-five miles an hour.

(3) For the purposes of this section the weight of a vehicle or of a trailer drawn thereby shall be the weight of the vehicle or trailer together with the weight of the load (if any), (including passengers, fuel, and equipment), carried thereon.

(4) Nothing in subsections (1), (2), and (3) of this section shall affect the obligation of any person to comply with any other provision of this Act relating to the speed at which motor vehicles may be driven.

(5) If any person contravenes this section in any way he shall be guilty of an offence.

(6) The Governor may for the purpose of this section make regulations—

(*a*) providing for the ascertainment of the weight of vehicles, trailers, and their loads, or any part of their loads, whether by calculation, measurement or by weighing the vehicles, trailers, and loads on any weighbridge, or by means of any loadometer or other prescribed apparatus;

(*b*) prescribing the duties of persons in charge of vehicles and trailers in relation to the ascertainment of the weight of the vehicles, trailers and their loads or any part of their loads; and

(*c*) prescribing penalties not exceeding ten pounds for breach of any such regulation.

(7) In this section "commercial motor vehicle" includes a tractor. **Inserted by 40, 1945, s. 13.**

175. If any person on any road which is not paved with bitumen, concrete, or wooden blocks drives at a greater speed than thirty miles per hour any motor vehicle which weighs more than two tons when unladen, he shall be guilty of an offence. **Speed of heavy motor vehicles on certain roads. Inserted by 2332, 1936, s. 35.**

176. (1) If any person on any improved main road drives any motor vehcile having one or more metal tires at a greater speed than six miles per hour he shall be guilty of an offence. **Vehicles with metal tires. Inserted by 2332, 1936, s. 35.**

(2) If any person on any improved main road drives any vehicle drawing a trailer having one or more metal tires he shall be guilty of an offence: Provided that if the Commissioner of Highways is satisfied that any piece of heavy

machinery or other merchandise cannot be taken apart without great expense or loss, he may issue to any person a permit (subject to any conditions specified therein) authorizing that person to use a trailer with metal tires for transporting that piece of machinery or other merchandise along any main road specified in the permit.

Information to be painted on vehicles. Inserted by 2332, 1936, s. 35.

177. (1) Every motor lorry (not being a buckboard) and every vehicle carrying passengers or goods for hire in actual use on any road shall have the name and address of the owner thereof and the weight of the vehicle unladen painted on some conspicuous part of the off side of the vehicle in letters not less than two inches high and one inch wide.

For the purpose of this subsection:

"name" means—

(*a*) in the case of a vehicle owned by an individual the Christian names or the initials of the Christian names and the full surname of that individual; and

(*b*) in the case of a vehicle owned by a firm, the registered name of the firm; and

(*c*) in the case of a vehicle owned by a company or body corporate, the registered name of the company, or the full name of the body corporate:

"address" means either place of abode or place of business:

"buckboard" means a vehicle adapted partly for the carriage of goods and partly for the carriage of passengers and weighing when unladen less than thirty-two hundredweights.

(2) Every motor lorry or tractor (for whatever purpose used) having any tires which are not pneumatic tires shall have, in addition to any particulars required under subsection (1), its weight unladen, together with the speed at which the lorry or tractor may travel under section 174 clearly and distinctly painted on the off side of the lorry or tractor in figures not less than two inches high and one inch wide.

(3) If any person owns or drives on any road any vehicle not complying with this section he shall be guilty of an offence: Provided that where the owner and the driver are

different persons, both shall not be punished in respect of the same non-compliance.

(4) The registrar or a person authorized by him may by a written certificate of exemption, exempt any vehicle from all or any of the provisions of subsections (1), (2), and (3) of this section. Inserted by 35, 1943, s. 21.

Every such exemption—

(*a*) shall remain in force for a period specified in the certificate or until the happening of a condition specified therein;

(*b*) shall be subject to any conditions specified in the certificate;

(*c*) may be revoked by the registrar upon breach of any condition thereof.

(5) An apparently genuine document produced by the prosecution and purporting to be signed by the registrar and to certify that a vehicle specified in the document was not at a time so specified exempted from any provisions of this section so specified shall be *prima facie* evidence of the fact so certified. Inserted by 35, 1943, s. 21.

178. (1) Any person who— Damage to roads and works. Inserted by 2332, 1936, s. 35, and amended by 37, 1953, s. 19 (a).

(*a*) otherwise than by reasonable use thereof damages any road, bridge, or culvert; or

(*b*) removes, damages, or interferes with any guard fence, post, traffic sign, direction sign, notice, mark, light, signal, barrier, lamp, or other thing erected or placed thereon by or with the consent of a road authority or by the Royal Automobile Association of South Australia, Incorporated; or

(*c*) does any act or makes any omission of such nature as to be likely to injure any such road or other thing,

shall be guilty of an offence.

Penalty: Fifty pounds.

(2) The court may, in addition to or in lieu of any penalty imposable under this section, order the defendant to pay to the authority responsible for the maintenance of the road, bridge or culvert which was damaged, or on which the damaged structure or article was erected or placed, such sum as the court thinks proper by way of compensation for the damage. Inserted by 37, 1953, s. 19 (b).

Notice of damage.
Inserted by 2332, 1936, s. 35, and amended by 37, 1953, s. 20.

179. If the driver or person in charge of any vehicle causing damage to any road or to any bridge, culvert, guard fence or post on the road, otherwise than by reasonable use thereof, does not forthwith give to the road authority in whose area the damage has been caused notice of that damage, with full particulars of any damage to the surface of the road or to bridges, culverts, guard fences, or posts on the road, he shall be guilty of an offence.

Penalty.
Inserted by 2332, 1936, s. 35.

180. Any person who commits an offence against this Part shall be liable, on summary conviction, to a penalty not exceeding twenty pounds.

Appointment of authorized officers.
Inserted by 2332, 1936, s. 35.

181. The commissioner may appoint any person to be an authorized officer for the purpose of this Part, and any municipal or district council may appoint any person to be an authorized officer for the purpose of this Part within the district of such district council or municipal corporation.

Application to employees of Crown.
Inserted by 2332, 1936, s. 35.

182. This Part shall be binding on any person in the employ of the Government of the State.

SCHEDULE.

ACTS REPEALED.

No. and Year of Act.	Title of Act.
No. 19 of 1853	An Act to provide for the regulation and licensing of Public Conveyances, and to prevent the wanton ill-treatment of Horses and Cattle.
No. 1 of 1854	An Act to amend "An Act to provide for the regulation and licensing of Public Conveyances, and to prevent the wanton ill-treatment of Horses and Cattle."
No. 1370 of 1919 (except sections 12, 13, and 14 thereof)	Lights on Vehicles Act, 1919.
No. 1609 of 1924 ..	Lights on Vehicles Act Amendment Act, 1924.
No. 1858 of 1928 ..	Lights on Vehicles Act Amendment Act, 1928.
No. 2019 of 1931 ..	Lights on Vehicles Act Amendment Act, 1931.
No. 1480 of 1921 ..	Motor Vehicles Act, 1921.
No. 1527 of 1922 ..	Motor Vehicles Act Amendment Act, 1922.
No. 1645 of 1924 ..	Motor Vehicles Act, 1924.
No. 1695 of 1925 ..	Motor Vehicles Act Amendment Act, 1925.
No. 1760 of 1926 ..	Motor Vehicles Act Amendment Act, 1926.
No. 1827 of 1927 ..	Motor Vehicles Act Amendment Act, 1927.
No. 1941 of 1929 ..	Motor Vehicles Act, 1929.
No. 2095 of 1932 ..	Motor Vehicles Act, 1932.
No. 2131 of 1933 ..	Motor Vehicles Act, 1933.
No. 1580 of 1923 ..	Width of Tires Act, 1923.
No. 1641 of 1924 ..	Width of Tires Act Amendment Act, 1924.
No. 1714 of 1925 ..	Width of Tires Act Amendment Act, 1925.
No. 1961 of 1930 ..	Width of Tires Act, 1930.
No. 1699 of 1925 ..	Vehicles (Licensing) Act, 1925.
No. 1823 of 1927 ..	Vehicles (Licensing) Amendment Act, 1927.
No. 2169 of 1934 ..	Lights on Vehicles Act Amendment Act, 1934.

TABLES OF ACTS OF THE PARLIAMENT OF SOUTH AUSTRALIA.

TABLE OF PUBLIC GENERAL ACTS OF THE PARLIAMENT OF SOUTH AUSTRALIA, INCLUDING CROSS REFERENCES.

The following table contains a list of the public Acts of general application of the Parliament of South Australia passed up to the end of 1954 and which were unrepealed as at that time.

In the case of an Act reprinted in Volumes 1 to 8 of the South Australian Statutes, 1837-1936, a reference is given in the table to the volume and page where the Act is printed. In the case of any other Act a reference is given to the annual volume of Statutes in which the Act is printed.

Since the publication of the South Australian Statutes, 1837-1936, some Acts have been reprinted pursuant to the Amendments Incorporation Act, 1937. The table contains a reference to all such reprinted Acts; in some instances, the reprinted Act has been included in the annual volume of Statutes and in those cases a reference is given to the volume and page where the Act is reprinted.

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Henley and Grange Alignment Act, 1940	1940	8
Hummock Hill to Iron Knob Tramway Extension Act, 1927	1927	1821
See also (in the Table of Public General Acts) The Broken Hill Proprietary Company's Indenture Act, 1937, *and* (in the Table of Private Acts) The Broken Hill Proprietary Company, Limited's, Hummock Hill to Iron Knob Tramway and Jetties Act, 1900		
The Insolvent Act, 1886	1886	385
The Insolvent Act Amendment Act, 1887	1887	404
The Insolvent Act Amendment Act, 1896	1896	655
The Insolvent Act Further Amendment Act, 1914	1914	1162
Insolvent Act Further Amendment Act, 1915	1915	1191
Insolvent Act Further Amendment Act, 1918	1918	1340
Insolvent Act Amendment Act, 1925	1925	1709
Insolvent Act Amendment Act, 1942	1942	18
John Miller Park Act, 1954	1954	54
Jubilee Exhibition Act, 1885	1885	351
Lady Kintore Cottages Act, 1920	1920	1430
Largs Fort Encroachment Act, 1884	1884	330
Legislative Council Vacancy Act, 1943	1943	40
Life Assurance Companies Act, 1936	1936	2283

Title of Act.	Year.	Number.
Life Assurance Companies Act Amendment Act, 1939 ...	1939	42
Life Assurance Companies Act Amendment Act, 1941 ...	1941	40
Main Roads Fund Act, 1920	1920	1424
Main Roads Fund Act, 1922	1922	1535
Mareeba Babies Hospital Lease Act, 1951	1951	31
The Married Woman's Property Amendment Act, 1898 ..	1898	701
Mile End Overway Bridge Act, 1925	1925	1713
The Morphett Street Bridge Act	1881	222
Motor Spirit Vendors' Agreement (Validation) Act, 1927.	1927	1791
Mount Bold Waterworks Act, 1931	1931	2050
North Terrace and Railway Lands Act, 1926	1926	1742
North Terrace Alignment Act, 1925	1925	1715
North Terrace (Alignment) Act, 1929	1929	1928
Parliamentary Buildings Act, 1877	1877	87
Police Act, 1936	1936	2280
Police Pensions Act, 1930	1930	1952
The Poonindie Exchange Act, 1895	1895	631
Port Adelaide Canal Supplementary Act, 1889	1889	473
See also (in the Table of Private Acts) The Port Adelaide Canal Act		
Port Adelaide Public Recreation Ground Act, 1877	1878	91
Port Adelaide Reserves Act, 1871	1871	6
Port Adelaide Water Frontage Act, 1886	1886	373
Port Adelaide Water Frontage Act, 1902	1902	810
The Port Adelaide Water Frontage Act, 1910	1910	1012
Port Augusta Park Lands Act, 1882	1882	258
Port Augusta Sub-Branch R.S.S. and A.I.L.A. (Purchase of Land) Act, 1952	1952	11
The Port Lincoln Catholic Church Property Act	1879	134
Port Pirie Drill Hall Site Act, 1921	1921	1470
Port Pirie Laboratory Site Act, 1922	1922	1537
Port Pirie Park Lands Act Repeal Act, 1951	1951	15
Port Pirie Racecourse Site Act, 1946	1946	45
Public Purposes Loan Act, 1933	1933	2109
Public Purposes Loan Act, 1934	1934	2146
Public Purposes Loan Act, 1935	1935	2226
Public Purposes Loan Act, 1936	1936	2262
Public Purposes Loan Act, 1937	1937	2345
Public Purposes Loan Act, 1938	1938	2386
Public Purposes Loan Act, 1939	1939	7
Public Purposes Loan Act, 1940	1940	6
Public Purposes Loan Act, 1941	1941	12
Public Purposes Loan Act, 1942	1942	7
Public Purposes Loan Act, 1943	1943	5
Public Purposes Loan Act, 1944	1944	8
Public Purposes Loan Act, 1945	1945	7
Public Purposes Loan Act, 1946	1946	7
Public Purposes Loan Act, 1947	1947	12
Public Purposes Loan Act, 1948	1948	4
Public Purposes Loan Act, 1949	1949	11
Public Purposes Loan Act, 1950	1950	6
Public Purposes Loan Act, 1951	1951	13
Public Purposes Loan Act, 1952	1952	4
Public Purposes Loan Act, 1953	1953	4

Title of Act.	Year.	Number.
Public Purposes Loan Act, 1954	1954	11
The Public Service Superannuation Fund Act, 1902	1902	792
Public Service Superannuation Fund Act Amendment Act, 1919	1919	1360
Public Service Superannuation Fund Act Amendment Act, 1953	1953	12
Pyap Irrigation Trust Act Amendment Act, 1926	1926	1772
See also (in the Table of Private Acts) The Pyap Irrigation Trust Act, 1923		
The Railway and Corporation Lands Act, 1904	1904	853
Railway Acts—		
See also Railway Acts (in the Table of Private Acts)		
Adelaide and Gawler Town Railway Act, 1854	1854	18
The Adelaide and Gawler Town Railway Extension Act	1857-8	10
The Adelaide and Gawler Town Railway Further Extension Act	1858	2
Adelaide City and Port Railway Act, 1851	1851	1
Adelaide and Port Railway Loan Act, 1852	1852	12
Adelaide and Port Railway Loan Act, 1853	1853	18
The Adelaide and Port Adelaide Railway Extended Accommodation Act, 1873	1873	2
The Adelaide Loop-Line Railway Act, 1908	1908	966
The Adelaide Loop-Line Railway Act Amendment Act, 1909	1909	995
Adelaide to Nairne Railway Act, 1878	1878	117
Angle Pole Railway Act, 1887	1887	413
Barunga Gap Railway, 1877	1877	72
Blyth to Gladstone Railway Act, 1891	1891	522
The Brinkworth to Port Broughton Railway Act, 1910	1910	1015
Broadening of Gauge (Brinkworth to Gladstone) Act, 1925	1925	1667
Bumbunga to Lochiel Railway Act, 1923	1923	1595
Burra and Hallett Railway Act, 1876	1876	31
The Darke's Peak Railway Act, 1909	1909	982
The Darke's Peak Railway Act Amendment, 1911	1911	1042
The District Railways Act, 1911	1911	1067
Dry Creek and Port Adelaide Railway Act, 1866	1866-7	15
The Dry Creek and Port Adelaide Deviation Act, 1911	1911	1051
Farina Town and Hergott Springs Railway Act, 1881	1881	226
Forrester's to Burra Railway Act, 1867	1867	20
The Gawler to Angaston Railway Act, 1907	1907	942
The Gawler to Angaston Railway Act Amendment Act, 1909	1909	984
The Gawler to Angaston Railway Act Amendment Act, 1910	1910	1016
The Gawler Town Railway Further Extension Act to Section 1403	1859	20
The Gladstone and James Town Railway Act, 1876	1876	28
Gladstone and Laura Railway Act, 1882	1882	253
The Glenelg Railways Purchase Act, 1899	1899	726
The Goodwood to Willunga Railway Act, 1909	1909	993
The Goodwood to Willunga Railway Act, 1910	1910	1017

Title of Act.	Year.	Number.
Railway Acts—*continued.*		
The Grange and Henley Beach Railway Act, 1898 ..	1898	698
The Grange and Henley Beach Railway Alteration Act, 1911	1911	1041
The Goolwa Loop Line Railway Act, 1913	1913	1145
The Guaranteed Railways Act Amendment Act, 1913	1913	1113
Hallett to Terowie Railway Act, 1878	1878	97
Hamley Bridge and Balaklava Railway Act, 1877 ..	1877	62
The Harbor and Railway Act, 1901	1901	765
The Harbor and Railway Extension Act, 1910	1910	1011
Hergott Springs and Primrose Springs Railway Act, 1883	1883	281
The Hundred of Solomon and Decres Bay Railways Act, 1912	1912	1080
The Hundred of Solomon and Decres Bay Railway Act Amendment Act, 1913	1913	1142
Kadina and Wallaroo Railway Act, 1877.....	1877	76
Kadina and Wallaroo Railway Act, 1879.....	1879	149
Kadina to Barunga Gap Railway Act, 1876	1876	40
Kapunda and North-West Bend Railway Act, 1876 .	1876	27
Kielpa to Mangalo Hall Railway Act, 1916	1916	1265
Kimba to Buckleboo Railway Act, 1923	1923	1592
Kowulka Branch Railway Act, 1948.....	1948	37
The Laura to Booleroo Centre Railway Act, 1907 ...	1907	941
The Laura to Booleroo Centre Railway Act Amendment Act, 1910	1910	1014
Moonta and Gawler Town Railways Acts Repealing Act, 1931	1931	2038
Mount Barker and Strathalbyn Railway Act, 1881..	1881	221
Mount Gambier and Naracoorte Railway Act, 1884..	1884	327
The Mount Hope Railway Act, 1912.....	1912	1094
The Mount Pleasant, Sedan, and Truro Railways Act, 1914	1914	1180
The Nairne to the Victorian Border Railway Act, 1882	1882	265
Nairne to Victorian Border Railway Deviation Act, 1924	1924	1622
Naracoorte to Tatiara Railway Act, 1879	1879	131
North-Western Railways System Development Act, 1917	1917	1307
Palmer to Monarto Railway Act, 1916	1916	1266
The Paringa to Renmark Railway Act, 1914	1914	1177
The Peebinga, Paringa, Loxton and Waikerie Railways Act, 1912	1912	1088
Pinnaroo Railway Act	1903	831
Pinnaroo Railway Act Amendment Act, 1907	1907	928
The Pinnaroo Railway Act Further Amendment Act, 1908	1908	955
The Pinnaroo Railway Act Further Amendment Act, 1914	1914	1176
The Petersburg and Border Railway Act, 1884	1884	328
The Petersburg and Border Railway Amendment Act, 1886	1886	377
The Port Adelaide and Semaphore Railway Act, 1874	1874	13

Title of Act.	Year.	Number.
Railway Acts—*continued.*		
Port Adelaide and Semaphore Railway Act Amendment Act, 1875	1875	14
The Port Adelaide and Semaphore Railway Amendment Act, 1880	1880	174
Port Adelaide and Semaphore Railway Deviation Act, 1917	1917	1297
Port Adelaide and Semaphore Railway Deviation Act Amendment Act, 1922	1922	1526
The Port Adelaide, Glanville, and Largs Additional Railway Act, 1908	1908	965
Port Augusta and Government Gums Railway Act, 1876	1876	26
The Port Augusta and Northern Railway Act, 1862	1862	28
The Port Broughton Railway Act	1873	7
The Port Lincoln Railway Act, 1905	1905	882
The Port Lincoln Railway Extension Act, 1907	1907	932
The Port Lincoln Railway Extension Act, 1909	1909	985
The Port Pirie Railway Act	1873	8
The Port Wakefield and Kadina Railway Act	1873	9
The Port Wakefield to Hoyles Plains Tramway Act, 1866	1866-7	25
The Port Wakefield and Hoyle's Plains Tramway Extension Act	1873	10
Railway Crossings (Bowden) Act, 1922	1922	1524
The Railway Deviations Act, 1896	1896	661
Railways Guarantees Abolition Act, 1917	1917	1288
Railways Guarantees Abolition Act Amendment Act, 1918	1918	1328
Railways Transfer Act, 1927	1927	1840
Renmark to Barmera Railway Act, 1925	1925	1675
The Riverton to Spalding Railway Act, 1913	1913	1129
Rivoli Bay North and Mount Gambier Railway Act, 1876	1876	30
The Robertstown Railway Act, 1911	1911	1070
The Robertstown Railway Act Amendment Act, 1912	1912	1081
Roseworthy to Forresters Railway Act, 1866-7	1866-7	24
Roseworthy to Forrester's Railway Amendment Act, 1867	1867	18
The Salisbury to Long Plains Railway Act, 1913	1913	1139
The South-Eastern Railway Act, 1871	1871	7
Strathalbyn and Middleton Tramway Act, 1866	1866	1
The Strathalbyn and Victor Harbor Railway Act, 1883	1883	294
The Tailem Bend and Brown's Well Railway Act, 1909	1909	980
Tatiara to Border Town Railway Act, 1881	1881	200
Terowie to Pichirichi Railway Act, 1878	1878	103
Victor Harbor and Strathalbyn Tramways Amendment Act, 1869-70	1869-70	14
The Wallaroo Railway Station Extension Act, 1886	1886	371
Wallaroo to Moonta Railway Act, 1890	1890	490
Wanbi to Moorook Railway Act, 1923	1923	1586
Wandana to Penong Railway Act, 1917	1917	1292

Title of Act.	Year.	Number.
Railway Acts—*continued*.		
The Wandilo and Glencoe Railway Act, 1903	1903	843
The Wandilo and Glencoe Railway Act Amendment Act, 1909	1909	990
The Wilmington Railway Act, 1913	1913	1137
Road (Hundred of MacDonnell) Acquisition Act, 1923	1923	1578
Road (Thebarton State School) Acquisition Act, 1918	1918	1345
Road (Wirrabara Forest) Acquisition Act, 1917	1917	1315
Roads Loan Act, 1923	1923	1579
Roads (Magill Home and Yatala Quarry) Acquisition Act, 1915	1915	1219
South Australian Gas Company's Act Amendment Act, 1952	1952	12
See also (in the Table of Private Acts) The South Australian Gas Company's Act, 1861.		
South-Eastern Lands Contract Annulment Act, 1917	1917	1300
Statute Law Revision Act, 1934	1934	2168
Statute Law Revision Act, 1935	1935	2246
Statute Law Revision Act, 1936	1936	2293
Statute Law Revision Act (No. 2), 1936	1936	2316
Strathalbyn Soldiers' Memorial Gardens Act, 1940	1940	51
Succession Duties (Peter Waite Benefactions) Act, 1920	1920	1422
Supply Act (No. 1), 1936	1936	2260
Supply Act (No. 2), 1936	1936	2275
Supply Act (No. 1), 1937	1937	2338
Supply Act (No. 2), 1937	1937	2339
Supply Act (No. 1), 1938	1938	2382
Supply Act (No. 2), 1938	1938	2385
Supply Act (No. 1), 1939	1939	1
Supply Act (No. 2), 1939	1939	2
Supply Act (No. 1), 1940	1940	1
Supply Act (No. 2), 1940	1940	3
Supply Act (No. 1), 1941	1941	1
Supply Act (No. 2), 1941	1941	3
Supply Act (No. 1), 1942	1942	1
Supply Act (No. 2), 1942	1942	2
Supply Act (No. 1), 1943	1943	2
Supply Act (No. 2), 1943	1943	4
Supply Act (No. 1), 1944	1944	1
Supply Act (No. 2), 1944	1944	3
Supply Act (No. 1), 1945	1945	1
Supply Act (No. 2), 1945	1945	3
Supply Act (No. 1), 1946	1946	2
Supply Act (No. 2), 1946	1946	5
Supply Act (No. 1), 1947	1947	1
Supply Act (No. 2), 1947	1947	4
Supply Act (No. 1), 1948	1948	1
Supply Act (No. 1), 1949	1949	2
Supply Act (No. 2), 1949	1949	4
Supply Act (No. 1), 1950	1950	2
Supply Act (No. 2), 1950	1950	3
Supply Act (No. 1), 1951	1951	2
Supply Act (No. 2), 1951	1951	3

Title of Act.	Year.	Number.
Supply Act (No. 1), 1952	1952	2
Supply Act (No. 2), 1952	1952	3
Supply Act (No. 3), 1952	1952	17
Supply Act (No. 1), 1953	1953	2
Supply Act (No. 2), 1953	1953	3
Supply Act (No. 1), 1954	1954	2
Supply Act (No. 2), 1954	1954	3
Supply Act (No. 3), 1954	1954	16
The Transcontinental Railway Grant Act, 1911	1911	1069
The Transcontinental Railway Land Grant Amendment Act, 1912	1912	1079
Transcontinental Railway Land Grant Act Amendment Act, 1924	1924	1608
The University Land Act, 1929	1929	1944
Victor Harbor Foreshore Act, 1917	1917	1281
Victor Harbor Foreshore Act, 1926	1926	1750
Voluntary Wheat Pool Agreement Ratification Act, 1924.	1924	1620
Voluntary Wheat Pool Agreement Ratification Act, 1925	1925	1690
Wallaroo Park Lands Resumption Act, 1924	1924	1626
The Wallaroo Railway Lands Act, 1912	1912	1085
The West Terrace Cemetery Extension Act, 1904	1904	852
West Terrace Cemetery (Soldiers' Section) Extension Act, 1944	1944	11
The Wolseley Educational Lands Resumption Act, 1883 .	1883-4	301
Young Men's Christian Association of Port Pirie Act, 1918	1918	1349
Young Men's Christian Association of Port Pirie Act Amendment Act 1951	1951	28

TABLE OF PRIVATE ACTS.

The following table contains a list of the private Acts of the Parliament of South Australia passed up to the end of 1954 and which were unrepealed as at that time. These Acts are not included in Volumes 1 to 8 of the South Australian Statutes, 1837-1936.

Title of Act.	Year.	Number.
The Adelaide Electric Supply Company's Act, 1922..... *See also* The South Australian Electric Light and Motive Power Company's Act, 1897 *and* (in the Table of Public General Acts) Electricity Trust of South Australia Act, 1946, *and* (in the Table of Public Acts of Restricted Application) The Adelaide Electric Supply Company's Act, 1931 : The Adelaide Electric Supply Company Act, 1944.	1922	—
The Adelaide Fruit and Produce Exchange Act, 1903 ...	1903	—
Adelaide Marine and Fire Assurance Company Act, 1864	1864	—
The Adelaide Marine and Fire Assurance Company Act Amendment Act, 1881	1881	—
The Adelaide Marine and Fire Assurance Company Further Amendment Act, 1885	1885	—
Adelaide Synagogue Act, 1881	1881	—
The Adelaide Synagogue Act, 1881, Amendment Act	1895	—
Adelaide Workmen's Homes Incorporated Act, 1933.....	1933	—
Angas College Trusts Act, 1921	1921	—
Australian Mutual Provident Society Act, 1874	1874	—
Australian Trust Company Act, 1861	1861	—
Bagot's Executor Company Act	1910	—
Bank of Adelaide Act, 1865	1865	—
The Bank of Adelaide Act Amendment Act, 1904	1904	—
The Bank of Adelaide Act Amendment Act, 1920.....	1920	—
The Bank of Adelaide's Registration under the Companies Act 1892 Act	1928	—
Boy Scouts Association—South Australian Branch—Incorporation Act.....	1940	—
The Catholic Church Endowment Society, Incorporated, Sale of Lands Act	1896	—
Charles Birks & Co. Limited Employees' Welfare Trust Act, 1946	1946	—
The Church of England Clergy Superannuation Act, 1935	1935	—
Church of England Endowment Society Act	1891	—
Church of England Succession Act	1893	—
Church of Saint Mary Magdalene, Adelaide, Alteration of Trusts Act, 1919	1919	—
The Church of The Holy Trinity, Adelaide, Revocation and Alteration of Trusts and Sale of Land Act, 1919....	1919	—
Commercial Bank Act, 1878	1878	—
The Corporation of St. John's Church Act, 1886	1886	—
The Corporation of St. John's Church Act, 1886, Amendment Act, 1920	1920	—
The Corporation of St. John's Church Act, 1886, Amendment Act, 1948	1948	—
The David Bower Estate Act, 1920	1920	—

Title of Act.	Year.	Number.
The East-End Market Act, 1872	1872	—
Elders Executor Company's Act, 1910	1910	—
Elders Executor Company's Amendment Act, 1915	1915	—
Executors Company's Act, 1885	1885	—
Executors Company's Amendment Act, 1900	1900	—
Executors Company's Amendment Act, 1915	1915	—
Farmers Co-operative Executors Act, 1919	1919	—
Hagen Lands Act, 1852	1852	—
James Brown Memorial Trust Incorporation Act, 1894	1894	—
The James Umpherston Trusts Act, 1926	1926	—
Kensington and Norwood Boundaries Act, 1878	1878	—
Kingsland Irrigation Company Act, 1922	1922	—
Leigh Trust Incorporation Act, 1929	1929	—
The Liverpool and London and Globe Insurance Company's Act of 1879	1879	—
The Loxton District Hospital Purposes Act, 1927	1927	—
Mercantile Marine Insurance Company Act, 1869-70	1869-70	—
The Mercantile Marine and Fire Insurance Company's Amending Act	1878	—
The Methodist Church Act, 1911	1911	—
Methodist Ladies College Incorporation Act, 1920	1920	—
The Methodist Union Act, 1900	1900	—
Moonta Gas Company's Act	1873	—
Moonta Gas Company's Sale Act, 1882	1882	—
Murray River Company Act, 1853	1853	—
The Naracoorte Town Square Act, 1952	1952	—
National Bank of Australasia Act, 1859	1859	—
National Bank of Australasia Amendment Act, 1860	1860	—
National Bank Act Amendment Act, 1863	1863	—
National Marine and Fire Insurance Company Act, 1867	1867	—
National Marine Insurance Company's Act Amendment Act, 1873	1873	—
The Parkin Trust Incorporated Act, 1926	1926	—
Paxton Title Act, 1885	1885	—
Port Adelaide Canal Act [1]	1887	—
See also (in the Table of Public Acts of Restricted Application) The Port Adelaide Canal Supplementary Act, 1889		
The Presbyterian Church of South Australia Act	1899	—
Prince Alfred College Incorporation Act, 1878	1878	—
The Provincial Gas Company's Act	1868-9	—
Pyap Irrigation Trust Act, 1923	1923	—
See also (in the Table of Public Acts of Restricted Application) The Pyap Irrigation Trust Act Amendment Act, 1926		
Railway Acts—		
See also Railway Acts (in the Table of Public Acts of Restricted Application)		
Adelaide City and Port Railway Act, 1850	1850	1
Adelaide City and Port Railway Guarantee Act, 1850	1850	4
The Broken Hill Proprietary Company, Limited's Hummock Hill to Iron Knob Tramway and Jetties Act, 1900	1900	—

Title of Act.	Year.	Number.
Railway Acts—*continued*.		
See also (in the Table of Public General Acts) The Broken Hill Proprietary Company's Indenture Act, 1937, *and* (in the Table of Public Acts of Restricted Application) The Hummock Hill to Iron Knob Tramway Extension Act, 1927		
Glenelg Railway Act Further Amendment Act, 1889.	1889	—
Grange and Military Road Railway Act	1878	—
Largs Bay Railway Act	1882	—
The Wallaroo Railway Act	1861	—
The Wallaroo Railway Amendment Act, 1862	1862	—
The Wallaroo Railway Further Amendment Act	1875	—
Returned Sailors and Soldiers' Imperial League Club (Licensing) Act, 1934	1934	—
River Murray Navigation Company Act, 1853	1853	—
Royal Institution for the Blind Act, 1934	1934	—
Saint Andrew's Church, Walkerville, Alteration of Trusts Act	1919	—
Saint Paul's Church, Port Adelaide, Sale of Lands Act	1914	—
Saint Peter's Collegiate School Ordinance, 1849	1849	1
Saint Peter's Collegiate School Ordinance Amendment Act	1889	—
The Salvation Army (South Australia) Property Trust Act, 1931	1931	—
Scotch College, Adelaide, Incorporation Act, 1922	1922	—
Stirling Trust Estate Act, 1857-8	1857-8	—
South Australian Banking Company Act, 1843	1843	—
South Australian Company Act, 1840	1840	8
South Australian Company's Land Act, 1852	1852	—
The South Australian Electric Light and Motive Power Company's Act, 1897	1897	—
See also The Adelaide Electric Supply Company's Act, 1922, *and* (in the Table of Public Acts of Restricted Application) the Adelaide Electric Supply Company's Act, 1931: The Adelaide Electric Supply Company Act, 1944.		
The South Australian Gas Company's Act, 1861	1861	—
South Australian Gas Company Amendment Act, 1874	1874	—
The South Australian Gas Company's Further Amendment Act, 1882	1882	—
South Australian Gas Company's Act, 1912	1912	—
South Australian Gas Company's Act, 1919	1919	—
See also (in the Table of Public General Acts) the Gas Act, 1924 *and* (in the Table of Public Acts of Restricted Application) the South Australian Gas Company's Act Amendment Act, 1952.		
South Australian Marine and Fire and Life Assurance Company Act, 1842	1842	—
South Australian Mining Association Act, 1851	1851	10
South Australian Mutual Insurance Association Act, 1853	1853	—
South Australian Mutual Life Assurance Society Act, 1880	1880	—
The South Australian Wesleyan Methodists Act, 1887	1887	—
South Australian Widows' Fund and General Annuity Endowment Society Act, 1850	1850	13
The Spicer Cottages Trust Act, 1934	1934	—

Title of Act.	Year.	Number.
The Spicer Cottages Trust Act Amendment Act, 1938....	1938	—
St. George's Church, Woodforde, Revocation of Trusts and Sale of Lands Act, 1920.....	1920	—
The Thorngate Estate Act	1911	—
The Town and Country Bank Act, 1881	1881	—
Union Bank of Australia Act, 1850	1850	11
Way College Incorporation Act, 1899	1899	—
The Wyatt Benevolent Institution Incorporated Act	1935	—

TABLE OF ACTS REPEALED.

The following table contains a list of all Acts which have been repealed since the publication in April, 1937, of the South Australian Statutes, 1837-1936.

Title of Act Repealed.	Title of Repealing Act.
The Adelaide Gunpowder Magazine Act ...	Statute Law Revision Act, 1937
The Adulteration of Wine and Brandy Act, 1907	Adulteration of Wine and Brandy (Repeal) Act, 1941
The Amendments Incorporation Act, 1914 .	Amendments Incorporation Act, 1937
Banking Companies Act, 1935	Banking Companies Act Repeal Act 1946
Bread Act, 1936	Bread Act, 1954
Building Materials Act, 1945	Building Materials Act, 1949
Building Materials Act Amendment Act, 1946	Building Materials Act, 1949
Building Materials Act Amendment Act, 1947	Building Materials Act, 1949
Building Materials Act Amendment Act, 1948	Building Materials Act, 1949
Building Materials Act Amendment Act, 1949	Building Materials Act, 1949
Building Materials Act, 1949	Building Operations Act, 1952
Building Materials Act Amendment Act, 1950	Building Operations Act, 1952
Building Materials Act Amendment Act, 1951	Building Operations Act, 1952
Collections for Unemployment Act, 1930 ...	Collections for Charitable Purposes Act, 1939
Commonwealth Powers (Air Navigation) Act, 1921	Air Navigation Act, 1937
Commonwealth Water Agreement Ratification Act, 1940	Commonwealth Water Agreement Ratification Act Repeal Act, 1954
Cornsacks Act, 1931	Statute Law Revision Act, 1937
Cornsacks Act Amendment Act, 1932	Statute Law Revision Act, 1937
Cornsacks Act Amendment Act, 1933	Statute Law Revision Act, 1937
Cornsacks Act Amendment Act, 1934	Statute Law Revision Act, 1937
Cornsacks Act Amendment Act, 1935	Statute Law Revision Act, 1937
Employers' Liability Act, 1934	Wrongs Act Amendment Act, 1944
French Red Cross Fund Act, 1940	Statute Law Revision Act, 1952
The Guardianship of Infants Act, 1887	Guardianship of Infants Act, 1940
Imprint Act of 1863	Imprint Act, 1951
Imprint Amendment Act, 1881	Imprint Act, 1951
Increase of Rent (War Restrictions) Act, 1939	Landlord and Tenant (Control of Rents) Act, 1942
Increase of Rent (War Restrictions) Act Amendment Act, 1940	Landlord and Tenant (Control of Rents) Act, 1942
Increase of Rent (War Restrictions) Act Amendment Act, 1941	Landlord and Tenant (Control of Rents) Act, 1942
Infectious Diseases Hospital Act, 1922-1943	Infectious Diseases Hospital Transfer Act, 1947
Juries Act, 1844	Statute Law Revision Act, 1937
Kowulka Railway Act, 1922	Kowulka Branch Railway Act, 1948
Leigh Creek Coal Act, 1942	Electricity Trust of South Australia Act Amendment Act, 1946
Life Assurance Companies Act (Partial Suspension) Act, 1943	Statute Law Revision Act, 1952

Title of Act Repealed.	Title of Repealing Act.
Loans for Fencing and Water Piping Act, 1930	Loans for Fencing and Water Piping Act, 1938
Margarine Act, 1934	Margarine Act, 1939
The Meters and Gas Act, 1881	Gas Act Amendment Act, 1954
The Mining on Private Property Act, 1909	Mining Act Amendment Act, 1941
Mining on Private Property Act Amendment Act, 1916	Mining Act Amendment Act, 1941
Money-lenders Act, 1924	Money-lenders Act, 1940
Payment of Members of Parliament Act, 1936	Payment of Members of Parliament Act, 1948
Payment of Members of Parliament Act, 1944	Payment of Members of Parliament Act, 1948
Police Pensions Act, 1929	Police Pensions Act, 1954
Police Pensions Act, 1932	Police Pensions Act, 1954
Police Pensions Act Amendment Act, 1936	Police Pensions Act, 1954
Police Pensions Act Amendment Act, 1942	Police Pensions Act, 1954
Police Pensions Act Amendment Act, 1943	Police Pensions Act, 1954
Police Pensions Act Amendment Act, 1945	Police Pensions Act, 1954
Police Pensions Act Amendment Act, 1947	Police Pensions Act, 1954
Police Pensions Act Amendment Act, 1949	Police Pensions Act, 1954
Police Pensions Act Amendment Act, 1950	Police Pensions Act, 1954
Police Pensions Act Amendment Act, 1951	Police Pensions Act, 1954
Port Pirie Park Lands Act, 1932	Port Pirie Park Lands Repeal Act, 1951
Producer Gas Equipment Act, 1942	Statute Law Revision Act, 1952
Public Library, Museum, and Art Gallery, and Institutes Act, 1936	Libraries and Institutes Act, 1939
Public Officers Salaries Act, 1952	Public Officers Salaries Act, 1953
Public Salaries Act, 1936	Public Salaries Act Repeal Act 1946
Railways Standardization Agreement Act, 1946	Railways Standardization Agreement Act, 1949
Remission of Fees Act, 1941	Statute Law Revision Act, 1952
Remission of Registration Fees Act, 1942	Statute Law Revision Act, 1952
State Salaries (Commonwealth Taxation) Act, 1916	Statute Law Revision Act, 1937
The Teachers Superannuation Act, 1890	Superannuation Act Amendment Act, 1949
The Teachers Superannuation Amendment Act, 1897	Superannuation Act Amendment Act, 1949
The Teachers Superannuation Further Amendment Act, 1904	Superannuation Act Amendment Act, 1949
Teachers Superannuation Act Further Amendment Act, 1922	Superannuation Act Amendment Act, 1949
Teachers Superannuation Act Amendment Act, 1928	Superannuation Act Amendment Act, 1949
Technical Education of Apprentices Act, 1917	Apprentices Act, 1950
Technical Education of Apprentices Act Amendment Act, 1921	Apprentices Act, 1950
Technical Education of Apprentices Act Amendment Act, 1940	Apprentices Act, 1950
Textile Products Description Act, 1944	Textile Products Description Act, 1953
Trespassing on Land Act, 1928	Trespassing on Land Act, 1951

Title of Act Repealed.	Title of Repealing Act.
Venereal Diseases Act, 1920	Venereal Diseases Act, 1947
Wheat Industry Stabilization Act, 1948 ...	Wheat Industry Stabilization Act, 1954
Wheat Industry Stabilization Act Amendment Act, 1951	Wheat Industry Stabilization Act, 1954
Wheat Industry Stabilization Act Amendment Act, 1953	Wheat Industry Stabilization Act, 1954
The Woods and Forests Act, 1882	Forestry Act, 1950
Woods and Forests Act Amendment Act, 1934	Forestry Act, 1950

TABLE OF ACTS AFFECTED BY AMENDMENT OR JUDICIAL DECISION

TABLE OF PUBLIC GENERAL ACTS AFFECTED BY AMENDMENT OR JUDICIAL DECISION.

This table contains a list of Public General Acts which have been amended by Acts passed since the publication in April, 1937, of the South Australian Statutes, 1837-1936. Under the title of every Act so amended are shown the sections affected, the number and section of the amending Act, and the page of the Annual Volume of Statutes in which the section of the amending Act is printed.

The table also contains notes, placed against references to the appropriate sections of the Acts affected, of the reported decisions of the Privy Council, the High Court of Australia, the Supreme Court of South Australia, and the Industrial Court of South Australia, relating to the interpretation of those sections. The cases so noted are those comprised in reports published since 1st April, 1937, and include the cases reported up to the end of the following volumes, namely, 1953 Appeal Cases, 88 Commonwealth Law Reports, and 25 South Australian Industrial Reports and up to page 233 of 1954 South Australian State Reports. Cases comprised in reports published before 1st April, 1937, are noted in footnotes to the relevant sections of the Acts printed in Volumes 1 to 8 of the South Australian Statutes, 1837-1936.

Act Affected.	How Affected.
Abattoirs Act, 1911-1936 (Vol. 1, p. 1)	s. 2. Amended by No. 32, s. 3, 1946, p. 152 s. 3. Amended by No. 2421, s. 2, 1938, p. 190 s. 4. Amended by No. 2421, s. 3, 1938, p. 190 s. 13. Substituted by No. 2421, s. 4, 1938, p. 191 s. 26. Substituted by No. 2421, s. 5, 1938, p. 191 s. 27. Amended by No. 2421, s. 6, 1938, p. 192 s. 34. Amended by No. 2421, s. 7, 1938, p. 192 s. 40. Amended by No. 2421, s. 8, 1938, p. 192 s. 41. Amended by No. 2421, s. 9 (1), 1938, p. 192 s. 42. Amended by No. 2421, s. 9 (1) and (2), p. 192 s. 43. Amended by No. 2421, s. 9 (1) and (3), pp. 192, 193 s. 45. Amended by No. 2421, s. 10, 1938, p. 193 s. 46. Amended by No. 2421, s. 11, 1938, p. 193, and by No. 44, s. 2, 1950, p. 124 s. 48. Amended by No. 2421, s. 12, 1938, p. 193, and by No. 26, s. 2, 1947, p. 68 s. 50. Amended by No. 2421, s. 13, 1938, p. 194 s. 51. Amended by No. 2421, s. 14, 1938, p. 194 s. 53. Amended by No. 2421, s. 15, 1938, p. 194 s. 55. Amended by No. 2421, s. 16, 1938, p. 194 s. 62. Amended by No. 2421, s. 17, 1938, p. 194 s. 65. Amended by No. 2421, s. 18, 1938, p. 194 s. 73. Amended by No. 2421, s. 19, 1938, p. 194 s. 74. Substituted by No. 2421, s. 20, 1938, p. 195 ss. 74a to 74g. Enacted by No. 32, s. 2, 1946, p. 149 s. 79. Amended by No. 2421, s. 21, 1938, p. 195
Aborigines Act, 1934 (Vol. 1, p. 38) ...	This Act, as amended by No. 14, 1939, p. 49, and with notes of judicial decisions, is reprinted in the 1939 volume, p. 371. *See also* the following paragraph

Act Affected.	How Affected.
Aborigines Act, 1934-1939 (1939, p. 371)	s. 48. *Williams v. Wight* (1943) S.A.S.R. 301
Acts Interpretation Act, 1915-1936 (Vol. 1, p. 55)	s. 4. Amended by No. 58, s. 3, 1949, p. 212 s. 15. *Spiller v. Webb and another* (1940) S.A.S.R. 102 s. 22. *International Hotel Limited v. McNally* (1940) 64 C.L.R. 24; 14 A.L.J. 267 s. 22a. Enacted by No. 10, s. 3, 1945, p. 33 s. 27. Amended by No. 10, s. 4, 1945, p. 34 s. 32. *Heffernan v. Richardson* (1946) S.A.S.R. 201 s. 33b. Enacted by No. 58, s. 4, 1949, p. 213 s. 37. *Day v. Hunkin* (1938) 61 C.L.R. 65; 12 A.L.J. 269, affirming *Day v. Hunkin* (1938) S.A.S.R. 121, which reversed *Day v. Hunkin* (1937) S.A.S.R. 453
Administration and Probate Act, 1919-1936 (Vol. 1, p. 79)	s. 21. *In re Knabenschuh* (1938) S.A.S.R. 136 *In re Smale* (1940) S.A.S.R. 391 *In re Bathern* (1941) S.A.S.R. 266 s. 23. *In the Estate of Constantine, deceased, Constantine v. Constantinides* (1947) S.A.S.R. 415 s. 52. *In re Hawker* (1939) S.A.S.R. 426 s. 55. *In re Gardiner* (1938) S.A.S.R. 6 *In the estate of E.F., deceased* (1948) S.A.S.R. 97 s. 61. Amended by No. 2368, s. 2 (1), 1937, p. 102 s. 69. *In re Jackson* (1944) S.A.S.R. 82 *In re Scott, deceased* (1948) S.A.S.R. 193 *In re Symons, deceased* (1949) S.A.S.R. 289. s. 70. *In re Babbage. Cave v. Babbage* (1936) S.A.S.R. 356 *In the Estate of Hughes, deceased* (1947) S.A.S.R. 325; 22 A.L.J. 89 s. 112. Substituted by No. 2368, s. 3, 1937, p. 102 s. 113. Repealed by No. 2368, s. 3, 1937, p. 102 s. 122. Amended by No. 2368, s. 4, 1937, p. 103 Second schedule. Repealed by No. 2368, s. 5, 1937, p. 103
Adoption of Children Act, 1925-1934 (Vol. 1, p. 140)	s. 2. Amended by No. 18, s. 2, 1943, p. 38 s. 5. Amended by No. 18, s. 3, 1943, p. 38 *In re A and B (Infants)* 1950 S.A.S.R. 235 s. 6. *In re G. and D. (Infants)* (1954) S.A.S.R. 40 s. 14. Amended by No. 4, s. 2, 1940, p. 6 s. 19. Enacted by No. 18, s. 4, 1943, p. 39
Advances for Homes Act, 1928-1935 (Vol. 1, p. 156)	s. 3. Amended by No. 13, s. 4 (2), 1947, p. 31 s. 4. Amended by No. 13, s. 2 (2), 1947, p. 31 s. 7. Amended by No. 13, s. 2 (1), 1947, p. 30 s. 8. Substituted by No. 19, s. 2, 1951, p. 34 s. 11. Repealed by No. 13, s. 4 (1), 1947, p. 31 s. 16. Repealed by No. 13, s. 5, 1947, p. 31 Heading to Division III. of Part III. Amended by No. 13, s. 4 (2), 1947, p. 31 s. 18. Amended by No. 21, s. 4, 1944, p. 51, by No. 13, ss. 4 (2) and 6, 1947, p. 31, by No. 16, s. 2, 1949, p. 60, and by No. 19, s. 3, 1951, p. 35 s. 19. Amended by No. 21, s. 5, 1944, p. 52 s. 20. Amended by No. 13, s. 4 (2), 1947, p. 31 s. 21. Amended by No. 13, s. 4 (2), 1947, p. 31 Heading to Division IV. of Part III. Amended by No. 13, s. 4 (2), 1947, p. 31 s. 22. Amended by No. 21, s. 6, 1944, p. 52, by No. 13, ss. 4 (2) and 7, 1947, pp. 31, 32, by No. 16, s. 3, 1949, p. 61, and by No. 19, s. 4, 1951, p. 35 s. 23. Amended by No. 13, s. 4 (2), 1947, p. 31 s. 24. Amended by No. 13, s. 4 (2), 1947, p. 31 s. 25. Amended by No. 21, s. 7, 1944, p. 52 s. 29. Amended by No. 13, s. 4 (2), 1947, p. 31 s. 30. Amended by No. 13, s. 4 (2), 1947, p. 31 s. 35. Amended by No. 21, s. 8, 1944, p. 53, by No. 13, s. 8, 1947, p. 32, by No. 16, s. 4, 1949, p. 61, and by No. 19, s. 5, 1951, p. 35

Act Affected.	How Affected.
Advances for Homes Act, 1928-1935 (Vol. 1, p. 156)—*continued.*	s. 40. Amended by No. 21, s. 9, 1944, p. 53, by No. 13, s. 9, 1947, p. 32, by No. 16, s. 5, 1949, p. 61, and by No. 19, s. 6, 1951, p. 35 s. 42. Amended by No. 19, s. 7, 1951, p. 35 s. 45. Amended by No. 13, s. 4 (2), 1947, p. 31 s. 46. Amended by No. 21, s. 10, 1944, p. 53
Advances to Settlers Act, 1930 (Vol. 1, p. 193)	s. 3. Amended by No. 28, s. 2, 1952, p. 72 s. 5. Amended by No. 22, s. 3, 1944, p. 56 s. 7. Amended by No. 28, s. 3, 1952, p. 73 s. 11. Amended by No. 28, s. 4, 1952, p. 73 s. 12a. Enacted by No. 22, s. 2, 1944, p. 54 and amended by No. 28, s. 5, 1952, p. 73 s. 17a. Enacted by No. 28, s. 6, 1952, p. 74 s. 18. Amended by No. 28, s. 7, 1952, p. 74 s. 19. Amended by No. 28, s. 8, 1952, p. 74 s. 21. Amended by No. 28, s. 9, 1952, p. 74 s. 28. Amended by No. 28, s. 10, 1952, p. 75 s. 30. Repealed by No. 28, s. 11, 1952, p. 75
Aged and Infirm Persons' Property Act, 1940 (1940, p. 100)	s. 16a. Enacted by No. 22, s. 2, 1950, p. 63 s. 16b. Enacted by No. 22, s. 2, 1950, p. 64 s. 29. Amended by No. 22, s. 3, 1950, p. 64
Agent-General Act, 1901-1934 (Vol. 1, p. 206)	s. 5. Substituted by No. 10, s. 3, 1953, p. 21 s. 6. Amended by No. 6, s. 3, 1941, p. 14, substituted by No. 4, s. 2, 1945, p. 6 and amended by No. 6, s. 2, 1948, p. 55, and by No. 54, s. 3, 1949, p. 206
Agricultural College Act, 1936 (Vol. 1, p. 208)	s. 4. Amended by No. 2410, s. 3, 1938, p. 112 s. 4a. Enacted by No. 2410, s. 4, 1938, p. 112 ss. 9 and 10. Repealed by No. 15, s. 2, 1940, p. 37 s. 14. Enacted by No. 15, s. 3, 1940, p. 37
Agricultural Graduates Land Settlement Act, 1922-1935 (Vol. 1, p. 212)	s. 9. Amended by No. 2403, s. 2, 1938, p. 82
Alsatian Dogs Act, 1934 (Vol. 1, p. 232)	s. 3. Amended by No. 55, s. 2, 1949, p. 207
Anatomy Act, 1884-1934 (Vol. 1, p. 236)	Long Title. Amended by No. 12, s. 3, 1954, p. 27 s. 18a. Enacted by No. 12, s. 4, 1954, p. 27 s. 18b. Enacted by No. 25, s. 3, 1954, p. 75 Heading to s. 19. Enacted by No. 12, s. 5, 1954, p. 29
Animals and Birds Protection Act, 1919-1934 (Vol. 1, p. 242)	This Act, as amended by No. 2390, 1938, p. 19, and with notes of judicial decisions, is reprinted in the 1938 volume, p. 285
Anzac Highway Agreement Act, 1937 (1937, p. 25)	s. 7. Enacted by No. 28, s. 2, 1940, p. 80
Apiaries Act, 1931-1935 (Vol. 1, p. 263)	s. 12. Substituted by No. 19, s. 2, 1943, p. 41
Arbitration Act, 1891-1934 (Vol. 1, p. 273)	s. 3. *Anderson v. G. H. Michell & Sons Ltd.* (1941) 65 C.L.R. 543; 15 A.L.J. 255, reversing *Anderson v. G. H. Michell & Sons Ltd.* (1940) S.A.S.R. 285
Associations Incorporation Act, 1929-1935 (Vol. 1, p. 283)	s. 3. *In re Proprietary Articles Trade Association of South Australia Incorporated* (1949) S.A.S.R. 88
Auctioneers Act, 1934 (Vol. 1, p. 293)	s. 3. Amended by No. 6, s. 3, 1953, p. 14 s. 4. Amended by No. 6, s. 4, 1953, p. 15 s. 5. Amended by No. 6, s. 5, 1953, p. 15 s. 5a. Enacted by No. 6, s. 6, 1953, p. 15 s. 8a. Enacted by No. 6, s. 7, 1953, p. 15 s. 11. Repealed by No. 6, s. 8, 1953, p. 16 s. 13. Enacted by No. 6, s. 9, 1953, p. 16

Act Affected.	How Affected.
Audit Act, 1921-1936 (Vol. 1, p. 297)..	s. 6. Amended by No. 26, s. 3, 1946, p. 126, by No. 23, s. 3, 1949, p. 77, and by No. 7, s. 3, 1951, p. 12 ss. 18 to 23. Repealed by No. 48, s. 2, 1949, p. 162
Bakehouses Registration Act, 1945 (1945, p. 147)	s. 3. Amended by No. 43, s. 2, 1947, p. 110 s. 3a. Enacted by No. 43, s. 3, 1947, p. 111 s. 9. Amended by No. 43, s. 4, 1947, p. 111
Barley Marketing Act, 1947 (1947, p. 128)	s. 4. Amended by No. 37, s. 3, 1952, p. 107 and by No. 14, s. 4, 1953, p. 30 s. 5a. Enacted by No. 37, s. 4, 1952, p. 107 s. 9. Amended by No. 37, s. 5, 1952, p. 108 s. 19. Amended by No. 37, s. 6, 1952, p. 108 s. 22. Substituted by No. 37, s. 7, 1952, p. 109
The Bills of Sale Act, 1886-1935 (Vol. 1, p. 329)	s. 9. *Burns v. McFarlane* (1940) 64 C.L.R. 108 14 A.L.J. 264 s. 11 (2). *Riedel v. Freeman Motors* (1938) S.A.S.R. 261, affirmed by *Riedel v. Freeman Motors Limited* (1938) S.A.S.R. 364 s. 11 (6). Amended by No. 52, s. 3, 1940, p. 158 s. 17. Amended by No. 52, s. 4, 1940, p. 158 ss. 19a to 19e. Enacted by No. 52, s. 5, 1940, pp. 158-161 s. 28. Amended by No. 52, s. 6, 1940, p. 161 s. 37. *Miller v. O'Sullivan* (1947) S.A.S.R. 148 Sixth schedule. Amended by No. 52, s. 7 (1), 1940, p. 161 Seventh schedule. Amended by No. 52, s. 7 (2), 1940, p. 161
Births and Deaths Registration Act, 1936 (Vol. 1, p. 345)	s. 4. Amended by No. 21, s. 2, 1940, p. 56 and by No. 11, s. 7, 1942, p. 30 s. 11. Amended by No. 44, s. 16 (2), 1947, p. 117 s. 14. Amended by No. 44, s. 3, 1947, p. 112 s. 15. Amended by No. 44, s. 4, 1947, p. 113 s. 16. Amended by No. 44, s. 5, 1947, p. 113 s. 17. Amended by No. 44, s. 6, 1947, p. 114 s. 19. Amended by No. 44, s. 7, 1947, p. 114 s. 20. Amended by No. 44, s. 8, 1947, p. 114 s. 22. Amended by No. 44, s. 9, 1947, p. 114 s. 28. Amended by No. 44, s. 10, 1947, p. 114 s. 31. Amended by No. 44, s. 11, 1947, p. 115 s. 35. Amended by No. 11, s. 2, 1942, p. 25 s. 36. Substituted by No. 44, s. 12, 1947, p. 115 s. 36a. Enacted by No. 21, s. 3, 1940, p. 57 and amended by No. 11, s. 3, 1942, p. 26 s. 36b. Enacted by No. 21, s. 3, 1940, p. 57 and amended by No. 11, s. 4, 1942, p. 26 s. 36c. Enacted by No. 21, s. 3, 1940, p. 58 and amended by No. 11, s. 5, 1942, p. 26 s. 36d. Enacted by No. 21, s. 3, 1940, p. 58, and amended by No. 44, s. 13, 1947, p. 115. s. 36e. Enacted by No. 21, s. 3, 1940, p. 58 ss. 36f to 36j. Enacted by No. 11, s. 6, 1942, pp. 27-29 s. 36k. Enacted by No. 11, s. 6, 1942, p. 29, and amended by No. 44, s. 14, 1947, p. 116 s. 36e. Enacted by No. 11, s. 6, 1942, p. 29 s. 43. *Adorjan v. Adorjan and Mado* (1954) S.A.S.R. 15 s. 52. Amended by No. 44, s. 15, 1947, p. 116 s. 53a. Enacted by No. 44, s. 16 (1), 1947, p. 116 s. 56. Amended by No. 44, s. 17, 1947, p. 117 Fourth schedule. Amended by No. 44, s. 18, 1947, p. 117 Ninth schedule. Amended by No. 44, s. 19, 1947, p. 117 Fourteenth schedule. Amended by No. 44, s. 20, 1947, p. 118, and by regulations *Gazette* 22nd March, 1951, p. 647. Fifteenth schedule. Enacted by No. 44, s. 21, 1947, p. 118

Act Affected.	How Affected.
Botanic Garden Act, 1935 (Vol. 1, p. 375)	s. 5. Amended by No. 22, s. 3, 1940, p. 59 s. 7. Substituted by No. 22, s. 4, 1940, p. 59 ss. 7a and 7b. Enacted by No. 22, s. 4, 1940, p. 60 s. 10a. Enacted by No. 22, s. 5, 1940, p. 60
Brands Act, 1933-1936 (Vol. 1, p. 381)	s. 4. Amended by No. 23, s. 2, 1948, p. 112 s. 18. Amended by No. 23, s. 3, 1948, p. 112 s. 27. Amended by No. 23, s. 4, 1948, p. 113 s. 32. Amended by No. 23, s. 5, 1948, p. 113 s. 62. Substituted by No. 23, s. 6, 1948, p. 113 s. 63. Amended by No. 23, s. 7, 1948, p. 114 s. 75a. Enacted by No. 23, s. 8, 1948, p. 114 Third schedule. Amended by No. 23, s. 9, 1948, p. 114 Sixth schedule. Amended by No. 23, s. 10, 1948, p. 114
Bread Act, 1936 (Vol. 1, p. 418)	Repealed, except s. 11a, by No. 34, s. 2, 1954, p. 93 s. 11a. Enacted by No. 59, s. 3, 1949, p. 214
Broken Hill Proprietary Company's Indenture Act, 1937 (1937, p. 75)	s. 4. Repealed by No. 13, s. 12, 1940, p. 28
Building Act, 1923-1935 (Vol. 1, p. 424)	This Act, as amended by No. 53, 1940, p. 162 and by regulations *Gazette* 12th December, 1940, p. 1441, and with notes of judicial decisions, is reprinted in the 1940 volume, p. 353. *See also* the following paragraph.
Building Act, 1923-1940 (1940, p. 353)	s. 8. Amended by No. 10, s. 7, 1946, p. 37 and by No. 48, s. 2, 1953, p. 141 s. 9. Amended by No. 48, s. 3, 1953, p. 142 s. 9a. Amended by No. 10, s. 2, 1946, p. 36 s. 19. *Griffiths v. Appelbee* (1948) S.A.S.R. 339 s. 20. Amended by No. 48, s. 4, 1953, p. 142 s. 27. Amended by No. 48, s. 5, 1953, p. 143 s. 27a. Enacted by No. 48., s. 6, 1953, p. 143 s. 28. Amended by No. 10, s. 7, 1946, p. 37 s. 34. Amended by No. 10, s. 7, 1946, p. 37 s. 36a. Enacted by No. 10, s. 7, 1946, p. 37 s. 55. Amended by No. 10, s. 7, 1946, p. 37 s. 56. Amended by No. 10, s. 3, 1946, p. 37 s. 68a. Enacted by No. 48, s. 7, 1953, p. 143 s. 72. Amended by No. 10, s. 4, 1946, p. 37 s. 75. Amended by No. 10, s. 5, 1946, p. 37 s. 79. Amended by No. 48, s. 8, 1953, p. 144 s. 82. Amended by No. 48, s. 9. 1953, p. 144 s. 83. Amended by No. 10, s. 7, 1946, p. 37 s. 84. Amended by No. 48, s. 10, 1953, p. 144 s. 85. Amended by No. 48, s. 11, 1953, p. 144 s. 86. Amended by No. 48, s. 12, 1953, p. 144 s. 98a. Amended by No. 10, s. 6, 1946, p. 37 Second schedule. Amended by regulations *Gazette* 11th April, 1946, p. 636, *Gazette* 5th September, 1946, p. 445, *Gazette* 20th November, 1947, p. 1706, *Gazette* 27th October, 1949, p. 1061, *Gazette* 27th September, 1951, p. 826, *Gazette* 28th August, 1952, p. 683, *Gazette* 30th October, 1952, p. 1149, *Gazette* 23rd April, 1953, p. 970, *Gazette* 8th April, 1954, p. 713, *Gazette* 28th October, 1954, p. 1079 and *Gazette* 28th April, 1955, p. 987. Fourth schedule. Amended by regulations *Gazette* 11th April, 1946, p. 636. Seventh schedule. Amended by regulations *Gazette* 11th April, 1946, p. 636. Eighth schedule. Amended by regulations *Gazette* 11th April, 1946, p. 636, *Gazette* 28th August, 1952, p. 683, and *Gazette* 30th October, 1952, p. 1149
Building Contracts (Deposits) Act, 1953 (1953, p. 52)	s. 4. Amended by No. 30, s. 2, 1954, p. 88

Act Affected.	How Affected.
Building Societies Act, 1881-1936 (Vol. 1, p. 513)	This Act, as amended by No. 2411, 1938, p. 114, and with notes of judicial decisions, is reprinted in the 1938 volume, p. 307
Bush Fires Act, 1933-1935 (Vol. 1, p. 536)	This Act, as amended by No. 27, 1939, p. 143, No. 24, 1941, p. 87, No. 30, 1942, p. 91, No. 19, 1945, p. 67, No. 33, 1946, p. 153, No. 23, 1950, p. 65, and No. 44, 1952, p. 123, and with notes of judicial decisions, is reprinted in this volume, p. 241
Business Agents Act, 1938 (1938, p. 173)	s. 4. Amended by No. 9, s. 3, 1954, p. 18 s. 13a. Enacted by No. 35, s. 2, 1949, p. 118 s. 14a. Enacted by No. 9, s. 4, 1954, p. 19 s. 16. Amended by No. 35, s. 3, 1949, p. 119 s. 18. Amended by No. 10, s. 2, 1951, p. 16 s. 39. *Veitch v. Easson, Maloney v. Easson* (1949) S.A.S.R. 9
Cattle Compensation Act, 1939 (1939, p. 65)	s. 4. Amended by No. 22, s. 2, 1948, p. 109, and by No. 16, s. 2, 1951, p. 30 s. 5. Amended by No. 22, s. 3, 1948, p. 109 s. 6. Amended by No. 22, s. 4, 1948, p. 110, and by No. 33, s. 2, 1951, p. 76 s. 8. Amended by No. 22, s. 5, 1948, p. 110 s. 13. Amended by No. 22, s. 6, 1948, p. 111 and by No. 27, s. 2, 1954, p. 82
Chaff and Hay Act, 1922 (Vol. 1, p. 560)	s. 9. Amended by No. 2384, s. 2, 1938, p. 4 s. 22. Amended by No. 2384, s. 3, 1938, p. 4
Chaff and Hay (Acquisition) Act, 1944 (1944, p. 6)	s. 14. *The Chaff and Hay Acquisition Committee v. J. A. Hempbill & Sons Pty. Ltd.* (1947) 74 C.L.R. 375; 21 A.L.J. 158
Coal Act, 1947 (1947, p. 70).....	s. 12. Amended by No. 10, s. 3, 1949, p. 44 s. 13a. Enacted by No. 10, s. 4, 1949, p. 45 s. 13b. Enacted by No. 10, s. 4, 1949, p. 45 s. 19. Amended by No. 29, s. 3, 1948, p. 140, and by No. 4, s. 3, 1950, p. 6
Collections for Charitable Purposes Act, 1939 (1939, p. 73)	s. 16. Amended by No. 18, s. 3, 1947, p. 45
Commonwealth and State Housing Agreement Act, 1945 (1945, p. 122)	Schedule. Amended by No. 52, schedule, 1954, p. 142
Community Hotels (Incorporation) Act, 1938 (1938, p. 93)	s. 7. Enacted by No. 23, s. 3, 1944, p. 57 s. 8. Enacted by No. 23, s. 3, 1944, p. 58
The Companies Act, 1934-1935 (Vol. 1, p. 597)	s. 8. Amended by No. 46, ss. 3 and 26, 1939, pp. 349, 356 s. 9. *In re Commonwealth Homes and Investment Company Limited* (1943) S.A.S.R. 211 *In re Riverton Sheep Dip* (1943) S.A.S.R. 344 *In re Proprietary Articles Trade Association of South Australia Incorporated* (1949) S.A.S.R. 88 s. 27a. Enacted by No. 46, s. 4, 1939, p. 349 s. 35. Amended by No. 46, s. 26, 1939, p. 356 s. 36. *Ansett v. Guinea Airways Limited and Potter* (1945) S.A.S.R. 94 s. 37. Amended by No. 46, s. 26, 1939, p. 356 s. 49. *Marshall v. Commonwealth Homes and Investment Company Limited. Elders' Trustee and Executor Company Limited v. Commonwealth Homes and Investment Company Limited* (1941) S.A.S.R. 74, reversed on other grounds by *Elders' Trustee and Executor Co. Ltd. v. Commonwealth Homes and Investment Co., Ltd.* (1941) 65 C.L.R., 603; 115 A.L.J. 252

Act Affected.	How Affected.
The Companies Act, 1934-1935 (Vol. 1, p. 597)—*continued.*	s. 53. *Smith v. Commonwealth Homes Limited* (1937) S.A.S.R. 337, affirmed by *Commonwealth Homes and Investment Company Limited v. Smith* (1937) 59 C.L.R. 443; 11 A.L.J. 348 s. 56. Amended by No. 46, s. 5, 1939, p. 350 s. 57. Amended by No. 46, s. 6, 1939, p. 350 s. 64. Amended by No. 46, s. 26, 1939, p. 356 s. 74. *In the matter of Southern Acceptance Corporation Ltd.* (1954) S.A.S.R. 124 s. 76. *In re Colton, Palmer & Preston, Limited* (1936) S.A.S.R. 434 s. 100. *In re Lawson Constructions (Pty.) Limited* (1942) S.A.S.R. 201 s. 107. Amended by No. 46, s. 26, 1939, p. 356 s. 119. *Ansett v. Guinea Airways Limited and Potter* (1945) S.A.S.R. 94 s. 124. *Commonwealth Homes and Investment Company Limited v. Mackellar* (1939) 63 C.L.R. 351; 13 A.L.J. 382 s. 125. Amended by No. 46, s. 7, 1939, p. 350 *Ansett v. Guinea Airways Limited and Potter* (1945) S.A.S.R. 94 s. 129. Amended by No. 46, ss. 8 and 26, 1939, pp. 350, 356, and by No. 45, s. 3, 1952, p. 126 s. 130. Amended by No. 46, s. 26, 1939, p. 356 and by No. 45, s. 4, 1952, p. 126 s. 133. Amended by No. 46, s. 26, 1939, p. 356 *South Norseman Gold Mines No Liability v. MacDonald* (1937) S.A.S.R. 53 s. 139. Amended by No. 46, s. 9, 1939, p. 351 s. 147. Amended by No. 46, s. 10, 1939, p. 351 s. 149. Amended by No. 46, s. 26, 1939, p. 356 s. 153. Amended by No. 46, s. 11, 1939, p. 351 s. 154. Amended by No. 46, s. 12, 1939, p. 351 s. 158a. Enacted by No. 46, s. 13, 1939, p. 352. s. 161. Amended by No. 46, s. 14, 1939, p. 353 s. 163. *Rex v. McDonnell* (1940) S.A.S.R. 388 s. 165. Amended by No. 46, s. 15, 1939, p. 353 s. 166. Amended by No. 46, s. 16, 1939, p. 353 s. 176. Amended by No. 46, ss. 17 and 26, 1939, pp, 353, 356 and by No. 45, s. 5, 1952, p. 126 s. 179. Amended by No. 46, s. 18, 1939, p. 354 s. 194. Amended by No. 46, s. 26, 1939, p. 356 *In re Bond's Motor Service Limited* (1953) S.A.S.R. 92 s. 196. Amended by No. 46, s. 26, 1939, p. 356 s. 206. Amended by No. 46, s. 19, 1939, p. 354 s. 270. Amended by No. 46, s. 20, 1939, p. 354 s. 279 (7). *In re Bond's Motor Services Ltd. (In liquidation)* (1953) S.A.S.R. 100 s. 293. Amended by No. 46, s. 26, 1939, p. 356 s. 311. Amended by No. 46, s. 21, 1939, p. 354 s. 316. Amended by No. 46, s. 22, 1939, p. 354 s. 353. Amended by No. 45, s. 6, 1952, p. 127 s. 358. Amended by No. 46, s. 23, 1939, p. 354 s. 361a. Enacted by No. 46, s. 24, 1939, p. 354 s. 361b. Enacted by No. 46, s. 24, 1939, p. 355 s. 361c. Enacted by No. 46, s. 24, 1939, p. 355 s. 365. *Maddaford v. De Vantee* (1951) S.A.S.R. 259 s. 366. *In re E. and B. Chemicals and Wool Treatment Proprietary Limited* (1939) S.A.S.R. 441. Special leave to appeal to High Court refused 64 C.L.R. 661; (1940) S.A.S.R. VIII. (note) *In re E. and B. Chemicals and Wool Treatment Proprietary Limited* (1940) S.A.S.R. 267 s. 367. Amended by No. 46, s. 26, 1939, p. 356 s. 368. Amended by No. 46, s. 25, 1939, p. 356 s. 377. *In re Lasscock's Nurseries Limited (In Liquidation)* (1940) S.A.S.R. 251. Appeal to the High Court dismissed 64 C.L.R. 662; (1940) S.A.S.R. VIII. (note)

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The Companies Act, 1934-1935 (Vol. 1, p. 597)—*continued.*	s. 391. *Rex v. McDonnell* (1940) S.A.S.R. 388 s. 395. *In re Lasscock's Nurseries Limited (In Liquidation)* (1940) S.A.S.R. 251. Appeal to the High Court dismissed 64 C.L.R. 662; (1940) S.A.S.R. VIII. (note) Second schedule. Amended by No. 46, s. 26, 1936, p. 356 *Re Lasscock's Nurseries Limited (In Liquidation); McPhail v. Mitton* 14 A.L.J. 270
Compulsory Acquisition of Land Act, 1925 (Vol. 1, p. 870)	s. 12. *W. T. Flint & Son., Ltd. v. The Corporation of the City of Adelaide* (1952) S.A.S.R., 107 s. 42. *Minister of Education v. Bosworth and others* (1950) S.A.S.R. 145
Constitution Act 1934-1936 (Vol. 2, p. 1)	This Act, as amended by No. 2381, 1937, p. 134, by No. 48, 1939, p. 365, by No. 49, 1939, p. 368, by No. 31, 1940, p. 89, by No. 8, 1942, p. 16, by No. 41, 1943, p. 124, by No. 19, 1947, p. 46, and by No. 48, 1949, p. 162, and with notes of judicial decisions, is reprinted in the 1949 volume, p. 245. *See also* the following paragraph
Constitution Act, 1934-1949 (1949, p. 245)	s. 55. Amended by No. 38, s. 3, 1950, p. 112 s. 65. Amended by No. 4, s. 3, 1951, p. 7, and by No. 28, s. 3, 1953, p. 76 s. 66. Substituted by No. 28, s. 4, 1953, p. 77 s. 73a. Enacted by No. 52, s. 3, 1951, p. 165 s. 73b. Enacted by No. 52, s. 3, 1951, p. 166 s. 73c. Enacted by No. 56, s. 3, 1953, p. 201
Control of Advertisements Act, 1916-1935 (Vol. 2, p 40)	s. 4. *Miller v. Penfolds Wines Limited* (1937) S.A.S.R. 11 s. 10. *Miller v. Penfolds Wines Limited* (1937) S.A.S.R. 11
Cornsacks Act, 1938 (1938, p. 124)	s. 9. Amended by No. 6, s. 3, 1939, p. 18
Coroners Act, 1935 (Vol. 2, p. 62)	s. 10. Amended by No. 53, s., 3, 1952, p. 161 s. 15a. Enacted by No. 53, s. 4, 1952, p. 162 s. 19. Amended by No. 53, s. 5, 1952, p. 162 s. 20. Amended by No. 53, s. 6, 1952, p. 162 s. 20a. Enacted by No. 53, s. 7, 1952, p. 162 s. 20b. Enacted by No. 53, s. 7, 1952, p. 163 s. 20c. Enacted by No. 53, s. 7, 1952, p. 163 s. 21. Amended by No. 53, s. 8, 1952, p. 164 s. 21a. Enacted by No. 53, s. 9, 1952, p. 164 s. 21b. Enacted by No. 53, s. 9, 1952, p. 164 s. 22. Amended by No. 53, s. 10, 1952, p. 164 s. 25a. Enacted by No. 53, s. 11, 1952, p. 164 s. 25b. Enacted by No. 53, s. 11, 1952, p. 165 s. 30a. Enacted by No. 53, s. 12, 1952, p. 165 First Schedule. Amended by regulations *Gazette* 26th April, 1951, p. 928 and *Gazette* 5th May, 1955, p. 1051. Second Schedule. Amended by No. 53, s. 13, 1952, p. 165
Criminal Law Consolidation Act, 1935 (Vol. 2, p. 81)	s. 14. Amended by No. 53, s. 14, 1952, p. 166 *Rex v. Coventry* (1938) S.A.S.R. 79. Special leave to appeal to the High Court refused; *The King v. Coventry* (1938) 59 C.L.R. 633; 12 A.L.J. 67 s. 14a. Enacted by No. 27, s. 3, 1952, p. 66 s. 15. Amended by No. 27, s. 4, 1952, p. 67 s. 38. Substituted by No. 54, s. 3, 1940, p. 179 s. 38a. Enacted by No. 27, s. 5, 1952, p. 67 s. 46. Substituted by No. 27, s. 6, 1952, p. 67 *Rex v. Muirhead and Bracegirdle: Ex parte The Attorney-General and another* (1942) S.A.S.R. 226 *Church v. Roberts* (1946) S.A.S.R. 65 *Gray v. Jones* (1948) S.A.S.R. 201

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Criminal Law Consolidation Act, 1935 (Vol 2, p. 81)—*continued.*	s. 50. Amended by No. 54, s. 4, 1940, p. 180 s. 51. Amended by No. 54, s. 4, 1940, p. 180 s. 52. Amended by No. 54, s. 4, 1940, p. 180 s. 52a. Enacted by No. 54, s. 5, 1940, p. 180 s. 54. Amended by No. 27, s. 7, 1952, p. 68 s. 55. Amended by No. 27, s. 8, 1952, p. 68 s. 56. *R. v. Mogg* (1948) S.A.S.R. 32; 22 A.L.J. 190 s. 57a. Enacted by No. 27, s. 9, 1952, p. 68 s. 57b. Enacted by No. 27, s. 9, 1952, p. 69 s. 63. Amended by No. 54, s. 6, 1940, p. 180 s. 76a. Enacted by No. 27, s. 10, 1952, p. 70 s. 77. Substituted by No. 54, s. 7, 1940, p. 180 *Rex v. Clough* (1941) S.A.S.R. 51 s. 77a. Enacted by No. 54, s. 7, 1940, p. 181 and amended by No. 27, s. 11, 1952, p. 70 s. 82. *R. v. Lindner* (1938) S.A.S.R. 412 s. 116. *Charlton v. Crafter* (1943) S.A.S.R. 158 s. 130. *R. v. Lower* (1948) S.A.S.R. 227; 22 A.L.J. 432 s. 131. *Feist v. Bonython* (1944) S.A.S.R. 176 s. 132. *Reece v. Harris* (1943) S.A.S.R. 127 s. 158. *R. v. Shillingford* (1954) S.A.S.R. 206 s. 170. Substituted by No. 54, s. 8, 1940, p. 183 *Rex v. Andrews* (1943) S.A.S.R. 44 s. 172. *R. v. De Kuyper* (1948) S.A.S.R. 108 s. 176. *Cowan v. O'Sullivan* (1947) S.A.S.R. 181 s. 184. *Dowd v. Dayman* (1939) S.A.S.R. 70 s. 191. *R. v. Martyn and Martyn* (1954) S.A.S.R. 161 s. 192. *R. v. Martyn and Martyn* (1954) S.A.S.R. 161 s. 195. *Brook v. Crafter* (1937) S.A.S.R. 366 *R. v. Lower* (1948) S.A.S.R. 227; 22 A.L.J. 432 s. 197a. Enacted by No. 54, s. 9, 1940, p. 183 s. 199. Amended by No. 54, s. 10, 1940, p. 184 s. 200. Amended by No. 54, s. 11, 1940, p. 184 s. 268. *Rex v. Sayers* (1943) S.A.S.R. 146 s. 300. *R. v. Costello and others* (1937) S.A.S.R. 150 s. 313. Substituted by No. 27, s. 12, 1952, p. 70 s. 319. *R. v. Martin* (1937) S.A.S.R. 70 *Rex v. Tregaskis* (1937) S.A.S.R. 358 s. 325. *R. v. White* (1948) S.A.S.R. 198 s. 328a. Enacted by No. 54, s. 12, 1940, p. 185 s. 352. *R. v. Burch* (1939) S.A.S.R. 270 s. 353. *R. v. Semaschko* (1936) S.A.S.R. 337 *Rex v. Butler* (1939) S.A.S.R. 265 s. 354. *R. v. Lindner* (1938) S.A.S.R. 412 s. 357. *Rex v. Pullman* (1942) S.A.S.R. 262 s. 367. *Rex v. Tregaskis* (1937) S.A.S.R. 358 s. 369. *R. v. McPherson* (1939) S.A.S.R. 181
Crown Lands Act, 1929-1936 (Vol 2, p. 219)	This Act, as amended by No. 2363, 1937, p. 88, No. 2408, 1938, p. 95, No. 3, 1939, p. 5, and No, 40, 1939, p. 250, and with notes of judicial decisions, is reprinted in the 1939 volume, p. 414. *See also* the following paragraph
Crown Lands Act, 1929-1939 (1939, p. 414)	s. 5. Amended by No. 26, s. 3, 1944, p. 66 s. 9. Amended by No. 26, s. 4, 1944, p. 66 s. 11. Amended by No. 26, s. 5, 1944, p. 67 s. 22a. Enacted by No. 25, s. 3, 1941, p. 90 s. 22b. Enacted by No. 26, s. 6, 1944, p. 67 Part V., Division III.A. Heading amended by No. 26, s. 7, 1944, p. 67 s. 41d. Amended by No. 26, s. 8, 1944, p. 67 s. 41f. Enacted by No. 26, s. 9, 1944, p. 68 s. 44. Amended by No. 23, s. 3, 1940, p. 61 Part VI. Heading amended by No. 23, s. 4, 1940, p. 62 s. 50b. Enacted by No. 26, s. 10, 1944, p. 68 s. 53. Amended by No. 23, s. 5, 1940, p. 62 s. 58. Substituted by No. 25, s. 4, 1941, p. 91

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Dairy Cattle Improvement Act, 1921-1934 (Vol. 2, p. 343)	s. 7a. Enacted by No. 49, s. 2, 1940, p. 153
Dairy Industry Act, 1928-1935 (Vol. 2, p. 349)	s. 4. Amended by No. 2378, s. 3, 1937, p. 129, by No. 37, s. 2 (2), 1939, p. 217, and by No. 31, s. 3, 1942, p. 95 s. 7. Amended by No. 31, s. 4, 1942, p. 95 s. 8. Amended by No. 37, s. 2 (2), 1939, p. 217, and by No. 31, s. 5, 1942, p. 96 s. 11. Amended by No. 37, s. 2 (2), 1939, p. 217, and by No. 31, s. 6, 1942, p. 96 s. 12. Amended by No. 31, s. 7, 1942, p. 96 s. 19. Amended by No. 31, s. 8, 1942, p. 96 s. 21. Amended by No. 31, s. 9, 1942, p. 96 s. 24. Amended by No. 31, s. 10, 1942, p. 96 s. 26. Amended by No. 31, s. 11, 1942, p. 97 s. 27. Amended by No. 31, s. 12, 1942, p. 97 s. 28. Amended by No. 31, s. 13, 1942, p. 97
Dairy Produce Act, 1934-1935 (Vol. 2, p. 336)	s. 3. Amended by No. 17, s. 3, 1946, p. 102 s. 5. Amended by No. 12, s. 3, 1940, p. 23 s. 8. Amended by No. 17, s. 4, 1946, p. 103 s. 15a. Enacted by No. 2345, s. 3, 1937, p. 12 s. 15b. Enacted by No. 17, s. 5, 1946, p. 103 s. 26. Amended by No. 2345, s. 4, 1937, p. 13, by No. 2393, s. 3, 1938, p. 39, by No. 12, s. 4, 1940, p. 23, by No. 6, s. 3, 1942, p. 11, by No. 5, s. 3, 1944, p. 11, and repealed by No. 17, s. 6, 1946, p. 103
Dentists Act, 1931-1936 (Vol. 2, p. 396)	s. 21. *Taylor v. The Dental Board of South Australia* (1940) S.A.S.R. 306 s. 40. *McGrath v. Syme. Schonfeldt v. Syme* (1950) S.A.S.R. 14 s. 45. *In re the Dentists Act*, 1931-1936. *Ex parte Schonfeldt* (1939) S.A.S.R. 380 s. 48. *McGrath v. Syme. Schonfeldt v. Syme* (1950) S.A.S.R. 14 s. 56. *Syme v McFarling* (1953) S.A.S.R. 207
Discharged Soldiers Settlement Act, 1934-1935 (Vol. 2, p. 422)	s. 24. Amended by No. 24, s. 3, 1940, p. 68 ss. 24a to 24c. Enacted by No. 24, s. 4, 1940, pp. 69, 70 ss. 29a and 29b. Enacted by No. 24, s. 5, 1940, p. 71
Dog Fence Act, 1946 (1946, p. 155)...	s. 23a. Enacted by No. 43, s. 2, 1949, p. 152 s. 24. Amended by No. 43, s. 3, 1948, p. 53 and by No. 9, s. 2, 1953, p. 19 s. 26. Amended by No. 9, s. 3, 1953, p. 19 s. 27. Amended by No. 9, s. 4, 1953, p. 19 s. 31. Amended by No. 9, s. 5, 1953, p. 20 s. 24. Amended by No. 43, s. 3, 1948, p. 153 s. 32a. Enacted by No. 43, s. 4, 1949, p. 153
Dried Fruits Act, 1934 (Vol. 2, p. 462)	s. 8. Amended by No. 2415, s. 3, 1938, p. 136 s. 17a. Enacted by No. 34, s. 3, 1941, p. 127 s. 18. Substituted by No. 2415, s. 4, 1938, p. 136 s. 23. Amended by No. 2415, s. 5, 1938, p. 137 s. 24. Amended by No. 2415, s. 6, 1938, p. 137 s. 24a. Enacted by No. 2415, s. 7, 1938, p. 138 s. 33. Amended by No. 2415, s. 8, 1938, p. 139 *Warnecke v. Pope* (1950) S.A.S.R., 113 s. 34. Amended by No. 2415, s. 9, 1938, p. 139 s. 35. Amended by No. 2415, s. 10, 1938, p. 139 s. 39. Repealed by No. 2415, s. 11, 1938, p. 139
Early Closing Act, 1926-1935 (Vol. 2, p. 477)	s. 35. Amended by No. 18, s. 3, 1940, p. 46, by No. 36, s. 3, 1945, p. 153, and by No. 35, s. 3, 1954, p. 99 s. 36. Amended by No. 18, s. 4, 1940, p. 46, by No. 36, s. 4, 1945, p. 154, and by No. 35, s. 4, 1954, p. 99

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Early Closing Act, 1926-1935 (Vol. 2, p. 477)—*continued.*	s. 36a. Enacted by No. 25, s. 3, 1952, p. 59 s. 37a. Enacted by No. 36, s. 5, 1945, p. 154 s. 39. Amended by No. 18, s. 5, 1940, p. 46 s. 48. Amended by No. 35, s. 5, 1954, p. 100 s. 50 Amended by No. 18, s. 6, 1940, p. 47, and by No. 35, s. 6, 1954, p. 100 s. 53. Amended by No. 18, s. 7, 1940, p. 47 s. 56. Amended by No. 18, s. 8, 1940, p. 47 s. 57. Operation restricted by No. 35, s. 13, 1954, p. 101 s. 72. Amended by No. 35, s. 7, 1954, p. 100 *Gurry v. Badenoch* (1936) S.A.S.R. 441 s. 73a. Enacted by No. 25, s. 4, 1952, p. 60 s. 74. Amended by No. 35, p. 8, 1954, p. 100 s. 75. Amended by No. 18, s. 9, 1940, p. 47 s. 76. Amended by No. 18, s. 10, 1940, p. 47 s. 77. Repealed by No. 35, s. 9, 1954, p. 100 s. 78. Repealed by No. 18, s. 11, 1940, p. 47 Second schedule. Amended by No. 49, s. 3, 1953, p. 146, and by No. 35, s. 10, 1954, p. 100 Third schedule. Amended by No. 36, s. 6, 1945, p. 155, and by No. 35, s. 11, 1954, p. 100 Fifth schedule. Repealed by No. 35, s. 12, 1954, p. 101
Education Act, 1915-1935 (Vol. 2, p. 525)	s. 3. Amended by No. 24, s. 3, 1942, p. 67 s. 4. Amended by No. 43, s. 2, 1941, p. 182, and by No. 37, s. 3, 1945, p. 156 s. 15. Amended by No. 43, s. 3, 1941, p. 182, and by No. 37, s. 4, 1945, p. 156 s. 15a. Enacted by No. 22, s. 3, 1946, p. 110 s. 16. Amended by No. 43, s. 4, 1941, p. 183 s. 18a. Enacted by No. 31, s. 3, 1949, p. 96 and amended by No. 43, s. 3, 1951, p. 98 s. 18b. Enacted by No. 31, s. 3, 1949, p. 98 s. 18c. Enacted by No. 31, s. 3, 1949, p. 99 and substituted by No. 43, s. 4, 1951, p. 98 s. 18d. Enacted by No. 31, s. 3, 1949, p. 99 s. 19. Substituted by No. 37, s. 5, 1945, p. 157 s. 20. Substituted by No. 37, s. 5, 1945, p. 157 s. 21. Substituted by No. 37, s. 5, 1945, p. 157 s. 22. Substituted by No. 37, s. 5, 1945, p. 157 s. 23. Substituted by No. 37, s. 5, 1945, p. 158 ss. 23a to 23d. Enacted by No. 37, s. 5, 1945, p. 158 s. 25. Amended by No. 43, s. 6, 1941, p. 183 s. 25a. Enacted by No. 29, s. 3, 1947, p. 76 s. 26. Amended by No. 43, s. 7, 1941, p. 184 s. 26a. Enacted by No. 43, s. 8, 1941, p. 184 s. 26b. Enacted by No. 43, s. 8, 1941, p. 184 s. 27. Amended by No. 43, s. 9, 1941, p. 184 s. 28. Amended by No. 43, s. 10, 1941, p. 185 ss. 28a to 28c. Enacted by No. 37, s. 6, 1945, pp. 158-160 s. 28ca. Enacted by No. 3, s. 3, 1948, p. 28 ss. 28d to 28p. Enacted by No. 37, s. 6, 1945, pp. 160-162 s. 28q. Enacted by No. 37, s. 6, 1945, p. 162 and amended by No. 36, s. 3, 1954, p. 102 ss. 28r to 28z. Enacted by No. 37, s. 6, 1945, pp. 162-164 s. 31. Amended by No. 43, s. 11, 1941, p. 185 s. 32. Amended by No. 43, s. 12, 1941, p. 186 s. 32a. Enacted by No. 43, s. 13, 1941, p. 186 s. 38a. Enacted by No. 43, s. 14, 1941, p. 186 s. 39. Amended by No. 43, s. 15, 1941, p. 186 s. 40a. Enacted by No. 22, s. 4, 1946, p. 111 s. 41. Amended by No. 43, s. 16, 1941, p. 186, by No. 37, s. 7, 1945, p. 165, and by No. 22, s. 5, 1946, p. 111 s. 42. Amended by No. 43, s. 17, 1941, p. 186, and by No. 22, s. 6, 1946, p. 112

Act Affected.	How Affected.
Education Act, 1915-1935 (Vol. 2, p. 525) —*continued.*	s. 43. Amended by No. 43, s. 18, 1941, p. 187 s. 44. Amended by No. 22, s. 7, 1946, p. 112 s. 45. Amended by No. 22, s. 6, 1946, p. 112 s. 46. Amended by No. 43, s. 19, 1941, p. 187 s. 48. Amended by No. 22, s. 7, 1946, p. 112 s. 52. Amended by No. 22, s. 7, 1946, p. 112 s. 57. Amended by No. 22, s. 7, 1946, p. 112 s. 58. Amended by No. 22, s. 7, 1946, p. 112 ss. 59a and 59n. Enacted by No. 24, s. 4, 1942, pp. 67-72 s. 60. Amended by No. 43, s. 20, 1941, p. 187 s. 62. Substituted by No. 32, s. 4, 1940, p. 122 and amended by No. 37, s. 8, 1945, p. 165, and by No. 28, s. 3, 1947, p. 75 s. 67. Amended by No. 22, s. 7, 1946, p. 112 s. 68. Amended by No. 43, s. 21, 1941, p. 188 Second schedule. Amended by No. 22, s. 7, 1946, p. 112 Third schedule. Amended by No. 22, s. 7, 1946, p. 112
Electoral Act, 1929-1934 (Vol. 2, p. 567)	s. 13. Amended by No. 2379, s. 2, 1937, p. 130 s. 71. Amended by No. 2379, s. 3, 1937, p. 130 s. 73. Amended by No. 2379, s. 4, 1937, p. 131, and by No. 43, s. 2 (1), 1950, p. 121 s. 74. Amended by No. 43, s. 2 (2), 1950, p. 121 s. 80. Substituted by No. 43, s. 3, 1950, p. 122 s. 81. Amended by No. 26, s. 3, 1941, p. 98 s. 86. Amended by No. 26, s. 4, 1941, p. 98 s. 96. Amended by No. 2379, s. 5, 1937, p. 131 s. 101. Amended by No. 26, s. 5, 1941, p. 99 s. 103. Amended by No. 2379, s. 6, 1937, p. 131 s. 110a. Enacted by No. 35, s. 3, 1946, p. 171 s. 118a. Enacted by No. 37, s. 3, 1942, p. 130, and amended by No. 43, s. 4, 1950, p. 122 s. 125. Amended by No. 26, s. 6, 1941, p. 99 s. 154. Amended by No. 26, s. 7, 1941, p. 99 s. 198. Amended by No. 30, s. 2, 1943, p. 78
Electricity Act, 1943 (1943, p. 80)	s. 2. Amended by No. 3, s. 39, 1946, p. 16
Electricity Trust of South Australia Act, 1946 (1946, p. 5)	s. 6. Amended by No. 22, s. 3, 1952, p. 53, and by No. 53, s. 3, 1954, p. 145 s. 8a. Enacted by No. 22, s. 4, 1952, p. 53 and repealed by No. 53, s. 4, 1954, p. 145 s. 15. *The Electricity Trust of South Australia v. Linterns Limited* (1950) S.A.S.R. 133 s. 20a. Enacted by No. 22, s. 5, 1952, p. 54 ss. 26a to 26d. Enacted by No. 53, s. 5, 1954, pp. 145-147 s. 28. Amended by No. 25, s. 3, 1946, p. 120 s. 30. Amended by No. 25, s. 4, 1946, p. 120 s. 31. Substituted by No. 25, s. 5, 1946, p. 120 s. 32. Substituted by No. 25, s. 5, 1946, p. 122 s. 33. Repealed by No. 25, s. 5, 1946, p. 120 ss. 43a to 43d. Enacted by No. 25, s. 6, 1946, pp. 122, 123 s. 43da. Enacted by No. 44, s. 3, 1949, p. 154 ss. 43e to 43h. Enacted by No. 25, s. 6, 1946, p. 124 s. 44. Amended by No. 25, s. 6, 1946, p. 125
Emergency Powers Act, 1948 (1941, p. 8)	s. 2. Amended by No. 42, s. 3, 1952, p. 121
Employees Registry Offices Act, 1915-1934 (Vol. 2, p. 632)	s. 2a. Enacted by No. 41, s. 3, 1939, p. 259 s. 13. Substituted by No. 29, s. 3, 1953, p. 78 s. 13a. Enacted by No. 29, s. 3, 1953, p. 79 s. 14. Amended by No. 29, s. 4, 1953, p. 79 s. 14a. Enacted by No. 29, s. 5, 1953, p. 79 Fifth schedule. Repealed by No. 29, s. 6, 1953, p. 80

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Enfield General Cemetery Act, 1944 (1944, p. 146)	s. 23. Amended by No. 17, s. 2, 1949, p. 62 and by No. 46, s. 8, 1952, p. 130 s. 24. Amended by No. 17, s. 3, 1949, p. 62 and by No. 46, s. 9, 1952, p. 130 Fourth schedule. Amended by No. 17, s. 4, 1949, p. 62 and by No. 46, s. 10, 1952, p. 130
Evidence Act, 1929-1933 (Vol. 2, p. 649)	s. 18. *R. v. Turner* (1947) S.A.S.R. 74 Special Leave to appeal to the High Court refused 73 C.L.R. 665 (note) s. 34a. Enacted by No. 29, s. 3, 1945, p. 133 *Hartley v. Hartley* (1948) S.A.S.R. 39 s. 34b. Enacted by No. 29, s. 3, 1945, p. 133 s. 34c. Enacted by No. 36, s. 3, 1949, p. 121 *Mericka v. Mericka* (1954) S.A.S.R. 74 ss. 34d. to 34h. Enacted by No. 36, s. 3, 1949, pp. 123-124 s. 42. Amended by No. 40, s. 3, 1940, p. 129 s. 43. Amended by No. 40, s. 4, 1940, p. 129 s. 43a. Enacted by No. 40, s. 5, 1940, p. 130 s. 48a. Enacted by No. 40, s. 6, 1940, p. 130 s. 48b. Enacted by No. 40, s. 6, 1940, p. 130 s. 66. Amended by No. 5, s. 3, 1947, p. 7 s. 66a. Enacted by No. 27, s. 3, 1941, p. 100 and amended by No. 42, s. 3, 1952, p. 120 s. 67. Amended by No. 27, s. 4, 1941, p. 102 s. 67a. Enacted by No. 36, s. 4, 1949, p. 124 s. 69. *Rex v. Butler* (1939) S.A.S.R. 265 Fourth schedule. Enacted by No. 40, s. 7, 1940, p. 130
Farmers Assistance Act, 1933-1936 (Vol. 2, p. 707)	ss. 5 and 6. Repealed by No. 26, s. 13, 1943, p. 68 s. 12. Amended by No. 2418, s. 2, 1938, p. 170, and by No. 26, s. 14, 1943, p. 68 s. 13. Amended by No. 26, s. 15, 1943, p. 68 s. 16. Amended by No. 26, s. 16, 1943, p. 68 s. 29. Amended by No. 2418, s. 3, 1938, p. 170 s. 31. *Chapman v. Wade* (1939) S.A.S.R. 298 s. 41. Amended by No. 33, s. 3, 1939, p. 195 ss. 42 to 57. Repealed by No. 26, s. 18, 1943, p. 69 s. 60. Amended by No. 26, s. 19, 1943, p. 69 s. 80. Repealed by No. 26, s. 18, 1943, p. 69
Fauna and Flora Reserve Act, 1919-1935 (Vol. 2, p. 740)	s. 16a. Enacted by No. 25, s. 3, 1940, p. 73
Fibre and Sponges Act, 1909-1935 (Vol. 3, p. 27)	s. 7a. Enacted by No. 2369, s. 3, 1937, p. 104
Financial Agreement Act, 1927 (Vol. 3, p. 33)	The Financial Agreement made on 12th December, 1927, and as varied by the provisions of other agreements made on 3rd July, 1934, and on 15th November, 1944, is reprinted, as a schedule to the Amending Financial Agreement Act, 1944, in the 1944 volume, p. 122
Financial Emergency Act, 1931-1936 (Vol. 3, p. 46)	s. 14. Repealed by No. 2342, s. 3, 1937, p. 11 s. 15. Repealed by No. 2342, s. 3, 1937, p. 11
Financial Emergency Act Extension Act, 1934 (Vol. 3, p. 66)	s. 3. Amended by No. 39, s. 3, 1939, p. 249
Fire Brigades Act, 1936 (Vol. 3, p. 78)	s. 5. Amended by No. 2389, s. 3 (1), 1938, p. 18 s. 24a. Enacted by No. 25, s. 2, 1944, p. 64 s. 27a. Enacted by No. 25, s. 3, 1944, p. 64 s. 32. Amended by No. 2389, s. 3 (2), 1938, p. 18 s. 53. Amended by No. 2389, s. 2, 1938, p. 17 and by No. 32, s. 3, 1942, p. 98 s. 54. Amended by No. 32, s. 4, 1942, p. 98 s. 58. Amended by No. 2389, s. 3 (3), 1938, p. 18 s. 60a. Enacted by No. 32, s. 5, 1942, p. 99 s. 68. Amended by No. 32, s. 6, 1942, p. 100

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Fisheries Act, 1917-1935 (Vol. 3, p. 115)	This Act as amended by No. 2391, 1938, p. 29 and No. 2419, 1938, p. 171, and with notes of judicial decisions, is reprinted in the 1938 volume, p. 338. *See also* the following paragraph
Fisheries Act, 1917-1938 (1938, p. 338)	s. 4. Amended by No. 18, s. 2, 1946, p. 104 s. 6. Amended by No. 18, s. 3, 1946, p. 104 s. 13. Amended by No. 18, s. 4, 1946, p. 104 s. 14. Amended by No. 18, s. 5, 1946, p. 105 s. 14a. Amended by No. 18, s. 6, 1946, p. 105 s. 53. Amended by No. 18, s. 7, 1946, p. 105
Food and Drugs Act, 1908-1935 (Vol. 3, p. 139)	s. 5. Amended by No. 13, s. 3, 1954, p. 30 s. 5a. Enacted by No. 21, s. 2, 1943, p. 74 s. 5b. Enacted by No. 13, s. 4, 1954, p. 31 s. 6a. Enacted by No. 13, s. 5, 1954, p. 31 s. 15. Amended by No. 8, s. 3, 1939, p. 24, and by No. 67, s. 2, 1949, p. 242 s. 15a. Enacted by No. 8, s. 4, 1939, p. 24 s. 22a. *Gepp v. Anderson* (1949) S.A.S.R. 135 s. 25a. Enacted by No. 21, s. 3, 1943, p. 47 s. 27. Amended by No. 13, s. 2, 1953, p. 28 s. 29. Amended by No. 21, s. 4, 1943, p. 48 s. 51. Amended by No. 10, s. 2, 1950, p. 22 s. 57. Substituted by No. 21, s. 5, 1943, p. 48 s. 58. Amended by No. 21, s. 6, 1943, p. 49 s. 61. Amended by No. 21, s. 7, 1943, p. 49, by No. 13, s. 3, 1953, p. 29, and by No. 13, s. 6, 1954, p. 32 s. 61a. Enacted by No. 21, s. 8, 1943, p. 49 s. 62. Substituted by No. 21, s. 9, 1943, p. 49
Footwear Regulation Act, 1920 (Vol. 3, p. 173)	s. 5. Substituted by No. 45, s. 3, 1949, p. 156 s. 6. Substituted by No. 45, s. 3, 1949, p. 158 s. 10. Amended by No. 45, s. 4, 1949, p. 158
Friendly Societies Act, 1919-1936 (Vol. 3, p. 178)	s. 5. Amended by No. 19, s. 2, 1952, p. 46 s. 7. Amended by No. 32, s. 2, 1940, p. 92, by No. 8, s. 2, 1946, p. 32, by No. 24, s. 2, 1949, p. 79, by No. 37, s. 2, 1950, p. 109, and by No. 19, s. 3, 1952, p. 47 s. 7a. Amended by No. 8, s. 3, 1946, p. 33, by No. 37, s. 3, 1950, p. 110, and by No. 32, s. 3, 1954, p. 90 s. 7b. Enacted by No. 19, s. 4, 1952, p. 47 s. 8a. Enacted by No. 19, s. 5, 1952, p. 47 s. 10. Amended by No. 2374, s. 3, 1937, p. 121, and by No. 37, s. 4, 1950, p. 110 s. 10a. Enacted by No. 2425, s. 3, 1938, p. 233 s. 10b. Enacted by No. 19, s. 6, 1952, p. 48 s. 11. Amended by No. 19, s. 7, 1952, p. 48 s. 18. Amended by No. 2374, s. 4, 1937, p. 122 s. 23. Amended by No. 8, s. 4, 1946, p. 33 s. 27a. Amended by No. 37, s. 5, 1950, p. 111 s. 37. Amended by No. 32, s. 4 (1), 1954, p. 91 s. 44b. Enacted by No. 19, s. 8, 1952, p. 48 s. 45. Amended by No. 19, s. 9, 1952, p. 49 Second schedule. Amended by proclamation, *Gazette* 10th December, 1953, p. 1403 Third schedule. Amended by No. 24, s. 3, 1949, p. 80
Fruit Fly Act, 1947 (1947, p. 12).....	s. 3. Amended by No. 23, s. 3, 1953, p. 56 s. 4. Amended by No. 11, s. 2, 1948, p. 72, by No. 27, s. 3, 1949, p. 85, by No. 24, s. 2, 1950, p. 70, by No. 10, s. 3, 1952, p. 22, and by No. 23, s. 4, 1953, p. 56 s. 5. Amended by No. 11, s. 3, 1948, p. 72, and by No. 27, s. 4, 1949, p. 85 s. 8. Amended by No. 23, s. 5, 1953, p. 57 Schedule. Amended by No. 11, s. 4, 1948, p. 73, by No. 27, s. 5, 1949, p. 86, by No. 24, s. 3, 1950, p. 70, and by No. 10, s. 4, 1952, p. 23

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Gas Act, 1924 (Vol. 3, p. 236)	s. 5. Amended by No. 4, s. 4, 1954, p. 7 s. 5a. Enacted by No. 4, s. 5, 1954, p. 8 s. 7. Amended by No. 4, s. 6, 1954, p. 8 s. 8. Amended by No. 4, s. 9, 1954, p. 9 s. 9. Amended by No. 4, s. 9, 1954, p. 9 s. 12. Amended by No. 4, s. 9, 1954, p. 9 s. 13. Amended by No. 4, s. 9, 1954, p. 9 s. 15. Amended by No. 4, s. 9, 1954, p. 9 s. 16. Amended by No. 4, s. 9, 1954, p. 9 s. 17. Amended by No. 4, s. 9, 1954, p. 9 s. 18. Amended by No. 33, s. 3, 1950, p. 97 and by No. 4, s. 9. 1954, p. 9 s. 19. Amended by No. 4, s. 7, 1954, p. 8 s. 20. Amended by No. 4, s. 9, 1954, p. 9 s. 21. Amended by No. 4, s. 9, 1954, p. 9 s. 23. Amended by No. 4, s. 9, 1954, p. 9 s. 25. Amended by No. 4, s. 9, 1954, p. 9 s. 27. Amended by No. 33, s. 4, 1950, p. 98 s. 29a. Enacted by No. 33, s. 5, 1950, p. 98 s. 30. Amended by No. 33, s. 6, 1950, p. 99 s. 31. Amended by No. 33, s. 7, 1950, p. 99 s. 33. Amended by No. 33, s. 8, 1950, p. 99 s. 35. Amended by No. 33, s. 9, 1950, p. 99 s. 36. Amended by No. 33, s. 10, 1950, p. 99 s. 45a. Enacted by No. 33, s. 11, 1950, p. 99 s. 55. Amended by No. 4, s. 8, 1954, p. 9 First schedule. Amended by No. 33, s. 12, 1950, p. 99 and by No. 4, s. 9, 1954, s. 9
Guardianship of Infants Act, 1940 (1940, p. 186)	s. 6. *In re Wilkinson* (1941) S.A.S.R. 231, reversing *in re W.* (1941) S.A.S.R. 188 *Wilkinson v. Wilkinson* (1944) S.A.S.R. 239 *In the matter of Santa Maria Gazzola, Maria Anna Gazzola, and Augusto Bruno Gazzola (Infants)* (1953) S.A.S.R. 333 s. 11. *Hedges v. Hedges* (1944) S.A.S.R. 266 *Besanko v. Besanko* (1949) S.A.S.R. 275
Hairdressers Registration Act, 1939 (1939, p. 161)	s. 19. Amended by No. 27, s. 2, 1946, p. 128 s. 19a. Enacted by No. 27, s. 3, 1946, p. 129 s. 21. Amended by No. 44, s. 2, 1951, p. 100 s. 29. Amended by No. 44, 2. 3, 1951, p. 101
Harbors Act, 1936 (Vol. 3, p. 333)	s. 69. Amended by No. 12, s. 3, 1943, p. 26 s. 71a. Enacted by No. 52, s. 2, 1950, p. 172 s. 115. Amended by No. 34, s. 3, 1953, p. 87 s. 116. Amended by No. 17, s. 3, 1947, p. 43 s. 144. Amended by No. 34, s. 4, 1953, p. 87 Fourth schedule. Enacted by No. 52, s. 3, 1950, p. 172
Hawkers Act, 1934 (Vol. 3, p. 425) ...	s. 9a. Enacted by No. 5, s. 2, 1941, p. 12. s. 9b. Enacted by No. 5, s. 2, 1941, p. 13 s. 11. Amended by No. 5, s. 3, 1941, p. 13 s. 16a. Enacted by No. 5, s. 4, 1941, p. 13 s. 20. Amended by No. 42, s. 3, 1948, p. 187 *Ward v. Pearson* (1939) S.A.S.R. 419
Health Act, 1935-1936 (Vol. 3, p. 432)	This Act, as amended by No. 33, 1940, p. 93, No. 35, 1941, p. 128, No. 13, 1943, p. 27, and No. 34, 1943, p. 96, and with notes of judicial decisions, is reprinted in the 1943 volume, p. 131. *See also* the following paragraph
Health Act, 1935-1943 (1943, p. 131)..	s. 3. Amended by No. 14, s. 2, 1954, p. 33 s. 4. Amended by No. 14, s. 3, 1954, p. 33 s. 5a. Enacted by No. 14, s. 4, 1954, p. 34 s. 50. Amended by No. 48, s. 2, 1947, p. 139 s. 89. Inserted by No. 18, s. 2, 1953, p. 45 s. 90. Inserted by No. 18, s. 2, 1953, p. 46

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Health Act, 1935-1943 (1943, p. 131) —*continued.*	s. 91. Inserted by No. 18, s. 2, 1953, p. 46 s. 101. Amended by No. 14, s. 2, 1950, p. 34 and by No. 14, s. 5, 1954, p. 34 s. 123. Amended by No. 18, s. 3, 1953, p. 46 Heading to Part IX. Amended by No. 14, s. 6, 1954, p. 35 s. 127. Amended by No. 14, s. 7, 1954, p. 35 s. 128. Amended by No. 39, s. 2, 1950, p. 114 and by No. 15, s. 2, 1952, p. 31 s. 129. Amended by No. 39, s. 3, 1950, p. 114 and by No. 15, s. 3, 1952, p. 31 s. 130. Amended by No. 14, s. 8, 1954, p. 35 s. 138a. Enacted by No. 48, s. 3, 1947, p. 139 s. 138b. Enacted by No. 48, s. 3, 1947, p. 140 s. 146a. Enacted by No. 48, s. 4, 1947, p. 141 ss. 146b to 146n. Enacted by No. 45, s. 3, 1951, pp. 102-109 s. 147. Amended by No. 48, s. 5, 1947, p. 141, and by No. 45, s. 4, 1951, p. 110 Second schedule. Substituted by No. 14, s. 9, 1954, p. 35 Third schedule. Enacted by No. 14, s. 10, 1954, p. 36
Hide and Leather Industries Act, 1948 (1948, p. 188)	ss. 3 to 7, 8 (1) and (3), 9, 14, 15, 19(a) and 20. Operation suspended by No. 39, s. 4, 1954, p. 109
Highways Act, 1926-1936 (Vol. 3, p. 483)	s. 8. Amended by No. 47, s. 2, 1953, p. 136 s. 11. Amended by No. 2388, s. 5, 1938, p. 16 s. 14. Amended by No. 47, s. 3, 1953, p. 136 s. 16. Amended by No. 2388, s. 5, 1938, p. 16 s. 17. Amended by No. 47, s. 4, 1953, p. 136 s. 20. Amended by No. 47, s. 5, 1953, p. 136 s. 20a. Amended by No. 47, s. 6, 1953, p. 137 s. 20b. Amended by No. 47, s. 7, 1953, p. 137 s. 20c. Enacted by No. 36, s. 2, 1944, p. 161, and amended by No. 47, s. 8, 1953, p. 137 s. 22. Amended by No. 47, s. 9, 1953, p. 137 s. 23. Amended by No. 47, s. 10, 1953, p. 137 s. 26. Amended by No. 47, s. 11, 1953, p. 137 s. 26a. Amended by No. 47, s. 12, 1953, p. 137 s. 26c. Enacted by No. 36, s. 3, 1944, p. 162 s. 26d. Enacted by No. 36, s. 4, 1944, p. 162 s. 27a. Amended by No. 47, s. 13, 1953, p. 137 s. 27b. Enacted by No. 6, s. 2, 1949, p. 10, and amended by No. 47, s. 14, 1953, p. 137 s. 27ba. Enacted by No. 6, s. 2, 1949, p. 13 s. 27d. Amended by No. 36, s. 5, 1944, p. 162 s. 28. Substituted by No. 47, s. 16, 1953, p. 138 Part III. Heading amended by No. 36, s. 9, 1944, p. 164 s. 31. Substituted by No. 2388, s. 3, 1938, p. 14, and amended by No. 36, ss. 6 (2) and 9, 1944, pp. 163, 164, and by No. 6, s. 3,1949, p. 14 s. 31a. Amended by No. 2350, s. 4, 1937, p. 40 and repealed by No. 2388, s. 3, 1938, p. 14 s. 32. Amended by No. 2388, ss. 4 and 5, 1938, p. 16, by No. 36, s. 6 (1), 1944, p. 163, by No. 38, s. 18, 1948, p. 174, and by No. 47, s. 17, 1953, p. 138 s. 33. Amended by No. 2388, ss. 5 and 6, 1938, p. 16 s. 34. Amended by No. 2388, s. 5, 1938, p. 16 s. 35. Amended by No. 2350, s. 5, 1937, p. 40, and by No. 47, s. 18, 1953, p. 138 s. 36. Amended by No. 2350, s. 6, 1937, p. 41 s. 36a. Enacted by No. 36, s. 7, 1944, p. 164 and substituted by No. 40, s. 2, 1954, p. 111 s. 36b. Enacted by No. 47, s. 19, 1953, p. 138 s. 36c. Enacted by No. 47, s. 19, 1953, p. 139 s. 36d. Enacted by No. 47, s. 19, 1953, p. 139 s. 36e. Enacted by No. 47, s. 19, 1953, p. 140

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Lottery and Gaming Act, 1936-1950 (1950, p. 206)	s. 4. *O'Sullivan v. Arriola and others* (1951) S.A.S.R. 108 s. 21. Amended by No. 43, s. 3, 1953, p. 125, and by No. 57, s. 3, 1954, p. 174 s. 22a. Amended by No. 57, s. 4, 1954, p. 174 s. 29. Amended by No. 57, s. 5, 1954, p. 176 s. 51. Amended by No. 57, s. 6, 1954, p. 176 s. 60. Amended by No. 57, s. 7, 1954, p. 177 *O'Sullivan v. Peters* (1951) S.A.S.R. 54 s. 62. *Maddaford v. Brown* (1953) S.A.S.R. 169 s. 71. Amended by No. 57, s. 8, 1954, p. 177 s. 75. *Marsson v. O'Sullivan* (1951) S.A.S.R. 244 s. 90. *Hudson v. Cox* (1952) S.A.S.R. 168 s. 98. Repealed by No. 57, s. 9, 1954, p. 177 s. 99. Amended by No. 57, s. 10, 1954, p. 177 *Kenny v. O'Sullivan* (1953) S.A.S.R. 45 s. 103. Amended by No. 57, s.11, 1954, p. 177

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Lower River Broughton Irrigation Trust Act, 1938 (1938, p. 235)	s. 99a. Enacted by No. 43, s. 3, 1940, p. 139
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Maintenance Act, 1926-1937 (1937, p. 137)	s. 5. Amended by No. 44, s. 3, 1941, p. 189, and by No. 47, ss. 2 and 3, 1948, p. 203 s. 9. Amended by No. 47, s. 10, 1948, p. 205 s. 12. Amended by No. 47, s. 10, 1948, p. 205 s. 12a. Enacted by No. 47, s. 5, 1948, p. 204 s. 14. Substituted by No. 47, s. 6, 1948, p. 204 s. 23. Repealed by No. 44, s. 4, 1941, p. 189 s. 24. Amended by No. 44, s. 5, 1941, p. 190 s. 25. Substituted by No. 33, s. 3, 1952, p. 98 s. 28. Amended by No. 47, s. 10, 1948, p. 205 *Hampel v. Hampel* (1946) S.A.S.R. 317, reversing *Hampel v. Hampel* (1945) S.A.S.R. 123; 20 A.L.J. 67 s. 46. *Cocks v. Juncken* (1947) 74 C.L.R. 277; 21 A.L.J. 127, reversing *Juncken v. Cocks* (1946) S.A.S.R. 84 s. 48. Amended by No. 31, s. 3, 1950, p. 87 and by No. 33, s. 4, 1952, p. 99 s. 48a. Enacted by No. 44, s. 6, 1941, p. 190 s. 54. Amended by No. 31, s. 4, 1950, p. 87 and by No. 33, s. 5, 1952, p. 99 s. 59. *Williams v. Short* (1939) S.A.S.R. 369 s. 59a. *Williams v. Short* (1939) S.A.S.R. 369 *Lugg v. Wright* (1941) S.A.S.R. 106 s. 60 (1). *Hayter v. Howie* (1937) S.A.S.R. 59. Special leave to appeal to the High Court refused, 59 C.L.R. 807 (note). *Kalms v. Wright* (1940) S.A.S.R. 170 *Mahoney v. Wright* (1943) S.A.S.R. 61 s. 62. Amended by No. 31, s. 5, 1950, p. 88 s. 66. *Axon v. Axon* (1937) 59 C.L.R. 395; 11 A.L.J. 342, affirming *Axon v. Axon* (1937) S.A.S.R. 439 *Garden v. Garden* 2 A.L.J. 66 *Manuel v. Manuel* (1940) S.A.S.R. 362 *Kolosche v. Kolosche* (1943) S.A.S.R. 191 *Fisher v. Fisher* (1945) S.A.S.R. 145 s. 67. Substituted by No. 44, s. 7, 1941, p. 190 s. 68. *Garden v. Garden* 2 A.L.J. 66 s. 72. *Fisher v. Fisher* (1945) S.A.S.R. 145 s. 73. *Freer v. Freer* (1948) S.A.S.R. 76 s. 91. Amended by No. 44, s. 8, 1941, p. 191 *King v. King* (1940) S.A.S.R. 214 s. 100. Amended by No. 44, s. 9, 1941, p. 191 s. 102. *Neale v. Colquhoun* (1944) S.A.S.R. 119 s. 102a. Enacted by No. 31, s. 6, 1950, p. 88 s. 103. Amended by No. 44, s. 10, 1941, p. 191, and by No. 31, s. 7, 1950, p. 88 s. 104. Repealed by No. 31, s. 8, 1950, p. 88 s. 105. Amended by No. 44, s. 11, 1941, p. 192, and by No. 47, s. 7, 1948, p. 204 s. 108. Amended by No. 44, s. 12, 1941, p. 192 *Neale v. Colquhoun* (1944) S.A.S.R. 119 s. 109. Amended by No. 47, s. 8, 1948, p. 205 s. 110. Amended by No. 44, s. 13, 1941, p. 192 s. 111. Amended by No. 44, s. 14, 1941, p. 192

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Metropolitan and Export Abattoirs Act, 1936 (Vol. 6, p. 23)—*continued.*	s. 72. Amended by No. 43, s. 8, 1945, p. 209 s. 76. Amended by No. 17, s. 6, 1948, p. 98 s. 77. Substituted by No. 2373, s. 7, 1937, p. 118 s. 77a. Enacted by No. 2373, s. 7, 1937, p. 119 s. 78a. Enacted by No. 43, s. 10, 1945, p. 210 s. 79. Amended by No. 17, s. 5 (2), 1948, p. 98 s. 85. Amended by No. 24, s. 3, 1952, p. 58 s. 86. Amended by No. 2373, s. 8, 1937, p. 120 and by No. 24, s. 4, 1952, p. 58 s. 87. Amended by No. 2373, s. 9, 1937, p. 120 s. 96a. Enacted by No. 43, s. 11, 1945, p. 211 s. 96b. Enacted by No. 43, s. 11, 1945, p. 211 Heading to Part VII. Amended by No. 43, s. 12 1945, p. 211 s. 109. Amended by No. 17, s. 5 (3), 1948, p. 98 s. 109a. Enacted by No. 43, s. 13, 1945, p. 211 s. 112. Amended by No. 43, s. 14, 1945, p. 212 s. 114. *In re Metropolitan and Export Abattoirs; ex parte Lowe and others* (1944) S.A.S.R. 138
Metropolitan Milk Supply Act, 1946 (1946, p. 188)	s. 24. Amended by No. 25, s. 3, 1948, p. 122 s. 39. Substituted by No. 25, s. 4, 1948, p. 122 s. 42. Amended by No. 25, s. 5, 1948, p. 122 s. 43. Substituted by No. 27, s. 3, 1950, p. 76 s. 43a. Enacted by No. 27, s. 3, 1950, p. 77
Mining Act, 1930-1931 (Vol. 6, p. 116)..	This Act, as amended by No. 2004, 1931 (Vol. 6, p.161), No. 58, 1940, p. 234, No. 15, 1941, p. 49, No. 15, 1945, p. 53, No. 11, 1946, p. 39, No. 25, 1950, p. 72, and No. 36, 1951, p. 81, and with notes of judicial decisions, is reprinted in the 1952 volume, p. 193. *See also* the following paragraph
Mining Act, 1930-1951 (1952, p. 193)	s. 4. Amended by No. 40, s. 3, 1953, p. 116 s. 23b. Enacted by No. 40, s. 4, 1953, p. 117 s. 23c. Enacted by No. 40, s. 4, 1953, p. 117 s. 23d. Enacted by No. 40, s. 4, 1953, p. 118 s. 27. Amended by No. 40, s. 5, 1953, p. 118 s. 69e. Amended by No. 40, s. 6, 1953, p. 118 s. 69f. Substituted by No. 40, s. 7, 1953, p. 118 s. 69h. Amended by No. 40, s. 8, 1953, p. 119 s. 125a. Enacted by No. 40, s. 9, 1953, p. 119 Fifth schedule. Amended by No. 40, s. 10, 1953, p. 120 Sixth schedule. Repealed by No. 40, s. 11, 1953, p. 120
Mining Act Amendment Act, 1931 (Vol. 6, p. 161)	s. 12. Repealed by No. 15, s. 2, 1941, p. 49
Mortgagors Relief Act, 1931-1936 (Vol. 6, p. 215)	s. 3. Amended by No. 20, s. 2, 1940, p. 54, and by No. 25, s. 2, 1943, p. 63 s. 5. Amended by No. 20, s. 3, 1940, p. 55, by No. 14, s. 3, 1941, p. 47, and by No. 25, s. 4, 1943, p. 63 s. 5a. Amended by No. 20, s. 4, 1940, p. 55, by No. 14, s. 4, 1941, p. 48, and by No. 25, s. 4, 1943, p. 64 s. 6. *Peeks Limited v. Adelaide Oil Exploration Company Limited* (1937) S.A.S.R. 154 s. 8. Amended by No. 20, s. 5, 1940, p. 55, by No. 14, s. 5, 1941, p. 48, and by No. 25, s. 5, 1943, p. 64 s. 9. Amended by No. 20, s. 6, 1940, p. 55, by No. 14, s. 6, 1941, p. 48, and by No. 25, s. 6, 1943, p. 64 s. 12. Amended by No. 20, s. 7, 1940, p. 55, by No. 14, s. 7, 1941, p. 48, and by No. 25, s. 7, 1943, p. 64
The Municipal Tramways Trust Act, 1935 (Vol. 6 p. 227)	s. 5. Amended by No. 16, s. 4, 1952, p. 33 s. 8. Substituted by No. 16, s. 5, 1952, p. 34 s. 9. Substituted by No. 16, s. 5, 1952, p. 34 s. 10. Substituted by No. 16, s. 5, 1952, p. 34 ss. 11 to 15. Repealed by No. 16, s. 5, 1952, p. 34 s. 17. Amended by No. 60, s. 4, 1940, p. 302 s. 21. Amended by No. 16, s. 6, 1952, p. 34

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The Municipal Tramways Trust Act, 1935 (Vol. 6 p. 227)—*continued.*	s. 23. Amended by No. 16, s. 7, 1952, p. 34 s. 26. Amended by No. 60, s. 5, 1940, p. 302 and by No. 16, s. 8. 1952, p. 35 s. 26a. Enacted by No. 16, s. 9, 1952, p. 35 s. 26b. Enacted by No. 16, s. 9, 1952, p. 36 s. 30. Amended by No. 16, s. 10, 1952, p. 36 s. 32. Amended by No. 16, s. 11, 1952, p. 36 s. 35. Substituted by No. 47, s. 2, 1949, p. 160 s. 36. Substituted by No. 47, s. 2, 1949, p. 161 s. 37. Substituted by No. 47, s. 2, 1949, p. 161 ss. 38 to 41. Repealed by No. 47, s. 2, 1949, p. 160 s. 43a. Enacted by No. 16, s. 12, 1952, p. 36 s. 68. *Henwood and another v. The Municipal Tramways Trust* (1938) 60 C.L.R. 438; 12 A.L.J. 101, reversing *Henwood and another v. The Municipal Tramways Trust* (1937) S.A.S.R. 390 s. 86a. Enacted by No. 2366, s. 2, 1937, p. 98 s. 86b. Enacted by No. 2366, s. 2, 1937, p. 99 s. 94. Amended by No. 16, s. 13, 1952, p. 36
Noxious Weeds Act, 1931-1935 (Vol. 6, p. 319)	s. 5. Amended by No. 19, s. 2 (1), 1939, p. 103 s. 6. Amended by No. 2395, s. 2, 1938, p. 41 s. 7. Amended by No. 19, s. 2 (2), 1939, p. 103 s. 8. Amended by No. 2395, s. 3, 1938, p. 41 s. 8a. Amended by No. 2395, s. 4, 1938, p. 41 s. 10. Amended by No. 19, s. 3, 1939, p. 103 s. 12. Amended by No. 19, s. 4, 1939, p. 104 s. 15a. Enacted by No. 2395, s. 5, 1938, p. 42 s. 17a. Enacted by No. 19, s. 5, 1939, p. 104 s. 24. Amended by No. 2395, s. 6, 1938, p. 42 s. 29a. Enacted by No. 2395, s. 7, 1938, p. 42 s. 41. Amended by No. 2395, s. 8, 1938, p. 43
Nurses Registration Act, 1920-1934 (Vol. 6, p. 340)	s. 4. Amended by No. 60, s. 3, 1954, p. 184 s. 15. Amended by No. 60, s. 4, 1954, p. 185 s. 21. Amended by No. 57, s. 3, 1949, p. 210 s. 21a. Enacted by No. 2405, s. 2, 1938, p. 85 s. 33a to 33g. Enacted by No. 60, s. 5, 1954, pp. 185-188 s. 38. Amended by No. 60, s. 6, 1954, p. 188 s. 39. Amended by No. 60, s. 7, 1954, p. 188 s. 39a. Enacted by No. 2405, s. 3, 1938, p. 86 s. 40. Amended by No. 60, s. 8, 1954, p. 189 s. 42. Amended by No. 60, s. 9, 1954, p. 189 s. 44. Amended by No. 2405, s. 4, 1938, p. 86, and by No. 60, s. 10, 1954, p. 189 s. 47. Amended by No. 60, s. 11, 1954, p. 190
Offenders Probation Act, 1913-1934 (Vol. 6, p. 372)	This Act, as amended by No. 25, 1945, p. 114, No. 29, 1951, p. 48 and No. 15, 1953, p. 31, and with notes of judicial decisions, is reprinted in the 1953 volume, p. 298
Opticians Act, 1920-1935 (Vol. 6, p. 379)	s. 19. Amended by No. 39, s. 2, 1949, p. 130 s. 20. *Egarr v. Registrar of Board of Optical Registration* (1952) S.A.S.R. 163 s. 23. Amended by No. 39, s. 3, 1949, p. 130 s. 39. *Landers v. Board of Optical Registration* (1939) S.A.S.R. 393 s. 46. *Landers v. Board of Optical Registration* (1939) S.A.S.R. 393 *Egarr v. Registrar of Board of Optical Registration* (1952) S.A.S.R. 163
Parliamentary Superannuation Act, 1948 (1948, p. 61)	s. 9. Amended by No. 46, s. 3, 1953, p. 133 s. 11. Amended by No. 33, s. 3, 1949, p. 114 s. 13. Amended by No. 46, s. 4, 1953, p. 134 s. 14. Amended by No. 33, s. 4, 1949, p. 114 s. 16. Amended by No. 46, s. 5, 1953, p. 134 s. 17. Amended by No. 46, s. 6, 1953, p. 135 s. 21. Amended by No. 33, s. 5, 1949, p. 115

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Pastoral Act, 1936 (Vol. 6, p. 414)	s. 6. Amended by No. 34, s. 4, 1950, p. 101 s. 7. Amended by No. 34, s. 2, 1950, p. 100 and by No. 5, s. 3, 1953, p. 13 s. 34. Amended by No. 29, s. 3, 1944, p. 83 s. 39. Amended by No. 29, s. 4, 1944, p. 83 s. 41. Amended by No. 22, s. 3, 1939, p. 116 s. 42a. Enacted by No. 22, s. 4, 1939, p. 116, and amended by No. 29, s. 5, 1944, p. 83, and by No. 34, s. 3, 1950, p. 101 s. 42b. Enacted by No. 29, s. 6, 1944, p. 84 s. 42c. Enacted by No. 29, s. 6, 1944, p. 84 s. 44a. Enacted by No. 25, s. 14, 1939, p. 130 s. 48a. Enacted by No. 29, s. 7, 1944, p. 85 s. 49. Amended by No. 22, ss. 5 and 6, 1939, p. 117 s. 51. Substituted by No. 29, s. 8, 1944, p. 85 s. 57. Substituted by No. 29, s. 9, 1944, p. 86 s. 61a. Enacted by No. 22, s. 7, 1939, p. 117 s. 62. Amended by No. 29, s. 10, 1944, p. 86 s. 64. Amended by No. 29, s. 11, 1944, p. 86 s. 66. Amended by No. 29, s. 12, 1944, p. 87 s. 70. Amended by No. 29, s. 13, 1944, p. 87 s. 81. Amended by No. 22, s. 8, 1939, p. 118, andby No. 29, s. 14, 1944, p. 87 s. 86. Repealed by No. 29, s. 15, 1944, p. 87 s. 88. Amended by No. 22, ss. 9 and 10, 1939, p. 118 s. 90. Amended by No. 22, s. 11, 1939, p. 118 s. 94. Amended by No. 22, s. 12, 1939, p. 119 s. 95. Amended by No. 22, s. 13, 1939, p. 119, by No. 29, s. 16, 1944, p. 87, and by No. 5, s. 4, 1953, p. 13 s. 96. Amended by No. 29, s. 17, 1944, p. 88 ss. 115 and 116. Repealed by No. 22, s. 14, 1939, p. 119 s. 128a. Enacted by No. 22, s. 15, 1939, p. 119 s. 134. Amended by No. 34, s. 4, 1950, p. 101 s. 136. Amended by No. 22, s. 16, 1939, p. 120 s. 137. Amended by No. 29, s. 18, 1944, p. 88 s. 139. Repealed by No. 29, s. 19, 1944, p. 89 s. 140a. Enacted by No. 31, s. 2, 1948, p. 143 s. 141. Amended by No. 29, s. 20 (1), 1944, p. 89, and by No. 31, s. 2, 1948, p. 144 s. 142. Amended by No. 29, s. 20 (2), 1944, p. 89 s. 146. Amended by No. 29, s. 20 (3), 1944, p. 89 First schedule. Amended by No. 22, s. 17, 1939, p. 120
Pawnbrokers Act, 1888-1934 (Vol. 6, p. 464)	s. 45a. Enacted by No. 26, s. 2, 1950, p. 74 s. 54. Amended by No. 26, s. 3, 1950, p. 74 First schedule. Amended by No. 26, s. 4, 1950, p. 75
Payment of Members of Parliament Act, 1948 (1948, p. 68)	s. 4. Amended by No. 5, s. 3, 1951, p. 8, and by No. 41, s. 2, 1953, p. 121 s. 5. Amended by No. 5, s. 4, 1951, p. 9, and by No. 41, s. 3, 1953, p. 122
Pharmacy Act, 1935-1936 (Vol. 6, p. 501)	s. 22. Amended by No. 34, s. 3, 1952, p. 100 s. 22a. Enacted by No. 27, s. 3, 1942, p. 77 and amended by No. 34, s. 4, 1952, p. 101 and by No. 42, s. 3, 1952, p. 121 s. 24. Substituted by No. 34, s. 5, 1952, p. 101 s. 26a. Enacted by No. 27, s. 4, 1942, p. 79 s. 26b. Enacted by No. 27, s. 4, 1942, p. 80 s. 26c. Enacted by No. 27, s. 4, 1942, p. 81 s. 26d. Enacted by No. 38, s. 3, 1947, p. 99 s. 26e. Enacted by No. 38, s. 3, 1947, p. 100 s. 26f. Enacted by No. 38, s. 3, 1947, p. 101 s. 30. Amended by No. 21, s. 3, 1951, p. 39 s. 31. Amended by No. 27, s. 5, 1942, p. 81 s. 31a. Enacted by No. 27, s. 6, 1942, p. 82 s. 33a. Enacted by No. 2354, s. 2, 1937, p. 51 Fourth to sixth schedules. Repealed by No. 34, s. 6, 1952, p. 101

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Phylloxera Act, 1936 (Vol. 6, p. 518) ..	s. 5. Amended by No. 2367, s. 2, 1937, p. 100, and by No. 26, s. 3, 1948, p. 124 s. 11. Amended by No. 26, s. 5, 1948, p. 125 s. 12. Repealed by No. 2367, s. 3, 1937, p. 100 s. 15. Amended by No. 26, s. 6, 1948, p. 125 s. 16. Substituted by No. 2367, s. 4, 1937, p. 101 s. 16a. Enacted by No. 26, s. 4, 1948, p. 124 s. 19a. Enacted by No. 26, s. 7, 1948, p. 125 s. 23. Amended by No. 26, s. 8, 1948, p. 126 s. 29a. Enacted by No. 2367, s. 5, 1937, p. 101 s. 30. Amended by No. 26, s. 9, 1948, p. 126 s. 35. Amended by No. 26, s. 10, 1948, p. 126 s. 38. Amended by No. 26, s. 11, 1948, p. 126 s. 38a. Enacted by No. 26, s. 12, 1948. p. 127 s. 43. Amended by No. 26, s. 12, 1948, p. 127 s. 49. Substituted by No. 26, s. 14, 1948, p. 128 s. 50. Amended by No. 26, s. 15, 1948, p. 128 s. 53. Repealed by No. 26, s. 16, 1948, p. 128 s. 56. Repealed by No. 26, s. 17, 1948, p. 128
Physiotherapists Act, 1945 (1945, p. 166)	s. 6. Amended by No. 53, s. 3, 1948, p. 228 s. 8a. Enacted by No. 34, s. 3, 1949, p. 116 s. 32. *In re Ward* (1953) S.A.S.R. 308 s. 38. Amended by No. 43, s. 2, 1946, p. 205, and by No. 53, s. 4, 1948, p. 229
Pistol Licence Act, 1929 (Vol. 6, p. 534)	s. 9. *Coghlan v. Fleetwood* (1951) S.A.S.R. 76
The Places of Public Entertainment Act, 1913-1934 (Vol. 6, p. 541)	s. 3. Amended by No. 18, s. 3, 1954, p. 44 s. 7. Amended by No. 18, s. 4, 1954, p. 44 s. 13. Amended by No. 18, s. 5, 1954, p. 45 s. 20. Amended by No. 18, s. 6, 1954, p. 46 s. 25a. Enacted by No. 18, s. 7, 1954, p. 46 Second schedule. Amended by No. 18, s. 8, 1954, p. 47
Police Act, 1936 (Vol. 6, p. 557)	Headings to Parts, II, III, IV, V, and VI, repealed by No. 54, s. 3 (2), 1953, p. 167 s. 2. Amended by No. 54, s. 3 (2), 1952, p. 167 ss. 5 to 20. Repealed by No. 54, s. 3 (1), 1952, p. 167 s. 21. Repealed by No. 55, s. 3, 1953, p. 163 ss. 22 to 43. Repealed by No. 54, s. 3 (1), 1952, p. 167 ss. 44 to 55. Repealed by No. 2399, s. 3, 1938, p. 64 ss. 56 to 134. Repealed by No. 55, s. 3, 1953, p. 163 ss. 135 to 138. Repealed by No. 48, s. 13, 1953, p. 145 ss. 139 to 151. Repealed by No. 55, s. 3, 1953, p. 163 First schedule. Repealed by No. 2399, s. 3, 1938, p. 64
Police Offences Act, 1953 (1953, p. 163)	s. 7. *O'Sullivan v. Brady* (1954) S.A.S.R. 140 s. 9. *O'Sullivan v. Fisher* (1954) S.A.S.R. 33 s. 18. *Ryan v. Dinan* (1954) S.A.S.R. 67 s. 41. *O'Sullivan v. Reedy* 87 C.L.R. 291; 27 A.L.J. 290 affirming *Reedy v. O'Sullivan* (1953) S.A.S.R. 114
Police Pensions Act, 1954 (1954, p. 52)	s. 32. Amended by No. 43, s. 4, 1954, p. 120
Poor Persons Legal Assistance Act, 1936 (Vol. 6, p. 640)	s. 6. *Hastings v. Hastings* (1939) S.A.S.R. 57
Prevention of Cruelty to Animals Act, 1936 (Vol. 6, p. 643)	s. 5. *Martin v. Gibson* (1954) S.A.S.R. 29 s. 5a. Enacted by No. 44, s. 3, 1954, p. 121 s. 18. Repealed by No. 60, s. 2, 1949, p. 215 s. 26. Amended by No. 60, s. 3, 1949, p. 215
Prices Act, 1948 (1948, p. 3).....	s. 3. Amended by No. 40, s. 3, 1949, p. 132 s. 21a. Enacted by No. 8, s. 3, 1952, p. 18 s. 47. Amended by No. 23, s. 3, 1951, p. 43 s. 47a. Enacted by No. 23, s. 4, 1951, p. 43 s. 53. Amended by No. 40, s. 4, 1949, p. 132, by No. 7, s. 3, 1950, p. 14, by No. 23, s. 5, 1951, p. 44, by No. 8, s. 4, 1952, p. 19, by No. 31, s. 3, 1953, p. 83, and by No. 15, s. 3, 1954, p. 37

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Primary Producers' Debts Act, 1935-1936 (Vol. 6, p. 656)	s. 3. Repealed by No. 26, s. 22, 1943, p. 70 s. 9. Amended by No. 5, s. 3, 1939, p. 16, and by No. 30, s. 3, 1941, p. 113, and repealed by No. 26, s. 22, 1943, p. 70 s. 10. Amended by No. 5, s. 4, 1939, p. 16, and repealed by No. 30, s. 4, 1941, p. 113 s. 12. Amended by No. 26, s. 23, 1943, p. 70 ss. 22-26. *In re Stringer* (1940) S.A.S.R. 401 s. 24. Amended by No. 30, s. 5, 1941, p. 113 s. 34a. Enacted by No. 2358, s. 3, 1937, p. 57 s. 36. Repealed by No. 26, s. 24, 1943, p. 70 s. 36a. Enacted by No. 5, s. 5, 1939, p. 17 s. 39. *Crafter v. Kelly* (1941) S.A.S.R. 237 s. 41. Amended by No. 26, s. 25, 1943, p. 70
Prisons Act, 1936 (Vol. 6, p. 670).....	s. 14. Amended by No. 22, s. 3 (1), 1954, p. 66 s. 22. Amended by No. 22, s. 4, 1954, p. 67 s. 42a. Enacted by No. 22, s. 5, 1954, p. 67 s. 46, Amended by No. 22, s. 6, 1954, p. 68 s. 47. Substituted by No. 22, s. 7, 1954, p. 68 s. 48. Amended by No. 22, s. 8, 1954, p. 69 s. 48a. Enacted by No. 22, s. 9, 1954, p. 70 s. 58. Amended by No. 22, s. 10, 1954, p. 70
Public Charities Funds Act, 1935 (Vol. 6, p. 697)	s. 26a. Enacted by No. 50, s. 2, 1940, p. 155
Public Finance Act, 1936 (Vol. 6, p. 710)	s. 7. Amended by No. 6, s. 3, 1954, p. 13 s. 14. Substituted by No. 11, s. 3, 1947, p. 23 s. 27. Amended by No. 11, s. 4, 1947, p. 23 ss. 32a to 32j. Enacted by No. 48, s. 3, 1949, pp. 162, 165 s. 34. Amended by No. 6, s. 4, 1954, p. 14 s. 38. Enacted by No. 48, s. 4, 1949, p. 165 s. 39. Enacted by No. 48, s. 4, 1949, p. 166
Public Service Act, 1936 (Vol. 7, p. 1)..	This Act, as amended by No. 2375, 1937, p. 123, No. 2377, 1937, p. 126, No. 2423, 1938, p. 199, No. 45, 1940, p. 143, No. 22, 1941, p. 82, No. 28, 1942, p. 83, No. 12, 1945, p. 43, No. 30, 1946, p. 137, No. 46, 1947, p. 126, No. 39, 1948, p. 175l and No. 20, 1949, p. 67, and with notes of judicia, decisions, is reprinted in the 1949 volume, page 351. *See also* the following paragraph
Public Service Act, 1936-1949 (1949, p. 351)	s. 8. Amended by No. 45, s. 3, 1954, p. 123 s. 17. Amended by No. 47, s. 3, 1951, p. 121 s. 24. Amended by No. 47, s. 4, 1951, p. 121 s. 28. Amended by No. 32, s. 3, 1950, p. 91 s. 29a. Amended by No. 32, s. 5 (1), 1950, p. 92 s. 30. Amended by No. 32, s. 4, 1950, p. 91 s. 32a. Enacted by No. 32, s. 6, 1950, p. 92, and amended by No. 47, s. 5, 1951, p. 122 s. 32b. Enacted by No. 47, s. 6, 1951, p. 122 s. 40. Amended by No. 32, s. 7, 1950, p. 93 s. 49a. Amended by No. 47, s. 7, 1951, p. 122, and by No. 22, s. 3, 1953, p. 55 s. 52. Amended by No. 32, s. 8, 1950, p. 93, and by No. 47, s. 8, 1951, p. 123 s. 56a. Enacted by No. 32, s. 9, 1950, p. 94 s. 57. Amended by No. 32, s. 10, 1950, p. 94, by No. 47, s. 9, 1951, p. 123, and by No. 45, s. 4, 1954, p. 123 s. 74. Amended by No. 32, s. 11 (1), 1950, p. 95 s. 75. Amended by No. 32, s. 12, 1950, p. 95, and by No. 45, s. 5., 1954, p. 125 s. 75a. Amended by No. 32, s. 13, 1950, p. 95, and by No. 46, s. 3, 1954, p. 127 s. 76. Substituted by No. 32, s. 14, 1950, p. 95 and amended by No. 49, s. 3, 1952, p. 147 s. 76a. Enacted by No. 32, s. 15, 1950, p. 96, and amended by No. 47, s. 10, 1951, p. 124, and by No. 45, s. 6, 1954, p. 125

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Public Supply and Tender Act, 1914-1930 (Vol. 7, p. 41)	s. 7a. Enacted by No. 7, s. 2, 1940, p. 13 s. 15b. Enacted by No. 7, s. 3, 1940, p. 14 s. 15c. Enacted by No. 7, s. 3, 1940, p. 14
Public Works Standing Committee Act, 1927-1935 (Vol. 7, p. 47)	s. 6. Amended by No. 9, s. 3, 1944, p. 20 s. 7. Amended by No. 9, s. 4, 1944, p. 21 s. 8. Amended by No. 61, s. 3, 1954, p. 191 s. 9. Amended by No. 61, s. 4, 1954, p. 192 s. 12. Amended by No. 8, s. 4, 1951, p. 13 s. 25a. Enacted by No. 2, s. 3, 1940, p. 3 s. 28. Amended by No. 61, s. 5, 1954, p. 192
The Real Property Act, 1886-1936 (Vol. 7, p. 59)	s. 6. *The South-Eastern Drainage Board (South Australia) v. The Savings Bank of South Australia* (1939) 62 C.L.R. 603; 13 A.L.J. 421, varying *Savings Bank of South Australia v. South-Eastern Drainage Board and another* (1939) S.A.S.R. 339 s. 69. Amended by No. 39, s. 3, 1945, p. 181 *The South-Eastern Drainage Board (South Australia) v. The Savings Bank of South Australia* (1939) 62 C.L.R. 603; 13 A.L.J. 421, varying *Savings Bank of South Australia v. South-Eastern Drainage Board and another* (1939) S.A.S.R. 339 s. 71. *Bodey v. Smith and another* (1938) S.A.S.R. 352 ss. 80a to 80i. Enacted by No. 39, s. 4, 1945, pp. 181-184 s. 96a. Enacted by No. 36, s. 6, 1939, p. 214 s. 97. *The English, Scottish, and Australian Bank, Limited v. Phillips* (1936-1937) 57 C.L.R. 302; 10 A.L.J. 458 s. 142a. Enacted by No. 36, s. 5, 1939, p. 213 s. 148a. Enacted by No. 39, s. 5, 1945, p. 184 s. 151. *The English, Scottish, and Australian Bank, Limited v. Phillips* (1936-1937) 57 C.L.R. 302; 10 A.L.J. 458 s. 169. Substituted by No. 36, s. 7, 1939, p. 214 s. 220. Amended by No. 39, s. 6, 1945, p. 185 ss. 223a to 223l. Enacted by No. 39, s. 7, 1945, pp. 185-188 s. 229. *Rex v. McHale* (1952) S.A.S.R. 54 s. 245. *In re Coombe* (1941) S.A.S.R. 197 s. 246. *Phillis v. The King* 15 A.L.J. 191 s. 251. Amended by No. 39, s. 8, 1945, p. 188 ss. 255 and 256. Repealed by No. 36, s. 8, 1939, p. 226 s. 268. Amended by No. 36, s. 9, 1939, p. 216 Sixth schedule. Amended by No. 36, s. 10 (1), 1939, p. 216 Seventh schedule. Amended by No. 36, s. 10 (1), 1939, p. 216 Eleventh schedule. Amended by No. 36, s. 10 (2), 1939, p. 216 Nineteenth schedule. Amended by No. 36, s. 11, 1939, p. 216 Twenty-third schedule. Enacted by No. 39, s. 9, 1945, p. 188
Real Property (Commonwealth Titles) Act, 1924 (Vol. 7, p. 154)	s. 8. Enacted by No. 42, s. 3, 1953, p. 123
Registration of Business Names Act, 1928-1932 (Vol. 7, p. 173)	s. 3. Amended by No. 23, s. 2, 1946, p. 114 s. 5. Substituted by No. 23, s. 3, 1946, p. 114 s. 8. Amended by No. 23, s. 4, 1946, p. 115 s. 9. Amended by No. 11, s. 2 (1), 1950, p. 23 s. 11. Amended by No. 11, s. 2 (2), 1950, p. 23 s. 13. Amended by No. 23, s. 5, 1946, p. 115 s. 21. Substituted by No. 11, s. 3, 1950, p. 23

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Registration of Business Names Act, 1928-1932 (Vol. 7, p. 173)—*continued.*	s. 22. Amended by No. 23, s. 7, 1946, p. 116 s. 22a. Amended by No. 23, s. 8, 1946, p. 117 s. 23. Amended by No. 23, s. 9, 1946, p. 117, and by No. 11, s. 4, 1950, p. 24 s. 23b. Enacted by No. 23, s. 10, 1946, p. 118
Registration of Dogs Act, 1924-1929 (Vol. 7, p. 204)	s. 10. Amended by No. 21, s. 2, 1948, p. 103 s. 12. Amended by No. 21, s. 3, 1948, p. 103 s. 13. Amended by No. 21, s. 4, 1948, p. 104 s. 14. Amended by No. 21, s. 5, 1948, p. 104 s. 19. Amended by No. 21, s. 6, 1948, p. 104 s. 20. Amended by No. 21, s. 7, 1948, p. 104 s. 21a. Enacted by No. 21, s. 8, 1948, p. 104 s. 22. Amended by No. 21, s. 9, 1948, p. 105 s. 24. Amended by No. 21, s. 10, 1948, p. 105 *Watts v. Welch. Tobin v. Welch* (1950) S.A.S.R. 289 s. 30. Amended by No. 21, s. 11, 1948, p. 105 s. 31a. Enacted by No. 21, s. 12, 1948, p. 106 s. 33. Substituted by No. 21, s. 13, 1948, p. 106 s. 34. Amended by No. 21, s. 14, 1948, p. 106 s. 34a. Enacted by No. 21, s. 15, 1948, p. 106 s. 37. Enacted by No. 21, s. 16, 1948, p. 107 Second schedule. Amended by No. 21, s. 17, 1948, p. 107 Fifth schedule. Enacted by No. 21, s. 18, 1948, p. 108
Renmark Irrigation Trust Act, 1936 (Vol. 7, p. 217)	s. 5. Amended by No. 45, s. 3, 1950, p. 126 s. 8. Amended by No. 26, s. 2, 1945, p. 115 s. 11. Amended by No. 26, s. 3, 1945, p. 116 s. 21. Amended by No. 26, s. 4, 1945, p. 117 s. 22. Amended by No. 40, s. 2 (1), 1948, p. 181, and by No. 45, s. 4, 1950, p. 126 s. 24. Amended by No. 40, s. 2 (2), 1948, p. 181, and by No. 45, s. 5, 1950, p. 127 s. 33. Amended by No. 45, s. 6, 1950, p. 127 ss. 65a to 65d. Enacted by No. 45, s. 7, 1950, pp. 128, 129 s. 72a. Enacted by No. 45, s. 8, 1950, p. 129 s. 92. Amended by No. 40, s. 3, 1948, p. 181 and by No. 9, s. 3, 1952, p. 20 s. 97. Amended by No. 26, s. 5, 1945, p. 117 s. 115. Substituted by No. 40, s. 4, 1948, p. 182 s. 115a. Enacted by No. 28, s. 2, 1954, p. 84 s. 115b. Enacted by No. 28, s. 2, 1954, p. 85 s. 116. Substituted by No. 40, s. 4, 1948, p. 182, and amended by No. 28, s. 3, 1954, p. 85 ss. 117 to 121. Repealed by No. 40, s. 4, 1948, p. 182 s. 142. Amended by No. 40, s. 5, 1948, p. 182 s. 154. Amended by No. 26, s. 6, 1945, p. 118 s. 224a. Enacted by No. 46, s. 2, 1946, p. 212 s. 225a. Enacted by No. 40, s. 6, 1948, p. 183 Second schedule. Amended by No. 40, s. 7, 1948, p. 183
River Murray Waters Act, 1935 (Vol. 7, p. 287)	Schedules. Amended by No. 54, s. 5, 1948, p. 231, and by No. 47, s. 5, 1954, p. 130
Road and Railway Transport Act, 1930-1935 (Vol. 7, p. 320)	s. 9a. Enacted by No. 47, s. 3, 1939, p. 358 s. 9b. Enacted by No. 47, s. 3, 1939, p. 359 s. 14. Amended by No. 47, s. 4, 1939, p. 359 *Miller v. Hilton* (1937) 57 C.L.R. 400; 11 A.L.J. 74 *Crafter v. Burns* (1939) S.A.S.R. 152, affirming *Crafter v. Burns* (1939) S.A.S.R. 7. Special leave to appeal to the High Court refused, 62 C.L.R. 747 (note). *Dayman v. Gleader* (1939) S.A.S.R. 277, affirming *Dayman v. Gleader* (1939) S.A.S.R. 139

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Road and Railway Transport Act, 1930-1935 (Vol. 7, p. 320)—*continued.*	s. 18a. Enacted by No. 47, s. 5, 1939, p. 359 s. 18b. Enacted by No. 47, s. 5, 1939, p. 359 s. 18c. Enacted by No. 47, s. 5, 1939, p. 360 s. 22a. Enacted by No. 47, s. 6, 1939, p. 360 s. 23. Repealed by No. 47, s. 8, 1939, p. 360 s. 24a. Enacted by No. 47, s. 7, 1939, p. 360 s. 25. Amended by No. 47, s. 9, 1939, p. 360 s. 26. Repealed by No. 47, s. 10, 1939, p. 360 s. 27b. Enacted by No. 47, s. 11, 1939, p. 361 s. 27c. Enacted by No. 47, s. 11, 1939, p. 361 s. 27d. Enacted by No. 47, s. 11, 1939, p. 362 s. 27e. Enacted by No. 47, s. 11, 1939, p. 362 *Motor Vehicle Drivers Case* (1940) 16 S.A.I.R. 111 s. 28a. Enacted by No. 47, s. 12, 1939, p. 363 s. 28b. Enacted by No. 47, s. 12, 1939, p. 363 s. 32a. Enacted by No. 47, s. 13, 1939, p. 364 s. 35a. Enacted by No. 47, s. 14, 1939, p. 364 s. 35b. Enacted by No. 47, s. 14, 1939, p. 364 s. 35c. Enacted by No. 47, s. 14, 1939, p. 364 s. 35d. Enacted by No. 47, s. 14, 1939, p. 364
Roads (Opening and Closing) Act, 1932-1936 (Vol. 7, p. 342)	s. 2. Amended by No. 47, s. 2, 1946, p. 213 s. 3. Amended by No. 47, s. 12, 1946, p. 220 s. 6. Amended by No. 47, s. 12, 1946, p. 220 s. 7. Amended by No. 47, s. 12, 1946, p. 220 s. 8. Amended by No. 47, s. 12, 1946, p. 220 s. 11. Amended by No. 47, ss. 3 and 12, 1946, pp. 213, 220 s. 11a. Enacted by No. 47, s. 4, 1946, p. 215 s. 14. Amended by No. 47, ss. 5 and 12, 1946, pp. 216, 220 s. 16. Amended by No. 47, s. 6, 1946, p. 216 s. 17. Amended by No. 47, ss. 7 and 12, 1946, pp. 217, 220 s. 18. Amended by No. 47, s. 12, 1946, p. 220 s. 20. Amended by No. 47, s. 8, 1946, p. 217 ss. 20a to 20d. Enacted by No. 47, s. 9, 1946, p. 217 s. 22. Amended by No. 47, s. 10, 1946, p. 219 s. 23. Amended by No. 47, ss. 11 (1) and 12, 1946, p. 220 s. 27. Amended by No. 47, s. 12, 1946, p. 220 Second schedule. Amended by No. 47, s. 12, 1946, p. 220 Third schedule. Amended by No. 47, s. 12, 1946, p. 220 Fourth schedule. Amended by No. 47, s. 12, 1946, p. 220 Fifth schedule. Enacted by No. 47, s. 11 (2), 1946, p. 220
Road Traffic Act, 1934-1936 (Vol. 7, p. 359)	This Act, as amended by No. 2416, 1938, p. 140, No. 23, 1939, p. 121, No. 34, 1939, p. 196, No. 45, 1939, p. 338, No. 61, 1940, p. 304, No. 2, 1941, p. 3, No. 46, 1941, p. 197, No. 4, 1942, p. 7, No. 17, 1942, p. 50, No. 35, 1943, p. 104, No. 2, 1944, p. 3, No. 20, 1944, p. 47, No. 2, 1945, p. 3, No. 40, 1945, p. 191, No. 4, 1946, p. 21, No. 3, 1947, p. 4, No. 40, 1947, p. 105, No. 55, 1948, p. 236, No. 29, 1950, p. 80, No. 30, 1951, p. 61, No. 48, 1951, p. 125, No. 41, 1952, p. 117, No. 42, 1952, p. 119, No. 36, 1953, p. 91, No. 37, 1953, p. 99, and No. 48, 1954, p. 133, and with notes of judicial decisions, is reprinted in this volume, p. 274.
Sale of Fruit Act, 1915-1935 (Vol. 7, p. 465)	Schedule. Substituted by regulations *Gazette* 3rd December, 1936, p. 1195, and amended by regulations *Gazette* 25th December, 1947, p. 2265

Act Affected.	How Affected.
The Sale of Goods Act, 1895-1936 (Vol. 7, p. 474)	s. 4. *Clements v. Hoppo* (1937) S.A.S.R. 231. Leave to appeal to the High Court refused, 59 C.L.R. 807 (note) s. 13. *Clarke v. McMahon* (1939) S.A.S.R. 64 s. 18. *Minister for Supply and Development and another v. Servicemen's Co-operative Joinery Manufacturers Limited and another* (1951) 82 C.L.R. 621 s. 25. *Langmead v. Thyer Rubber Co. Limited* (1947) S.A.S.R. 29 s. 32. Amended by No. 36, s. 3, 1943, p. 112 s. 57a. Amended by No. 2357, s. 4, 1937, p. 56 s. 57b. Enacted by No. 29, s. 3, 1952, p. 76
Sandalwood Act, 1930-1936 (Vol. 7, p. 498)	s. 11. Amended by No. 9, s. 3, 1940, p. 19, by No. 7, s. 3, 1943, p. 15, and by No. 12, s. 3, 1946, p. 42, and repealed by No. 12, s. 3, 1949, p. 51
The Savings Bank of South Australia Act, 1929-1935 (Vol. 7, p. 526)	s. 2. Amended by No. 33, s. 2, 1948, p. 155 s. 4. Amended by No. 25, s. 2, 1949, p. 81 s. 4a. Enacted by No. 27, s. 3, 1945, p. 120 s. 5. Amended by No. 13, s. 3, 1942, p. 33, and by No. 31, s. 7 (2), 1947, p. 86 s. 8. Amended by No. 13, s. 5, 1942, p. 34 s. 16. Amended by No. 13, s. 6, 1942, p. 34 s. 17. Amended by No. 13, s. 7, 1942, p. 34, and by No. 33, s. 3, 1948, p. 155 s. 19. Substituted by No. 20, s. 3, 1953, p. 50 s. 20. Amended by No. 25, s. 4, 1949, p. 82, and by No. 20, s. 4, 1953, p. 51 s. 26a. Enacted by No. 27, s. 4, 1945, p.121 s. 27. Amended by No. 13, s. 8, 1942, p. 34 s. 28. Substituted by No. 13, s. 9, 1942, p. 34 s. 29. Substituted by No. 13, s. 10, 1942, p. 35 s. 30. Substituted by No. 13, s. 11, 1942, p. 35 s. 30a. Enacted by No. 27, s. 5, 1945, p. 121 s. 31. Amended by No. 13, s. 12, 1942, p. 35 s. 32a. Enacted by No. 31, s. 2, 1947, p. 84 s. 33. Amended by No. 13, s. 13, 1942, p. 36 s. 34. Substituted by No. 27, s. 6, 1945, p. 121 s. 38. Amended by No. 13, s. 14, 1942, p. 36, and by No. 31, s. 3, 1947, p. 85 s. 39. Amended by No. 13, s. 15, 1942, p. 37 s. 40. Amended by No. 13, s. 16, 1942, p. 37 s. 41. Amended by No. 13, s. 17, 1942, p. 37 s. 42. Amended by No. 13, s. 18, 1942, p. 37, and by No. 25, s. 5, 1949, p. 82 s. 42a. Enacted by No. 13, s. 19, 1942, p. 37 s. 42b. Enacted by No. 13, s. 19, 1942, p. 38 s. 43. Substituted by No. 31, s. 4, 1947, p. 85 s. 44. Amended by No. 13, s. 21, 1942, p. 38 s. 45. Amended by No. 13, s. 22, 1942, p. 38 s. 46. Amended by No. 31, s. 5, 1947, p. 85 s. 47. Amended by No. 31, s. 6, 1947, p. 85 s. 48. Substituted by No. 13, s. 23, 194 2,p. 38 s. 50. Amended by No. 31, s. 7 (1), 1947, p. 86, and by No. 25, s. 6, 1949, p. 82 s. 51. Amended by No. 13, s. 24, 1942, p. 39, and by No. 25, s. 7, 1949, p. 82 s. 52. Substituted by No. 13, s. 25, 1942, p. 39, and amended by No. 25, s. 8, 1949, p. 82 s. 53. Substituted by No. 25, s. 9, 1949, p. 83 s. 54. Repealed by No. 13, s. 27, 1942, p. 39 s. 57. Amended by No. 13, s. 28, 1942, p. 40 s. 59. Amended by No. 13, s. 29, 1942, p. 40, by No. 31, s. 8, 1947, p. 86, by No. 33, s. 4, 1948, p. 155, and by No. 25, s. 10, 1949, p. 83 s. 60. Amended by No. 31, s. 9, 1947, p. 86 s. 60a. Enacted by No. 33, s. 5, 1948, p. 156 s. 61. Amended by No. 13, s. 30, 1942, p. 40

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The Savings Bank of South Australia Act, 1929-1935 (Vol. 7, p. 526)—*contd.*	s. 62. Amended by No. 13, s. 31, 1942, p. 40 s. 63. Amended by No. 13, s. 32, 1942, p. 40 s. 64. Substituted by No. 13, s. 33, 1942, p. 40 s. 65. Substituted by No. 25, s. 11, 1949, p. 83 s. 66. Substituted by No. 13, s. 35, 1942, p. 41 s. 67. Substituted by No. 13, s. 36, 1942, p. 41 s. 69. Substituted by No. 13, s. 37, 1942, p. 42
Scaffolding Inspection Act, 1934 (Vol. 7, p. 557)	s. 3. Amended by No. 5, s. 2, 1940, p. 7 Second schedule. Amended by regulations *Gazette*, 14th September, 1944, p. 324
Second-hand Dealers Act, 1919-1934 (Vol. 7, p. 570)	s. 9a. Amended by No. 41, s. 2, 1950, p. 118 s. 9b. Enacted by No. 41, s. 2, 1949, p. 133 s. 10. Amended by No. 41, s. 3, 1949, p. 134
Settled Estates Act, 1880 (Vol. 7, p. 590)	s. 34. Amended by No. 17, s. 3 (1), 1943, p. 36
Sewerage Act, 1929-1936 (Vol. 7, p. 605)	s. 2. Amended by No. 27, s. 4, 1953, p. 75 s. 4. Amended by No. 48, s. 3, 1946, p. 222 s. 10. Repealed by No. 48, s. 4, 1946, p. 223 s. 11. Repealed by No. 48, s. 4, 1946, p. 223 s. 17a. Enacted by No. 27, s. 2, 1953, p. 73 s. 31a. Enacted by No. 48, s. 5, 1946, p. 223 s. 32. Amended by No. 48, s. 6, 1946, p. 223 s. 64. Amended by No. 48, s. 7, 1946, p. 223 s. 75a. Enacted by No. 48, s. 8, 1946, p. 223 s. 85. Amended by No. 48, s. 9, 1946, p. 224 ss. 85a. to 85d. Enacted by No. 27, s. 3, 1953, p. 74
Shearers Accommodation Act, 1922-1935 (Vol. 7, p. 647)	This Act, as amended by No. 35, 1942, p. 122, and with notes of judicial decisions, is reprinted in the 1942 volume, p. 137. *See also* the following paragraph.
Shearers Accommodation Act, 1922-1942 (1942, p. 137)	s. 6. Amended by No. 24, s. 2 (1), 1947, p. 62
Shearers Accommodation Act Amendment Act, 1947 (1947, p. 62)	s. 2 (2). Amended by No. 42, s. 3, 1952, p. 121
Soil Conservation Act, 1939 (1939, p. 124)	s. 2. Amended by No. 44, s. 3, 1945, p. 213 s. 2a. Enacted by No. 44, s. 4, 1945, p. 214 s. 4. Amended by No. 44, s. 5, 1945, p. 214 s. 6. Substituted by No. 37, s. 2, 1943, p. 114 ss. 6a to 6i. Enacted by No. 44, s. 6, 1945, pp. 214-218 s. 10a. Enacted by No. 37, s. 3, 1943, p. 114, and repealed by No. 44, s. 7, 1945, p. 218 s. 12. Amended by No. 37, s. 4, 1943, p. 115 s. 12a. Enacted by No. 44, s. 8, 1945, p. 218, and amended by No. 32, s. 3, 1947, p. 87 s. 13a. Enacted by No. 37, s. 5, 1943, p. 116, and repealed by No. 32, s. 4, 1947, p. 88 ss. 13b. to 13m. Enacted by No. 44, s. 10, 1945, pp. 219-225 s. 13n. Enacted by No. 44, s. 10, 1945, p. 226, and amended by No. 32, s. 5, 1947, p. 88 s. 13o. Enacted by No. 44, s. 10, 1945, p. 226, and amended by No. 32, s. 6, 1947, p. 88 s. 18. Amended by No. 37, s. 6, 1943, p. 117, and by No. 44, s. 11, 1945, p. 226 s. 19. Enacted by No. 37, s. 7, 1943, p. 117
South Australian Housing Trust Act, 1936 (Vol. 7, p. 653)	s. 2. Amended by No. 21, s. 2, 1942, p. 58 s. 8. Amended by No. 21, s. 3, 1942, p. 58 s. 13. Amended by No. 49, s. 2, 1946, p. 225 s. 13a. Enacted by No. 49, s. 3, 1946, p. 226 s. 14. Substituted by No. 21, s. 4, 1942, p. 59, and amended by No. 7, s. 2, 1947, p. 10

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South Australian Housing Trust Act, 1936 (Vol. 7, p. 653)—*continued.*	s. 14a. Enacted by No. 21, s. 4, 1942, p. 59 s. 14b. Enacted by No. 21, s. 4, 1942, p. 59 s. 14c. Enacted by No. 21, s. 4, 1942, p. 59 s. 20. Amended by No. 21, s. 5, 1942, p. 59 s. 20a. Enacted by No. 50, s. 2, 1952, p. 149 s. 20b. Enacted by No. 50, s. 2, 1952, p. 149 s. 20c. Enacted by No. 50, s. 2, 1952, p. 151 s. 24a. Enacted by No. 10, s. 2, 1948, p. 70 s. 25. Substituted by No. 21, s. 6, 1942, p. 59 s. 27. Amended by No. 2371, s. 4, 1937, p. 108 and by No. 21, ss. 7 and 8, 1942, p. 60 s. 28a. Enacted by No. 46, s. 3, 1940, p. 146 and amended by No. 21, s. 9, 1942, p. 60 s. 28b. Enacted by No. 21, s. 10, 1942, p. 61 s. 29a. Enacted by No. 2371, s. 5, 1937, p. 108 Schedule. Enacted by No. 49, s. 4, 1946, p. 227
South Australian Railways Commissioner's Act, 1936 (Vol. 7, p. 661)	s. 38. Amended by No. 47, s. 3, 1941, p. 202 s. 42. Substituted by No. 47, s. 4, 1941, p. 202 ss. 42a to 42f. Enacted by No. 47, s. 4, 1941, pp. 202, 203 s. 43. Repealed by No. 47, s. 4, 1941, p. 202 s. 44. Amended by No. 47, s. 5, 1941, p. 204 s. 44a. Enacted by No. 47, s. 6, 1941, p. 204 s. 47a. Enacted by No. 47, s. 7, 1941, p. 205 s. 49. Amended by No. 47, s. 8, 1941, p. 205 ss. 53a to 53x. Enacted by No. 2400, s. 3, 1938, pp. 67-73 ss. 56a and 56b. Enacted by No. 55, s. 3, 1950, pp. 182, 183 s. 113. Repealed by No. 55, s. 4, 1950, p. 183 s. 114. Repealed by No. 55, s. 4, 1950, p. 183
South-Eastern Drainage Act, 1931-1935 (Vol. 7, p. 721)	s. 6. Amended by No. 25, s. 3, 1947, p. 65 s. 42. *The South-Eastern Drainage Board (South Australia) v. The Savings Bank of South Australia* (1939) 62 C.L.R. 603; 13 A.L.J. 421, varying *Savings Bank of South Australia v. South-Eastern Drainage Board and another* (1939) S.A.S.R. 339 s. 66. *The South-Eastern Drainage Board (South Australia) v. The Savings Bank of South Australia* (1939) 62 C.L.R. 603; 13 A.L.J. 421, varying *Savings Bank of South Australia v. South-Eastern Drainage Board and another* (1939) S.A.S.R. 339 s. 81. Amended by No. 25, s. 4, 1947, p. 66 s. 81a. Enacted by No. 25, s. 5, 1947, p. 66 s. 88. Amended by No. 25, s. 6, 1947, p. 67 s. 90. *In re Cameron and Ryder* (1937) S.A.S.R. 143 s. 98. *In re Cameron and Ryder* (1937) S.A.S.R. 143 s. 101. *In re Cameron and Ryder* (1937) S.A.S.R. 143 ss. 103a to 103j. Enacted by No. 34, s. 3, 1948, pp. 159-162
Stamp Duties Act, 1923-1936 (Vol. 7, p. 762)	This Act as amended by No. 2359, 1937, p. 59, No. 2387, 1938, p. 12, No. 48, 1941, p. 206, No. 22, 1942, p. 62, No. 30, 1944, p. 90, No. 32, 1945, p. 139, No. 41, 1947, p. 107, No. 16, 1950, p. 38, No. 5, 1952, p. 13, No. 42, 1952, p. 119, and No. 55, 1952, p. 184, in the 1952 volume, p. 245. *See also* the following paragraph
Stamp Duties Act, 1923-1952 (1952, p. 245)	s. 31. Amended by No. 30, s. 3, 1953, p. 81 s. 40. Repealed by No. 30, s. 4 (1), 1953, p. 82 s. 60. Amended by No. 30, s. 5, 1953, p. 82 *In re South Australian Unit Trusts Pty., Ltd.* (1954) S.A.S.R. 227 Part IV. Operation suspended by No. 33, s. 3, 1954, p. 92 Second schedule. Amended by No. 30, s. 6, 1953, p. 82 and by No. 29, s. 3, 1954, p. 87

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Stamp Duties Act Amendment Act, 1945 (1945, p. 139)	s. 4. Amended by No. 41, s. 3, 1947, p. 107
State Bank Act, 1925-1936 (Vol. 7, p. 812)	s. 8. Amended by No. 23, s. 3, 1941, p. 85 s. 19. Amended by No. 63, s. 3, 1954, p. 195 s. 20. Repealed by No. 63, s. 4, 1954, p. 195 s. 37a. Enacted by No. 23, s. 4, 1941, p. 85 s. 76a. Amended by No. 23, s. 5, 1941, p. 86 s. 76j. Amended by No. 63, s. 5, 1954, p. 196 s. 78. Substituted by No. 63, s. 6, 1954, p. 196
Statute Law Revision Act, 1937 (1937, p. 20)	s. 5. Repealed by No. 2368, s. 2 (2), 1937, p. 102
Steam Boilers and Enginedrivers Act, 1935 (Vol. 8. p. 5)	s. 56. Amended by No. 43, s. 3, 1952, p. 122
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The Travelling Stock Waybills Act, 1911-1936 (Vol. 8, p. 286)	s. 5. Amended by No. 15, s. 2, 1947, p. 36 s. 6. Amended by No. 15, s. 3, 1947, p. 36

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Trustee Act, 1936 (Vol. 8, p. 303)	This Act, as amended by No. 2346, 1937, p. 20, No. 10, 1940, p. 20, No. 49, 1941, p. 212, and No. 14, 1942, p. 43, and with notes of judicial decisions, is reprinted in the 1942 volume, p. 185. *See also* the following paragraph
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Veterinary Surgeons Act, 1935-1936 (Vol. 8, p. 511)	s. 3. Amended by No. 2414, s. 5 (1), 1938, p. 134 s. 4. Amended by No. 52, s. 2, 1952, p. 157 s. 5. Substituted by No. 52, s. 3, 1952, p. 157 s. 6. Repealed by No. 2414, s. 3, 1938, p. 133 s. 7. Amended by No. 52, s. 4, 1952, p. 158

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Whyalla Town Commission Act, 1944 (1944, p. 96)	s. 2. Amended by No. 15, s. 3, 1949, p. 57 s. 27a. Enacted by No. 15, s. 4, 1949, p. 58 s. 27b. Enacted by No. 15, s. 4, 1949, p. 58 s. 27c. Enacted by No. 15, s. 4, 1949, p. 59 s. 27d. Enacted by No. 15, s. 4, 1949, p. 59 s. 27e. Enacted by No. 15, s. 4, 1949, p. 59
Wild Dogs Act, 1931 (Vol. 8, p. 657)	s. 3. Amended by No. 2392, s. 3, 1938, p. 37 s. 5. Amended by No. 8, s. 2, 1953, p. 18 s. 6a. Enacted by No. 41, s. 2, 1951, p. 91 and amended by No. 8, s. 2, 1954, p. 16 s. 7. Amended by No. 41, s. 3, 1951, p. 92 s. 8. Amended by No. 41, s. 2 (1), 1948, p. 185 s. 8a. Enacted by No. 41, s. 3, 1948, p. 185 s. 9. Amended by No. 8, s. 3, 1953, p. 18 s. 10. Amended by No. 2392, s. 4, 1938, p. 37 s. 11. Amended by No. 2392, s. 5, 1938, p. 38 s. 12. Amended by No. 2392, s. 6, 1938, p. 38, and by No. 41, s. 4, 1948, p. 186 s. 13. Amended by No. 2392, s. 7, 1938, p. 38 s. 14. Amended by No. 2392, s. 8, 1938, p. 38
Wills Act, 1936 (Vol. 8, p. 665)	s. 6a. Enacted by No. 11, s. 3, 1940, p. 21 s. 8. *In re Sanders. Hill v. Sanders* (1944) S.A.S.R. 22 *In re Haselgrove* (1950) S.A.S.R. 99 *In re Eaglestone, deceased* (1950) S.A.S.R. 257; 25 A.L.J. 189 *In re Gramp, Finck and another v. Gramp and others* (1952) S.A.S.R. 12 s. 11. *In re Pearce, deceased* (1946) S.A.S.R. 267 21 A.L.J. 317 s. 17. *In re Rich deceased* (1947) S.A.S.R. 98 s. 24. *In re Sanders. Hill v. Sanders* (1944) S.A.S.R. 22 s. 25. *In re Marrie* (1938) S.A.S.R. 289; 12 A.L.J. 238 s. 30. *In re Ferguson deceased* (1947) S.A.S.R. 25; 21 A.L.J. 315 s. 36. *In the estate of E.F., deceased* (1948) S.A.S.R. 97
Workmen's Compensation Act, 1932-1935 (Vol. 8, p. 693)	This Act, as amended by No. 2427, 1938, p. 274, No. 65, 1940, p. 339, No. 50, 1941, p. 242, No. 39, 1943, p. 120, No. 33, 1944, p. 108, and by No. 52, 1947, p. 156, and with notes of judicial decisions, is reprinted in the 1947 volume, p. 176. *See also* the following paragraph
Workmen's Compensation Act, 1932-1947 (1947, p. 176)	s. 4. Amended by No. 38, s. 3, 1953, p. 105 *Lokan v. Metropolitan and Export Abattoirs Board* (1950) S.A.S.R. 273 s. 7. Amended by No. 24, s. 3, 1951, p. 45, and by No. 38, s. 4, 1953, p. 106 s. 16. Amended by No. 24, s. 4, 1951, p. 45, by No. 38, s. 5, 1953, p. 107, and by No. 68, s. 3, 1954, p. 235 s. 17. Amended by No. 24, s. 5, 1951, p. 45, by No. 38, s. 6, 1953, p. 107, and by No. 68, s. 4, 1954, p. 236 s. 18. Amended by No. 28, s. 3, 1950, p. 78, by No. 24, s. 6, 1951, p. 46, by No. 38, s. 7, 1953, p. 107, and by No. 68, s. 5, 1954, p. 236 s. 18a. Amended by No. 28, s. 4, 1950, p. 79, by No. 24, s. 7, 1951, p. 46, by No. 38, s. 8, 1953, p. 108, and by No. 68, s. 6, 1954, p. 236 s. 26. Amended by No. 24, s. 8, 1951, p. 47, by No. 38, s. 9, 1953, p. 108, and by No. 68, s. 7, 1954, p. 237 s. 94d. Substituted by No. 68, s. 8 (1), 1954, p. 237 s. 94g. Amended by No. 68, s. 9, 1954, p. 237

Act Affected.	How Affected.
Workmen's Liens Act, 1893-1936 (Vol. 8, p. 733)	s. 6. *Metropolitan Brick Company v. Hayward and another* (1938) S.A.S.R. 462 s. 10. *In re Hawker* (1939) S.A.S.R. 426
Wrongs Act, 1936 (Vol. 8, p. 750)	This Act, as amended by No. 18, 1939, p. 97, No. 48, 1940, p. 151, No. 14, 1944, p. 33, and No. 50, 1951, p. 138, and with notes of judicial decisions, is reprinted in the 1951 volume, p. 244. *See also* the following paragraph.
Wrongs Act, 1936-1951 (1951, p. 244)	s. 27a. Amended by No. 42, s. 3, 1952, p. 121

TABLE OF REGULATIONS, RULES, BY-LAWS, PROCLAMATIONS AND NOTICES

TABLE OF REGULATIONS, RULES, BY-LAWS, PROCLAMATIONS AND NOTICES.

The following table includes, under the heading of the title of each Act, references to regulations, rules, by-laws, proclamations and notices made or given under that Act and in force as at 16th May, 1955. The reference given is to the *Government Gazette* in which the regulations, rules, by-laws, proclamations or notices are published.

References to by-laws made by local authorities are not given, but with these exceptions, the table includes references to all regulations, rules, and by-laws in force at the above date.

The table includes references to proclamations of general application, but does not include references to proclamations having only a limited or temporary application. Proclamations fixing the date of commencement of an Act or indicating the Minister of the Crown to whom the administration of an Act has been committed, are shown following the heading "Commencement" or "Administration", as the case may be, and in every appropriate case particulars are given as to the date of commencement of the Act and the Minister to whom the administration of the Act is committed. Other proclamations are shown following a reference to the section of the Act under which the proclamations were made.

The table also includes references to notices given pursuant to any provision of an Act by the Governor, a Minister of the Crown, or other authority, in cases where the notices are of general application. These references are shown following a reference to the section of the Act under which the notices were given.

The regulations, rules, by-laws, proclamations and notices referred to in this table are those in force as at 16th May, 1955.

Abattoirs Act, 1911-1950.

Administration: Committed to the Minister of Agriculture *Gazette* 12th January, 1939, p. 74.
s. 12. Proclamations: *Gazette* 14th April, 1949, p. 939; 16th November, 1950, p. 1205; 8th January, 1953, p 1; 27th January, 1955, p 170.
Regulations: *Gazette* 27th March, 1952, p. 657.

Aborigines Act, 1934-1939.

Commencement: 1st April, 1937; *Gazette* 11th February, 1937, p. 285.
Commencement of the Aborigines Act Amendment Act, 1939: 1st February, 1940; *Gazette* 25th January, 1940, p. 117.
Administration: Committed to the Commissioner of Public Works *Gazette* 11th February, 1937, p. 285.
s. 14. Proclamations: *Gazette* 14th April, 1938, p. 837; 11th April, 1940, p. 720; 19th September, 1940, p. 569: 14th November, 1940, p. 1010; 29th May, 1941, p. 779; 24th October, 1946, p. 1046; 6th October, 1949, p. 846; 4th June, 1953, p. 1372; 4th March, 1954, p. 464; 22nd April, 1954, p. 806; 1st July, 1954, p 2; 29th July, 1954, p. 217; 9th December, 1954, p. 1363.
s. 33. Proclamation: *Gazette* 8th January, 1945, p. 243.
General regulations: *Gazette* 10th May, 1917, p. 742; 21st August, 1919, p. 383; 12th October, 1922, p. 834; 22nd April, 1926, p. 1088; 25th July, 1940, p. 181; 19th August, 1954, p. 373.

Adelaide Show Grounds (By-laws) Act, 1929.

By-laws : *Gazette* 21st August, 1930, p. 351 : 8th January, 1948, p. 3.

Administration and Probate Act, 1919-1937.

Rules of the Supreme Court in its testamentary causes jurisdiction : *Gazette* 24th November, 1927, p. 1255 ; 11th March, 1937, p. 537 ; 14th October, 1937, p. 1021 ; 2nd June, 1938, p. 1265 ; 22nd June, 1950, p. 1278 ; 24th December, 1952, p. 1621 ; 8th January, 1953, p. 8.

Regulations under the Fees Regulation Act, 1927 : relating to fees payable to the Public Trustee : *Gazette* 3rd December, 1931, p. 1033 ; relating to fees payable for Royal licence to apply for probate of deceased enemy subject's estate : *Gazette* 18th January, 1940, p. 73.

The Administration of Acts Act, 1910.

A proclamation committing the administration of any particular Act to a Minister of the Crown is noted in this table under the heading of that Act.

Administration of Justice Act, 1921-1926.

s. 5. Proclamations : *Gazette* 7th February, 1924, p. 322 ; 13th March, 1924, p. 660 ; 2nd July, 1925, p. 1 ; 17th June, 1926, p. 1509 ; 17th June, 1926, p. 1509 ; 11th November, 1926, p. 1191 ; 16th December, 1926, p. 1512 ; 20th April, 1950, p. 813.

Rules of Court were made on 25th October, 1922, but have not been published in the *Gazette*.

Adoption of Children Act, 1925-1943.

Administration : Committed to the Chief Secretary *Gazette* 16th March, 1944, p. 301.

s. 19. Arrangement with respect to Northern Territory, dated 24th February, 1953.

Regulations : *Gazette* 25th February, 1926, p. 400 ; 22nd April, 1926, p. 1087 ; 9th September, 1937, p. 662 ; 24th May, 1945, p. 818 ; 12th January, 1950, p. 89.

Rules of Court were made on 23rd December, 1926, but have not been published in the *Gazette*.

Advances for Homes Act, 1928-1951.

Commencement : 2nd April, 1929 ; *Gazette* 28th March, 1929, p. 636.

Regulations : *Gazette* 28th March, 1929, p. 636 ; 23rd September, 1954, p. 799.

Advances to Settlers Act, 1930-1952.

Regulations : 2nd April, 1953, p. 689.

Agricultural Graduates Land Settlement Act, 1922-1938.

Administration : Committed to the Commissioner of Crown Lands *Gazette* 1st March, 1923, p. 485.

Regulations : *Gazette* 7th April, 1926, p. 979 ; 26th April, 1928, p. 870.

Agricultural Seeds Act, 1938.

Commencement : 22nd June, 1939 ; *Gazette* 22nd June, 1939, p. 1458.

Regulations : *Gazette* 11th May, 1939, p. 1187 ; 21st March, 1940, p. 596.

Air Navigation Act, 1937.

Commencement : 12th January, 1938 ; *Gazette* 13th January, 1938, p. 53.

Alsatian Dogs Act, 1934-1949.

Administration : Committed to the Minister of Local Government *Gazette* 20th December, 1934, p. 1218.

Regulations : *Gazette* 9th January, 1936, p. 27 ; 26th January, 1950, p. 178.

Animals and Birds Protection Act, 1919-1938.

Administration : Committed to the Minister of Agriculture *Gazette* 3rd July, 1924, p. 1.

s. 8. Proclamations :

Under s. 8 (1) (a^1) ; *Gazette*, 31st July, 1947, p. 201.

Under s. 8 (1) (*b*) : *Gazette* 23rd June, 1921, p. 1315 ; 7th January, 1926, p. 1 4th March, 1926, p. 685 ; 3rd December, 1936, p. 1195 ; 17th July, 1947, p. 94 ; 6th May, 1948, p. 923 ; 3rd March, 1949, p. 536.

Under s. 8 (1) (*c*)—

(i.) *Gazette* 29th November, 1928, p. 1137 ; 3rd February, 1938, p. 233.

(ii.) *Gazette* 23rd August, 1923, p. 413 ; 25th November, 1926, p. 1337 ; 15th March, 1928, p. 561.

(iii.) *Gazette* 29th June, 1933, p. 1093.

(iv.) *Gazette* 13th July, 1933, p. 47 ; 24th January, 1935, p. 327 ; 23rd November, 1939, p. 1380.

Animals and Birds Protection Act, 1919-1938—*continued.*

(v.) *Gazette* 23rd July, 1925, p. 167; 4th March, 1926, p. 685; 25th March, 1926, p. 865; 20th January, 1927, p. 121; 15th November, 1928, p. 1053; 20th December, 1928, p. 1277; 17th January, 1929, p. 105; 7th March, 1929, p. 513; 31st October, 1929, p. 1005; 28th January, 1932, p. 139; 3rd March, 1932, p. 435; 26th October, 1933, p. 900; 16th November, 1933, p. 1005; 14th December, 1933, p. 1167; 21st December, 1933, p. 1240; 25th January, 1934, p. 130; 22nd March, 1934, p. 843; 13th December, 1934, p. 1186; 20th December, 1934, p. 1219; 11th April, 1935, p. 1087; 28th November, 1935, p. 1285; 19th December, 1935, p. 1447; 19th December, 1935, p. 1446; 14th January, 1937, p. 34; 2nd September, 1937, p. 561; 3rd February, 1938, p. 233; 23rd November, 1939, p. 1380; 21st November, 1940, p. 1042; 9th November, 1944, p. 617.

Under s. 8 (1) (*d*): *Gazette* 12th December, 1907, p. 1297; 6th May, 1909, p. 847; 20th May, 1909, p. 954; 9th December, 1909, p. 1127; 27th March, 1913, p. 585; 8th June, 1916, p. 1217; 3rd August, 1916, p. 181; 1st February, 1917, p. 239; 10th June, 1920, p. 1399; 5th April, 1923, p. 773; 24th December, 1925, p. 1661 (partly revoked 17th February, 1927, p. 337); 17th June, 1926, p. 1509; 6th September, 1928, p. 529; 31st October, 1929, p. 1005; 25th December, 1930, p. 1293; 17th December, 1931, p. 1115; 29th March, 1934, p. 931; 21st February, 1935, p. 548; 16th September, 1937, p. 697; 28th April, 1938, p. 898; 28th July, 1938, p. 165; 13th October, 1938, p. 975; 6th April, 1939, p. 835; 14th September, 1939, p. 745; 11th January, 1940, p. 34 (republished 18th January, 1940, p. 70); 12th December, 1940, pp. 1425, 1426; 30th January, 1941, p. 95; 27th March, 1941, p. 439; 30th October, 1941, p. 845; 26th August, 1943, p. 230; 25th November, 1943, p. 691; 21st September, 1944, p. 357; 28th February, 1946, p. 341; 2nd September, 1948, p. 906; 2nd September, 1948, p. 906; 28th October, 1948, p. 1345; 6th April, 1950, p. 726; 24th August, 1950, p. 461; 4th October, 1951, p. 829; 3rd April, 1952, p. 717; 19th March, 1953, p. 517; 25th February, 1954, p. 399; 11th March, 1954, p. 515; 28th October, 1954, p. 1076; 3rd March, 1955, p. 466.

Under s. 8 (1) (*e*): *Gazette* 10th February, 1938, p. 293.

Under s. 8 (1) (*f*): *Gazette* 7th June, 1923, p. 1246; 12th November, 1936, p. 1065; 10th June, 1937, p. 1281.

Under s. 8 (1) (*h*): *Gazette* 9th September, 1954, p. 543.

Regulations: *Gazette* 11th December, 1919, p. 1462 (gun, game licence forms); 17th May, 1923, p. 1082 (shipping opossum skins, Kangaroo Island); 24th May, 1928, p. 1087 (gun, game licence fees); 20th December, 1928, p. 1278 (prohibiting sale of ducks, teal, and maned goose); 19th June, 1930, p. 1137; 19th August, 1937, p. 440 (skin dealer's fee); 13th October, 1932, p. 743 (fee for permit to take animals and birds); 26th March, 1936, p. 714 (dealers in birds and fees).

Apiaries Act, 1931-1943.

Commencement: 22nd January, 1932; *Gazette* 21st January, 1932, p. 67.
Administration: Committed to the Minister of Agriculture *Gazette* 16th June, 1932, p. 1067.
s. 11. Proclamations: *Gazette* 19th May, 1932, p. 899; 30th November, 1933, p. 1091; 4th February, 1937, p. 229; 9th February, 1939, pp. 373 and 374; 19th November, 1942, p. 1015.
s. 12. Proclamation: *Gazette* 27th January, 1944, p. 92.
s. 13. Proclamations: *Gazette* 11th February, 1932, p. 255; 5th June, 1941, p. 812.
Regulations: *Gazette* 21st January, 1932, p. 68; 6th April, 1933, p. 551; 20th February, 1936, p. 457.

Apprentices Act, 1950.

Commencement: 25th January, 1951; *Gazette* 25th January, 1951, p. 115.
Administration: Committed to the Minister of Education; *Gazette* 25th January, 1951, p. 115.
Part III.: Proclamation: *Gazette* 24th May, 1951, p. 1122.
s. 18. Notice: *Gazette* 24th May, 1951, p. 1124.
s. 20. Notice: *Gazette* 24th May, 1951, p. 1124.
s. 21. Notice: *Gazette* 24th May, 1951, p. 1125.
Regulations; *Gazette* 19th June, 1952, p. 1324.

Arbitration Act, 1891-1934.

Rules of the Local Court: *Gazette* 8th July, 1909, p. 42.

Architects Act, 1939.

Commencement: 1st March, 1940; *Gazette* 15th February, 1940, p. 369.
Administration: Committed to the Chief Secretary; *Gazette* 22nd February, 1940, p. 409.
By-laws: *Gazette* 2nd May, 1940, p. 953; 19th September, 1946, p. 491; 20th August, 1953, p. 551.

Art Gallery Act, 1939.

Commencement: 1st February, 1940: *Gazette* 18th January, 1940, p. 69.
Regulations: *Gazette* 29th August, 1940, p. 451; 24th July, 1952, p. 179.

Associations Incorporation Act, 1929-1935.

Commencement: 16th December, 1929; *Gazette* 12th December, 1929, p. 1267.
Regulations: *Gazette* 16th September, 1954, p. 751.

Auctioneers Act, 1934-1953.

Commencement: 1st January, 1935; *Gazette* 20th December, 1934, p. 1217.

Audit Act, 1921-1951.

Commencement: 29th March, 1923; *Gazette* 29th March, 1923, p. 690.
Regulations: *Gazette* 31st October, 1940, p. 921; 15th April, 1943, p. 494; 3rd January, 1946, p. 22; 31st July, 1947, p. 252; 15th July, 1948, p. 294.
Regulations applicable to the South Australian Railways Commissioner: *Gazette* 16th March, 1944, p. 302; 3rd January, 1946, p. 21.

Bailiffs and Inquiry Agents Licensing Act, 1945.

Commencement: 1st April, 1946: *Gazette* 28th March, 1946, p. 503.
Regulations: *Gazette* 28th March, 1946, p. 532.
Rules of Court: *Gazette* 9th May, 1946, p. 887.

Bakehouses Registration Act, 1945-1947.

Commencement: 7th March, 1946; *Gazette* 7th March, 1946, p. 385.
Regulations: *Gazette* 7th March, 1946, p. 424; 27th June, 1946, p. 1150; 3rd June, 1948, p. 1190

Barley Marketing Act, 1947-1953.

Commencement: 16th September, 1948; *Gazette* 16th September, 1948, p. 1068.
Regulations as to the election of the Australian Barley Board; *Gazette* 20th September, 1948, p. 1119.
General regulations: *Gazette* 11th November, 1948, p. 1498.

Bills of Sale Act, 1886-1940.

Regulations appointing fees payable to the Registrar-General: *Gazette* 9th January, 1941, p. 31.

Births and Deaths Registration Act, 1936-1947.

Commencement: 1st May, 1937; *Gazette* 28th January, 1937, p. 188.
Commencement of Births and Deaths Registration Act Amendment Act, 1947: 1st July, 1948; *Gazette* 25th December, 1947, p. 2227.
Administration: Committed to the Chief Secretary; *Gazette* 18th February, 1937, p. 334.
Regulations: *Gazette* 10th June, 1948, p. 1198; 22nd March, 1951, p. 647.

Botanic Garden Act, 1935-1940.

By-laws: *Gazette* 26th May, 1949, p. 1442.

Brands Act, 1933-1948.

Administration: Committed to the Minister of Agriculture *Gazette* 3rd January, 1935, p. 1.
s. 22 (4). Proclamation: *Gazette* 24th December, 1936, p. 1322.
s. 53. Notice: *Gazette* 21st June, 1934, p. 1471.

Bread Act Amendment Act, 1949.

Model by-law as to the wrapping of bread: *Gazette* 4th October, 1951, p. 830.

Bread Act, 1954.

Administration: Committed to the Chief Secretary *Gazette* 27th January, 1955, p. 169.

Broadening of Gauge (South-Eastern Railways) Act, 1944.

Commencement: 15th February, 1945; *Gazette* 15th February, 1945, p. 271.

Building Act, 1923-1953.

Administration: Committed to the Minister of Local Government *Gazette* 7th February, 1924, p. 324.
s. 3 (1) (*b*). For proclamations made under the Building Act, 1881, or the District Councils Act, 1914, see the footnote in Volume 1, p. 425, of the South Australian Statutes, 1837-1936.
s. 3 (1) (*c*). Proclamations:
(i.) Municipalities: *Gazette* 6th March, 1924, p. 595; 17th April, 1924, p. 925; 21st May, 1925, p. 945; 18th March, 1926, p. 793; 30th June, 1927, p. 1406; 16th December, 1937, p. 1710; 17th March, 1938, p. 607; 27th October, 1938, p. 1100; 23rd January, 1941, p. 71; 21st October, 1943, p. 501; 15th February, 1945, p. 271; 11th April, 1946, p. 573; 9th May, 1946, p. 841; 10th July, 1947, p. 37; 4th August, 1949, p. 293; 24th August, 1950, p. 461; 6th November, 1952, p. 1200; 25th February, 1954, p. 399; 12th August, 1954, p. 316; 18th November, 1954, p. 1206.
(ii.) District Council Districts: *Gazette* 29th May, 1924, p. 1207; 4th September, 1924, p. 1451; 24th July, 1924, p. 162; 16th October, 1924, p. 1018; 12th

Building Act, 1923-1953—*continued.*

March, 1925, p. 433; 31st March, 1927, p. 741; 8th October, 1925, p. 846; 26th June, 1930, p. 1192; 22nd September, 1927, p. 712; 22nd March, 1928, p. 605; 17th May, 1928, p. 1033; 18th July, 1929, p. 113; 31st October, 1929, p. 1008; 14th November, 1929, p. 1085; 24th March, 1932, p. 547; 3rd November, 1932, p. 886; 30th August, 1934, p. 427; 13th August, 1936, p. 249; 8th March, 1934, p. 462; 5th December, 1935, p. 1333; 17th September, 1925, p. 680; 4th June, 1936, p. 1133; 14th January, 1926, p. 46; 29th April, 1937, p. 945; 16th September, 1937, p. 698; 10th February, 1938, p. 295; 8th December, 1938, p. 1451; 15th December, 1938, p. 1498; 9th March, 1939, p. 570; 15th June, 1939, p. 1418; 16th May, 1940, p. 1058; 11th July, 1940, p. 33; 24th October, 1940, p. 842; 6th March, 1941, p. 335; 25th September, 1941, p. 624; 26th August, 1943, p. 231; 3rd February, 1944, p. 145; 2nd November, 1944, p. 577; 18th January, 1945, p. 57; 15th February, 1945, p. 271; 7th June, 1945, p. 845; 1st November, 1945, p. 632; 24th January, 1946, p. 119; 25th July, 1946, p. 139; 24th October, 1946, p. 1045; 24th October, 1946, p. 1045, 1046; 27th March, 1947, p. 901; 27th November, 1947, p. 1711; 8th January, 1948, p. 1; 8th April, 1948, p. 731; 12th May, 1949, p. 1147; 7th July, 1949, p. 3; 29th June, 1950, p. 1328; 24th August, 1950, p. 461; 7th September, 1950, p. 601; 1st February, 1951, p. 175; 15th November, 1951, p. 1186; 6th December, 1951, p. 1393; 6th November, 1952, p. 1200; 15th October, 1953, p. 991; 5th November, 1953, p. 1164; 12th November, 1953, p. 1196; 10th December, 1953, p. 1404; 18th February, 1954, p. 289; 25th February, 1954, p. 400; 1st July, 1954, p. 1; 1st July, 1954, p. 2; 14th October, 1954, p. 975; 14th October, 1954, pp. 975-976; 25th November, 1954, p. 1261; 25th November, 1954, pp. 1261-1262; 20th January, 1955, p. 134; 28th April, 1955, p. 983; 28th April, 1955, pp. 983-984.

s. 3 (3). Proclamation: *Gazette* 13th January, 1944, p. 17.

s. 119. Proclamations; *Gazette* 24th August, 1950, p. 461; 11th October, 1951, p. 901; 21st August, 1952, p. 530; 21st August, 1952, p. 531.

Regulations in substitution for the second, third, fourth, sixth and seventh schedules: *Gazette*, 12th December, 1940, p. 1441. (These regulations are reprinted in the 1940 volume, pp. 416-526). Amending regulations: *Gazette* 11th April, 1946, p. 636; 5th September, 1946, p. 445; 20th November, 1947, p. 1706; 27th October, 1949, p. 1061; 27th September, 1951, p. 826; 28th August, 1952, p. 683; 30th October, 1952, p. 1149; 23rd April, 1953, p. 970; 8th April, 1954, p. 713; 28th October, 1954, p. 1079; 28th April, 1955, p. 987.

Regulations as to qualifications of building surveyors: *Gazette* 24th October, 1946, p. 1106; 20th July, 1950, p. 157.

Regulations prescribing forms: *Gazette* 26th June, 1924, p. 1411; 27th February, 1930, p. 443.

Regulations as to travelling expenses of referees: *Gazette* 11th November, 1954, p. 1160.

Building Operations Act, 1952.

Administration: Committed to the Treasurer, *Gazette* 27th November, 1952, p. 1383.

s. 4. Proclamation: *Gazette* 12th February, 1953, p. 195.

s. 5. Proclamation: *Gazette* 12th February, 1953, p. 195.

s. 7. Proclamation: *Gazette* 12th February, 1953, p. 195.

Building Societies Act, 1881-1938.

Commencement: 16th December, 1881; *Gazette* 15th December, 1881, p. 1747.

Regulations as to fees: *Gazette* 30th March, 1882, p. 1034.

Regulations as to qualifications of auditors: *Gazette* 29th March, 1934, p. 932.

General regulations: *Gazette* 20th July, 1939, p. 199.

Bush Fires Act, 1933-1952.

Administration: Committed to the Minister of Agriculture *Gazette* 24th December, 1936, p. 1321.

s. 15b. Proclamation: *Gazette* 10th October, 1946, p. 771.

s. 23. Proclamation: *Gazette* 27th February, 1936, p. 486.

Regulations: *Gazette* 3rd July, 1952, p. 4.

Business Agents Act, 1938-1954.

Commencement: 1st April, 1939; *Gazette* 19th January, 1939, p. 122.

Regulations: *Gazette* 9th March, 1939, p. 600; 24th August, 1939, p. 551; 30th May 1940, p. 1164; 4th December, 1952, p. 1439.

Cattle Compensation Act, 1939-1954.

Commencement: 1st March, 1940; *Gazette* 15th February, 1940, p. 369.

Administration: Committed to the Minister of Agriculture *Gazette* 15th February, 1940, p. 369.

Regulations: *Gazette* 15th January, 1940, p. 403.

Chaff and Hay Act, 1922-1938.

Regulations: *Gazette* 17th November, 1938, p. 1269.

Chaff and Hay (Acquisition Act), 1944.

Administration: Committed to the Minister of Agriculture *Gazette* 5th October, 1944, p. 415.
s. 5. Proclamation: *Gazette* 12th October, 1944, p. 447.
Regulations: *Gazette* 19th October, 1944, p. 514.

Children's Protection Act, 1936.

Commencement: 1st April, 1937; *Gazette* 11th February, 1937, p. 286.

Chiropodists Act, 1950.

Commencement: 2nd July, 1951; *Gazette* 10th May, 1951, p. 1033.
Regulations: *Gazette* 20th September, 1951, p. 735; 21st August, 1952, p. 532.

Citrus Marketing Act, 1931.

Commencement: At 16th May, 1955, this Act had not been brought into operation.
Administration: Committed to the Minister of Agriculture *Gazette* 5th December, 1931, p. 1065.
Regulations for holding poll under section 39: *Gazette* 5th December, 1931, p. 1065.

Collections for Charitable Purposes Act, 1939-1947.

Commencement: 1st February, 1940; *Gazette* 23rd November, 1939, p. 1379.
Administration: Committed to the Chief Secretary, *Gazette* 23rd November, 1939, p. 1379.
s. 5. Proclamation: *Gazette* 23rd November, 1939, p. 1379.
s. 16. Proclamations: *Gazette* 4th December, 1947, p. 1751; 4th December, 1947, p. 1751-1752; 4th December, 1947, p. 1752; 26th November, 1953, p. 1308; 7th January, 1954, p. 1.
s. 17. Proclamations: *Gazette* 27th August, 1953, p. 644; 4th March, 1954, p. 466; 21st April, 1955, p. 899.

Companies Act, 1934-1952.

Commencement: 1st March, 1935; *Gazette* 13th December, 1934, p. 1185.
Regulations: *Gazette* 8th May, 1941, p. 694; 3rd September, 1942, p. 362; 14th July, 1949, p. 81.
Rules of Court: *Gazette* 8th February, 1940, p. 233 (Rule 147 and the fourth schedule disallowed, *Gazette* 19th September, 1940, p. 570); 14th October, 1948, p. 1271.

Compulsory Acquisition of Land Act, 1925.

Commencement: 27th February, 1928; *Gazette* 23rd February, 1928, p. 397.
Rules of Court: *Gazette* 10th May, 1928, p. 968.

Consolidation of Regulations Act, 1937.

s. 2. Proclamation: *Gazette* 1st June, 1944, p. 673; 20th April, 1950, p. 813.

Constitution Act, 1934-1953.

Commencement: 1st January, 1935; *Gazette* 20th December, 1934, p. 1217.

Control of Advertisements Act, 1916-1935.

Administration: Committed to the Minister of Immigration *Gazette* 3rd July, 1924, p. 1.
Regulations: *Gazette* 5th April, 1928, p. 726; 20th February, 1936, p. 458.

Control of Waters Act, 1919-1925.

Regulations: *Gazette* 25th October, 1934, p. 847.

Convicted Inebriates Act, 1913-1934.

Administration: Committed to the Chief Secretary *Gazette* 5th February, 1914, p. 319.
s. 3. Proclamation: *Gazette* 26th February, 1914, p. 515.
Regulations: *Gazette* 16th July, 1914, p. 117; 2nd March, 1916, p. 413; 16th June, 1921, p. 1270; 17th July, 1924, p. 112; 3rd September, 1925, p. 572; 11th August, 1927, p. 348; 17th October, 1929, p. 891; 31st October, 1929, p. 1010.

Coroners Act, 1935-1952.

Regulations: *Gazette* 17th June, 1937, p. 1308; 26th April, 1951, p. 928; 5th May, 1955, p. 1051.

Country Factories Act, 1945.

s. 2. Proclamations: *Gazette* 30th May, 1946, p. 977; 25th November, 1954, p. 1260.
Regulations: *Gazette* 30th May, 1946, p. 1012.

Cremation Act, 1891-1936.

Regulations: *Gazette* 27th June, 1901, p. 1324; 3rd March, 1904, p. 462; 19th April, 1923, p. 866; 2nd October, 1930, p. 665; 5th February, 1942, p. 238.
Regulation under the Fees Regulation Act, 1927, relating to fees for cremation: *Gazette* 24th November, 1927, p. 1229.

Criminal Law Consolidation Act, 1935-1952.

Commencement: 2nd January, 1936; *Gazette* 2nd January, 1936, p. 1.
s. 321. Proclamations: *Gazette* 6th April, 1911, p. 603; 26th August, 1937, p. 497.
Rules of Court as to criminal appeals were made 1st September, 1925, but have not been published in the *Gazette*.
Rules of Court as to costs and treatment of appellant: *Gazette* 5th November, 1925, p. 1231.
Rules of Court as to payment for transcripts and documents: *Gazette* 19th November, 1925, p. 1358.
Regulations as to habitual criminals: *Gazette* 6th April, 1911, p. 606; 23rd November, 1916, p. 997.
Regulations as to payments to witnesses and others at criminal prosecutions: *Gazette* 7th January, 1954, p. 5.
Regulation as to payments to psychiatrists under section 77a: *Gazette* 3rd February, 1955, p. 203.
Regulation as to places of confinement under section 77 (2): *Gazette* 6th March 1924, p. 596.

Crown Lands Act, 1929-1944.

s. 211a. Proclamation declaring 1st February, 1954 as the day on which the 1939-1945 war ceased: *Gazette* 28th January, 1954, p. 155.
Regulations: *Gazette* 16th October, 1941, p. 789.
Regulations under the Crown Lands Act, 1929-1939, and the Fees Regulation Act, 1927, relating to the fee payable on noting instrument on Crown lease, etc.: *Gazette* 18th July, 1940, p. 86.
Notice setting out conditions for application for licences under Part XIV: *Gazette* 19th February, 1942, p. 301.

Dairy Cattle Improvement Act, 1921-1940.

Administration: Committed to the Minister of Agriculture *Gazette* 2nd February, 1922, p. 471.
s. 7a. Notice: *Gazette* 30th January, 1941, p. 97.
Regulations: *Gazette* 8th July, 1937, p. 30; 9th September, 1937, p. 661; 28th September, 1939, p. 904; 31st July, 1941, p. 209; 6th May, 1948, p. 930.

Dairy Industry Act, 1928-1942.

Commencement: 8th August, 1929; *Gazette* 8th August, 1929, p. 329.
s. 2. Proclamations: *Gazette* 8th August, 1929, p. 329; 19th July, 1934, p. 74; 21st January, 1937, p. 85; 11th November, 1937, p. 1297.
General regulations: *Gazette* 24th July, 1947, p. 145.

Dairy Produce Act, 1934-1946.

Commencement: 13th December, 1934; *Gazette* 13th December, 1934, p. 1185.
Administration: Committed to the Minister of Agriculture *Gazette* 27th May, 1937, p. 1205.
Regulations: *Gazette* 11th April, 1935, p. 1119; 9th January, 1936, p. 26; 18th November, 1937, p. 1348.

Dangerous Drugs Act, 1934.

Commencement: 1st October, 1937; *Gazette* 15th April, 1937, p. 789.
Administration: Committed to the Chief Secretary *Gazette* 15th April, 1937, p. 789.
s. 4. Proclamations: *Gazette* 15th April, 1937, p. 790; 23rd September, 1937, p. 749; 23rd September, 1937, p. 750; 20th February, 1941, p. 225; 9th May, 1946, p. 841; 22nd April, 1948, p. 825; 23rd November, 1950, p. 1253; 21st August, 1952, p. 528; 28th January, 1954, p. 155; 27th May, 1954, p. 1049.
s. 6. Proclamations: *Gazette* 21st August, 1952, p. 528; 5th August, 1954, p. 273; 21st April, 1955, p. 900.
Regulations: *Gazette* 23rd September, 1937, p. 797; 9th December, 1937, p. 1588; 29th January, 1942, p. 145; 12th June, 1947, p. 1671; 23rd October, 1947, p. 1301; 17th August, 1950, p. 331.

Debt Adjustment Act, 1929-1932.

Regulations: *Gazette* 16th January, 1930, p. 83.

Dentists Act, 1931-1936.

Rules of Court: *Gazette* 4th August, 1932, p. 183.
Regulations: *Gazette* 8th December, 1904, p. 1047; 26th October, 1905, p. 886; 26th March, 1908, p. 564; 30th April, 1914, p. 1005; 31st January, 1918, p. 181; 24th May, 1934, p. 1315; 28th June, 1934, p. 1520; 5th July, 1934, p. 2; 20th June, 1940, p. 1399; 5th September, 1940, p. 513.
Regulation under the Fees Regulation Act, 1927, relating to the fee payable on publication of the register of dentists: *Gazette* 11th November, 1937, p. 1307.

Discharged Soldiers Settlement Act, 1934-1940.

Commencement: 1st May, 1937; *Gazette* 25th March, 1937, p. 644.
Regulations: *Gazette* 2nd December, 1920, p. 1429; 11th August, 1921, p. 270; 19th January, 1922, p. 100; 2nd March, 1922, p. 729; 6th April, 1922, p. 988; 30th August, 1923, p. 493; 31st January, 1924, p. 211; 7th August, 1924, p. 283; 18th February, 1926, p. 326; 17th February, 1927, p. 339; 28th April, 1927, p. 935; 12th May, 1927, p. 1044; 21st January, 1932, p. 69; 7th June, 1934, p. 1395; 18th April, 1935, p. 1136; 24th December, 1936, p. 1337; 30th January, 1941, p. 98.

Dog Fence Act, 1946-1953.

Commencement: 17th June, 1947: *Gazette* 12th June, 1947, p. 1637.
Administration: Committed to the Minister of Lands *Gazette* 27th February, 1947, p. 745.
ss. 19 and 21. Proclamations: *Gazette* 3rd July, 1947, p. 1; 2nd October, 1947, p. 970; 18th May, 1950, p. 1036.

Draught Stallions Act, 1932-1934.

Commencement: 1st July, 1933; *Gazette* 8th June, 1933, p. 973.
Administration: Committed to the Minister of Agriculture *Gazette* 8th June, 1933, p. 973.
s. 3 (3). Proclamations: *Gazette* 8th June, 1933, p. 973; 22nd December, 1938, p. 1542.
Regulations: *Gazette* 22nd June, 1933, p. 1054; 18th June, 1936, p. 1210; 13th July, 1944, p. 30.

Dried Fruits Act, 1934-1941.

Administration: Committed to the Minister of Agriculture *Gazette* 20th December, 1934, p. 1218.
Regulations: *Gazette* 13th January, 1955, p. 70.

Drought Relief Act, 1940.

Administration: Committed to the Minister of Agriculture *Gazette* 15th June, 1944, p. 717.
Regulations: *Gazette*, 16th October, 1941, p. 802.

Drought and Frost Relief Act, 1944.

Administration: Committed to the Minister of Agriculture *Gazette* 22nd March, 1945, p. 447.
Regulations: *Gazette* 25th January, 1945, p. 141.

Drought Relief Act, 1945.

Administration: Committed to the Minister of Agriculture *Gazette* 7th February, 1946, p. 206.
Regulations: *Gazette* 23rd May, 1946, p. 938.

Early Closing Act, 1926-1954.

Administration: Committed to the Minister of Industry *Gazette* 8th February, 1912, p. 225.
s. 14. Proclamations: *Gazette* 15th August, 1912, p. 376; 15th January, 1914, p. 127; 19th February, 1914, p. 449; 9th April, 1914, p. 858; 30th July, 1914, p. 262; 20th August, 1914, p. 488; 27th August, 1914, p. 533; 27th August, 1914, p. 534; 10th September, 1914, p. 624; 3rd December, 1914, p. 1187; 17th December, 1914, p. 1267; 21st January, 1915, p. 127; 6th May, 1915, p. 1089; 10th June, 1915, p. 1333; 19th August, 1915, p. 691; 20th January, 1916, p. 93; 27th July, 1916, p. 125; 1st May, 1919, p. 798; 11th December, 1919, p. 1461; 15th April, 1920, p. 1061; 10th June, 1920, p. 1399; 4th November, 1920, p. 1168; 11th November, 1920, p. 1199; 25th August, 1921, p. 382; 1st September, 1921, p. 442; 22nd September, 1921, p. 633; 10th November, 1921, p. 1105; 15th December, 1921, p. 1388; 22nd December, 1921, p. 1458; 2nd February, 1922, p. 472; 16th February, 1922, p. 568; 23rd February, 1922, p. 640; 9th March, 1922, p. 787; 15th June, 1922, p. 1487; 6th July, 1922, p. 1; 27th July, 1922, p. 165; 28th June, 1923, p. 1375; 19th July, 1923, p. 107; 23rd August, 1923, p. 414; 11th October, 1923, p. 834; 21st February, 1924, p. 457; 11th September, 1924, p. 654; 8th January, 1925, p. 26; 5th February, 1925, p. 195; 29th October, 1925, p. 1161; 12th August, 1926, p. 372; 2nd December, 1926, p. 1401; 2nd December, 1926, p. 1402; 20th January, 1927, p. 121; 27th October, 1927, p. 1007; 12th April, 1928, p. 773; 3rd December, 1938, p. 1171; 6th July, 1939, p. 1; 30th January, 1941, p. 95; 9th April, 1942, p. 523; 8th March, 1945, p. 371; 11th October, 1945, p. 549; 7th February, 1946, p. 205; 8th May, 1952, p. 1005.

Early Closing Act, 1926-1954—*continued.*

s. 15. Proclamation: *Gazette* 13th August, 1914, p. 425.
s. 23. Notices: *Gazette* 17th June, 1926, p. 1514; 24th December, 1925, p. 1665; 18th October, 1928, p. 903; 21st May, 1936, p. 1054; 15th September, 1938, p. 698.
s. 25*e*. Notice: *Gazette* 10th August, 1935, p. 242.
s. 36*a*. Proclamations: *Gazette* 8th January, 1953, p. 2; 26th February, 1953, p. 345; 26th February, 1953, p. 345; 28th October, 1954, p. 1076.
s. 59. Notices: *Gazette* 1st October, 1914, p. 769; 2nd January, 1936, p. 3; 6th October, 1927, p. 855; 29th May, 1913, p. 1148; 14th August, 1913, p. 428; 20th March, 1924, p. 715; 3rd August, 1939, p. 299; 6th June, 1940, p. 1258.
s. 69. Notices: *Gazette*: 1st October, 1914, p. 769; 17th February, 1938, p. 368; 11th May, 1939, p. 1084; 8th July, 1943, p. 29; 9th August, 1951, p. 352.
Regulations: *Gazette* 2nd June, 1927, p. 1217; 1st December, 1932, p. 1038; 23rd December, 1937, p. 1810; 11th October, 1945, p. 550; 8th January, 1948, p. 3.

Easter Act, 1929.

Commencement: At 16th May, 1955, this Act had not been brought into operation.

Economic Stability Act, 1946.

s. 11. Proclamations: *Gazette* 24th December, 1946, p. 1499; 7th August, 1947, p. 265; 30th October, 1947, p. 1303.

Education Act, 1915-1954.

Commencement: 13th January, 1916; *Gazette* 13th January, 1916, p. 43.
General regulations: *Gazette* 18th March, 1949, p. 689; 4th August, 1949, p. 343; 25th, August, 1949, p. 589; 29th September, 1949, p. 837; 27th October, 1949, p. 1064; 3rd November, 1949, p. 1087; 17th November, 1949, p. 1284; 12th January, 1950, p. 92; 19th January, 1950, p. 109; 9th February, 1950, p. 288; 13th April, 1950, p. 783; 3rd August, 1950, p. 225; 31st August, 1950, p. 525; 12th October, 1950, p. 866; 12th October, 1950, p. 867; 9th November, 1950, p. 1144; 11th January, 1951, p. 31; 11th January, 1951, p. 32; 15th February, 1951, p. 336; 15th March, 1951, p. 586; 29th March, 1951, p. 691; 3rd May, 1951, p. 987; 16th August, 1951, p. 379; 20th September, 1951, p. 742; 8th November, 1951, p. 1132; 8th November, 1951, p. 1134; 20th November, 1951, p. 1336; 29th November, 1951, p. 1338; 10th January, 1952, p. 82; 24th January, 1952, p. 140; 7th February, 1952, p. 278; 3rd July, 1952, p. 7; 14th August, 1952, p. 473; 21st August, 1952, p. 532; 4th September, 1952, p. 725; 25th September, 1952, p. 898; 30th October, 1952, p. 1150; 20th November, 1952, p. 1331; 18th December, 1952, p. 1547; 21st May, 1953, p. 1257; 8th October, 1953, p. 940; 10th December, 1953, p. 1407; 17th December, 1953, p. 1460; 25th March, 1954, p. 619; 15th April, 1954, p. 758; 5th August, 1954, p. 274; 12th August, 1954, p. 319; 19th August, 1954, p. 362; 23rd September, 1954, p. 797; 30th September, 1954, p. 847; 21st October, 1954, p. 1032; 18th November, 1954, p. 1207; 2nd December, 1954, p. 1309; 7th April, 1955, p. 809; 12th May, 1955, p. 1105.

Electoral Act, 1929-1950.

Commencement: 19th December, 1929; *Gazette* 19th December, 1929, p. 1305.
Administration: Committed to the Attorney-General *Gazette* 20th May, 1937, p. 1150.
s. 13. Proclamation: *Gazette* 23rd June, 1949, p. 1816.
s. 14. Notices: *Gazette* 13th February, 1930, p. 323; 20th February, 1930, p. 374; 13th March, 1930, p. 531; 17th November, 1932, p. 959 1st December, 1932, p. 1040; 23rd February, 1933, p. 285; 9th March, 1933, p. 373; 30th March, 1933, p. 522; 1st February, 1934, p. 196; 2nd August, 1934, p. 186; 16th August, 1934, p. 312; 23rd August, 1934, p. 375; 30th May, 1935, p. 1464; 6th June, 1935, p. 1502; 16th January, 1941, p. 40; 20th February, 1941, p. 234; 20th March, 1941, p. 422.
s. 80. Proclamation: *Gazette* 9th February, 1950, p. 283.
General regulations: *Gazette* 28th November, 1940, p. 1223; 24th July, 1941, p. 126; 7th May, 1942, p. 674; 6th May, 1943, p. 596; 23rd March, 1944, p. 373; 28th September, 1944, p. 413; 20th February, 1947, p. 737; 10th June, 1948, p. 1209; 17th November, 1949, p. 1283; 3rd May, 1951, p. 977; 5th February, 1953, p. 145; 14th May, 1953, p. 1097; 3rd June, 1954, p. 1100; 28th April, 1955, p. 986.
Regulations as to joint Commonwealth and State electoral rolls: *Gazette* 10th February, 1921, p. 279; 16th May, 1929, p. 1003.

Electrical Articles and Materials Act, 1940.

Administration: Committed to the Minister of Industry and Employment: *Gazette* 30th January, 1941, p. 95.
s. 10. Proclamation: *Gazette* 16th September, 1954, p. 694.
s. 11. Proclamation: *Gazette* 16th September, 1954, p. 692.
Regulations: *Gazette* 16th September, 1954, p. 736.

Electricity Act, 1943.

Administration: Committed to the Commissioner of Public Works, *Gazette* 24th February, 1944, p. 213.

Electricity Trust of South Australia Act, 1946-1954.

Commencement: 30th August, 1946; *Gazette* 30th August, 1946, p. 387.
Commencement of Part IVa: 6th February, 1948: *Gazette* 5th February, 1948, p. 311.
Administration: Committed to the Minister of Works: *Gazette* 10th October, 1946, p. 771.
s. 27: Proclamation of 1st September, 1946, as the "appointed day": *Gazette* 30th August, 1946, p. 387.
Regulations as to sale of liquor at Leigh Creek: *Gazette* 11th January, 1951, p. 32.

Emergency Powers Act, 1941.

Administration: Committed to the Treasurer *Gazette* 11th December, 1941, p. 1361.
s. 2. Proclamation declaring 1st February, 1954, as the day on which the 1939-1945 war ceased: *Gazette* 28th January, 1954, p. 155.
Regulations: *Gazette* 18th December, 1941, p. 1499; 18th December, 1941, p. 1503; 25th December, 1941, p. 1512; 8th January, 1942, p. 53; 5th February, 1942, p. 238; 19th February, 1942, p. 326; 2nd April, 1942, p. 497; 9th April, 1942, p. 525; 16th April, 1942, p. 575; 16th April, 1942, p. 577; 16th April, 1942, p. 578; 7th May, 1942, p. 673; 14th May, 1942, p. 713; 23rd July, 1942, p. 78; 24th December, 1942, p. 1217; 4th February, 1943, p. 133; 18th February, 1943, p. 190; 25th February, 1943, p. 222; 4th March, 1943, p. 244; 25th March, 1943, p. 377; 1st April, 1943, p. 411; 15th April, 1943, p. 493; 22nd April, 1943, p. 499; 6th May, 1943, p. 600; 19th August, 1943, p. 227; 26th August, 1943, p. 231; 20th January, 1944, p. 53; 3rd February, 1944, p. 146; 30th March, 1944, p. 384; 4th May, 1944, p. 546; 11th May, 1944, p. 582; 31st August, 1944, p. 268; 21st December, 1944, p. 876; 18th January, 1945, p. 77; 29th March, 1945, p. 495; 19th April, 1945, p. 594; 28th March, 1946, p. 530; 5th January, 1950, p. 5.

The above regulations relate to the following matters:—
Administration: *Gazette* 18th December, 1941, p. 1499; 8th January, 1942, p. 53 16th April, 1942, p. 575.
Air raid shelters: *Gazette* 8th January, 1942, p. 53.
Aliens, disqualification from holding office in councils or voting at council elections or polls: *Gazette* 14th May, 1942, p. 713.
Animals, destruction of: *Gazette* 16th April, 1942, p. 575.
Bank holiday cancellation: *Gazette* 18th December, 1941, p. 1503.
Chaff supplies: *Gazette* 31st August, 1944, p. 268.
Civil Defence Force: *Gazette* 18th December, 1941, p. 1499; 19th February, 1942, p. 326; 16th April, 1942, p. 575; 7th May, 1942, p. 673.
District council elections and polls: *Gazette*, 9th April, 1942, p. 525; 14th May, 1942, p. 713; 25th March, 1943, p. 377; 6th May, 1943, p. 600; 30th March, 1944, p. 384; 4th May, 1944, p. 546: 29th March, 1945, p. 495; 19th April, 1945, p. 594; 28th March, 1946, p. 530.
District councils' powers: *Gazette* 18th December, 1941, p. 1499; 25th December, 1941, p. 1512; 8th January, 1942, p. 53; 4th February, 1943, p. 133; 25th February, 1943, p. 222; 1st April, 1943, p. 411; 31st August, 1944, p. 268.
Fire fighting materials in houses: *Gazette* 5th February, 1942, p. 238.
Fruit cases, preservation of: *Gazette* 15th April, 1943, p. 493.
General: *Gazette* 25th December, 1941, p. 1512; 8th January, 1942, p. 53; 5th February, 1942, p. 238; 19th February, 1942, p. 326.
Harbours and ports: *Gazette* 16th April, 1942, p. 578.
Hay Supplies: *Gazette* 31st August, 1944, p. 268.
Hospital employees' duties in case of attack: *Gazette* 19th February, 1942, p. 326.
Inoculation, compulsory: *Gazette* 19th February, 1942, p. 326.
Iron-tired trailers, use on improved main roads: *Gazette* 24th December, 1942, p. 1217.
Lights in buildings and streets: *Gazette* 25th December, 1941, p. 1512; 8th January, 1942, p. 53; 5th February, 1942, p. 238; 19th February, 1942, p. 326.
Lights on vehicles: *Gazette* 25th December, 1941, p. 1512; 8th January, 1942, p. 53; 5th February, 1942, p. 238; 23rd July, 1942, p. 78.
Medical officers under Mental Defectives Act, postponement of leave of: *Gazette*, 11th May, 1944, p. 582; 5th January, 1950, p. 5.
Milk shelters on roads: *Gazette* 1st April, 1943, p. 411.
Motor vehicle registration fees: *Gazette*, 4th March, 1943, p. 244.
Municipal council elections and polls: *Gazette* 9th April, 1942, p. 525; 14th May, 1942, p. 713; 25th March, 1943, p. 377; 6th May, 1943, p. 600; 30th March, 1944, p. 384; 4th May, 1944, p. 546: 29th March, 1945, p. 495; 19th April, 1945, p. 524; 28th March, 1946, p. 530.

Emergency Powers Act, 1941—*continued.*

Municipal councils' powers: *Gazette* 18th December, 1941, p. 1499; 25th December, 1941, p. 1512; 8th January, 1942, p. 53; 4th February, 1943, p. 133; 25th February, 1943, p. 222; 1st April 1943, p. 411; 31st August, 1944, p. 268.

Protection of persons and property: *Gazette* 25th December, 1941, p. 1512; 8th January, 1942, p. 53: 5th February, 1942, p. 238; 19th February, 1942, p. 326; 16th April, 1942, p. 575; 18th February, 1943, p. 190; 19th August, 1943, p. 227.

Roof spotting: *Gazette* 19th February, 1942, p. 326: 16th April, 1942, p. 575.

Scrub and stubble burning: *Gazette* 16th April, 1942, p. 577.

Shareholders' returns by companies: *Gazette* 22nd April, 1942, p. 499.

Shipping: *Gazette* 16th April, 1942, p. 578.

Sirens, restrictions on use of: *Gazette* 25th December, 1941, p. 1499.

Special constables, duties of employers to: *Gazette* 2nd April, 1942, p. 497.

Traders' plates. fees payable for under the Road Traffic Act, 1934-1944: *Gazette* 18th January, 1945, p. 77.

Uranium, mining and disposal of: *Gazette* 21st October, 1944, p. 876.

Vaccination, compulsory: *Gazette* 19th February, 1942, p. 326.

Water restrictions in metropolitan area: *Gazette* 20th January, 1944, p. 53; 3rd February, 1944, p. 146.

Weirs, locks and dams: *Gazette* 16th April, 1942, p. 575.

Notices and orders given pursuant to regulations—

Ambulances, order by the Premier exempting from certain provisions of the Road Traffic Act, 1934-1942: *Gazette* 6th May, 1943, p. 560.

Blackout on 7th July, 1942, order by Premier declaring: *Gazette* 2nd July, 1942, p. 23.

Carriage of goods by primary producers, order by Premier as to: *Gazette* 18th, March, 1943, p. 331.

Carriage of hay by primary producers to certain depots, order by Premier as to: *Gazette* 30th November, 1944, p. 748.

Carriage of wheat by primary producers to Wallaroo, order by Premier as to: *Gazette* 27th April, 1944, p. 530.

Delegation by Premier of powers to take possession of land, etc., *Gazette* 19th February, 1942, p. 329.

Headlamps on motor vehicles, notice by Premier fixing date after which must be screened: *Gazette* 29th January, 1942, p. 176.

Sirens, notice by Commissioner of Civil Defence as to use of: *Gazette* 12th February, 1942, p. 245.

Trailers, notice by Premier exempting certain, from registration fee: *Gazette* 25th June, 1942, p. 867.

Code for the construction of air raid shelters, published for guidance: *Gazette* 26th February, 1942, p. 358.

Employees Registry Offices Act, 1915-1953.

Administration: Committed to the Minister of Industry and Employment *Gazette* 24th June, 1937, p. 1361.

Enfield General Cemetery Act, 1944-1952.

Administration: Committed to the Minister of Local Government *Gazette* 11th January, 1945, p. 27.

s. 38. Notice: *Gazette* 10th March, 1949, p. 634.

Regulations: *Gazette* 20th February, 1947, p. 733.

Explosives Act, 1936.

Commencement: 1st July, 1937; *Gazette* 25th March, 1937, p. 644.

Administration: Committed to the Minister of Agriculture *Gazette* 25th March, 1937, p. 644.

s. 6. Definitions of explosives: *Gazette* 28th September, 1899, p. 793; 24th December, 1903, p. 1242; 13th December, 1906, p. 1141; 20th January, 1910, p. 68; 13th March, 1913, p. 493; 26th February, 1914, p. 518; 9th July, 1914, p. 67; 30th November, 1916, p. 1045; 1st March, 1917, p. 370; 10th July, 1919, p. 40; 29th July, 1920, p. 168; 8th December, 1921, p. 1317; 21st July, 1921, p. 98; 22nd July, 1926, p. 147; 7th June, 1928, p. 1211; 7th February, 1929, p. 260; 23rd April, 1931, p. 683; 11th August, 1932, p. 246; 25th March, 1937, p. 649-650; 2nd December, 1937, p. 1565; 3rd February, 1938, p. 235.

s. 20. Proclamation: *Gazette* 17th December, 1903, p. 1182.

s. 24. Notice: *Gazette* 1st September, 1938, p. 589.

s. 30. Notices: *Gazette* 1st September, 1938, p. 474; 11th May, 1939, p. 1086.

s. 48. Proclamation: *Gazette* 30th March, 1950, p. 678.

Regulations: *Gazette* 1st September, 1938, p. 556; 30th March, 1950, p. 693; 15th February, 1951, p. 335; 17th January, 1952, p. 103; 10th December, 1953, p. 1407.

Fair Prices Act, 1924-1935.

Administration: Committed to the Minister of Industry *Gazette* 29th January, 1925, p. 149,

Farmers Assistance Act, 1933-1943.

Commencement : 1st January, 1934 ; *Gazette* 21st December, 1933, p. 1239.
Administration : Committed to the Minister of Lands *Gazette* 25th February, 1954, p. 400.
s. 12. Proclamations : *Gazette* 23rd March, 1944, p. 355 ; 25th January, 1945, p. 86 ; 25th October, 1945, p. 600 ; 21st November, 1946, p. 1279 ; 30th October, 1947, p. 1303 ; 28th October, 1948, p. 1345 ; 3rd November, 1949, p. 1085.
Regulations : *Gazette* 4th October, 1934, p. 682.

Fauna and Flora Reserve Act, 1919-1940.

Administration : Committed to the Minister of Agriculture *Gazette* 3rd July, 1924, p. 1.
s. 17. Proclamations : *Gazette* 20th September, 1923, p. 678 ; 24th February, 1927, p. 397 ; 19th October, 1950, p. 945 ; 20th November, 1952, p. 1329.
s. 18. Proclamation : *Gazette* 5th July, 1923, p. 2.
By-laws : *Gazette* 11th January, 1923, p. 39.

Fees Regulation Act, 1927.

Regulations : *Gazette* 24th November, 1927, p. 1225 ; 24th November, 1927, p. 1226 ; 24th November, 1927, p. 1227 ; 24th November, 1927, p. 1228 ; 24th November, 1927, p. 1229 ; 17th May, 1928, p. 1036 ; 31st May, 1928, p. 1147 ; 12th July, 1928, p. 46 ; 19th December, 1929, p. 1311 ; 11th September, 1930, p. 531 ; 4th December, 1930, p. 1131 ; 22nd October, 1931, p. 776 ; 3rd December, 1931, p. 1033 ; 8th June, 1933, p. 974 ; 30th August, 1934, p. 428 ; 20th September, 1934, p. 596 ; 22nd August, 1935, p. 374 ; 11th November, 1937, p. 1307 ; 18th January, 1940, p. 73 ; 18th July, 1940, p. 86 ; 11th April, 1946, p. 651 ; 19th October, 1950, p. 948 ; 10th March, 1955, p. 553.

Fertilisers Act, 1918.

Administration : Committed to the Minister of Agriculture *Gazette* 21st January, 1937, p. 85.
Regulations : *Gazette* 27th February, 1919, p. 436 ; 25th September, 1919, p. 724 ; 18th December, 1947, p. 2221.

Fibre and Sponges Act, 1909-1937.

Regulations : *Gazette* 29th August, 1918, p. 501.

Financial Emergency Act, 1931-1939.

Commencement : 23rd July, 1931 ; *Gazette* 23rd July, 1931, p. 93
Rules of Court : *Gazette* 17th September, 1931, p. 492.

Financial Emergency Act Extension Act, 1934.

s. 4. Notice : *Gazette* 29th November, 1934, p. 1113.

Firearms Registration Act, 1919-1934.

Commencement : 14th July, 1921 ; *Gazette* 14th July, 1921, p. 37.
s. 3. Proclamation : *Gazette* 29th September, 1928, p. 755.
Regulations : *Gazette* 24th February, 1921, p. 390.

Firearms Restriction (River Murray) Act, 1929.

Administration : Committed to the Minister of Agriculture *Gazette* 26th December, 1929, p. 1357.
s. 3. Proclamation : *Gazette* 26th December, 1929, p. 1357.

Fire Brigades Act, 1936-1944.

Commencement : 1st May, 1937 ; *Gazette* 25th March, 1937, p. 642.
Administration : Committed to the Chief Secretary *Gazette* 25th March, 1937, p. 642.
s. 6. Proclamations : *Gazette* 24th June, 1937, p. 1361 ; 13th January, 1938, p. 53 ; 7th July, 1938, p. 1 ; 26th January, 1939, p. 245 ; 4th May, 1939, p. 1028 ; 8th June, 1939, p. 1382 ; 6th February, 1941, p. 147 ; 12th June, 1941, p. 861 ; 17th July, 1941, p. 84 ; 5th March, 1942, p. 369 ; 11th June, 1942, p. 827 ; 16th July, 1942, p. 45 ; 24th June, 1943, p. 741 ; 30th September, 1943, p. 412 ; 22nd February, 1945, p. 310 ; 26th July, 1945, p. 99 ; 17th January, 1946, p. 72 ; 24th January, 1946, p. 119 ; 15th August, 1946, p. 251 ; 26th September, 1946, p. 673 ; 4th September, 1947, p. 642 ; 1st April, 1948, p. 691 ; 13th April, 1950, p. 781 ; 21st September, 1950, p. 694 ; 8th March, 1951, p. 528 ; 22nd October, 1953, p. 1052 ; 5th August, 1954, p. 271 ; 19th August, 1954, p. 359 ; 23rd December, 1954, p. 1544.
s. 7. Notices : *Gazette* 20th April, 1916, p. 823 ; 6th July, 1916, p. 34 ; 14th February, 1918, p. 323 ; 3rd July, 1919, p. 1 ; 2nd September, 1920, p. 525 ; 1st December, 1927, p. 1458 ; 8th December, 1927, p. 1546 ; 17th January, 1918, p. 89 ; 13th June, 1929, p. 1400 ; 20th June, 1929, p. 1487 ; 17th June, 1948, p. 1248 ; 24th June, 1948, p. 1307.
s. 31 (1) x. Proclamation : *Gazette* 10th December, 1925, p. 1528.

Fire Brigades Act, 1936-1944—*continued.*

By-laws relating to conditions of service for firemen : *Gazette* 19th July, 1900, p. 121.

By-laws relating to allowances and pensions : *Gazette* 11th February, 1926, p. 297 ; 3rd June, 1926, p. 1445 ; 15th July, 1926, p.87 ; 19th August, 1926, p. 474.

Regulations : *Gazette* 29th July, 1937, p. 258 (nomination of members of the board) ; 31st May, 1906, p. 949 (volunteer fire brigades) ; 26th March, 1914, p. 748 (functions, duties, and powers of the chairman).

Fisheries Act, 1917-1946.

Administration : Committed to the Minister of Agriculture *Gazette* 3rd July, 1924, p. 1.

s. 6. Proclamations : *Gazette* 11th March, 1937, p. 529 ; 17th June, 1937, p. 1305 ; 30th September, 1937, p. 850 ; 4th November, 1937, p. 1189 ; 2nd December, 1937, p. 1513 ; 17th February, 1938, p. 357 ; 28th April, 1938, p. 898 ; 8th September, 1938, p. 624 ; 13th October, 1938, p. 976 ; 23rd February, 1939, p. 465 ; 20th April, 1939, p. 915 ; 27th April, 1939, p. 980 ; 24th August, 1939, p. 494 ; 11th January, 1940, p. 34 ; 1st February, 1940, p. 169 ; 6th June, 1940, p. 1211 ; 5th June, 1941, p. 812 ; 9th July, 1942, p. 25 ; 5th November, 1942, p. 941 ; 26th November, 1942, p. 1047 ; 28th January, 1943, p. 91 ; 8th July, 1943, p. 27 ; 17th February, 1944, p. 87 ; 5th October, 1944, p. 415 ; 5th October, 1944, p. 416 ; 9th August, 1945, p. 177 ; 22nd November, 1945, p. 733 ; 28th February, 1946, p. 341 ; 13th June, 1946, p. 1062 ; 29th August, 1946, p. 347 ; 13th February, 1947, p. 635 ; 11th September, 1947, p. 689 ; 11th March, 1948, p. 519 ; 15th December, 1949, p. 1507 ; 1st June, 1950, p. 1151 ; 21st September, 1950, p. 695 ; 6th March, 1952, p. 510 ; 25th September, 1952, p. 895 ; 10th September, 1953, p. 735 ; 17th September, 1953, p. 768 ; 17th December, 1953, p. 1457 ; 7th January, 1954, p. 1 ; 25th March, 1954, p. 618 ; 5th August, 1954, p. 271 ; 18th November, 1954, p. 1205.

Regulations : *Gazette* 11th March, 1937, p. 533 ; 5th January, 1939, p. 68 ; 21st December, 1939, p. 1706 ; 29th May, 1941, p. 805 ; 26th July, 1945, p. 135 ; 10th January, 1946, p. 30 ; 11th September, 1947, p. 691.

Food and Drugs Act, 1908-1954.

s. 5. Proclamation defining " metropolitan area " ; *Gazette* 17th February, 1916, p. 299.

s. 5. Proclamations declaring poison schedule : *Gazette* 12th May, 1938, p. 975 ; 14th July, 1938, p. 49 ; 5th January, 1939, p. 1 ; 25th January, 1940, p. 117 ; 31st July, 1947, p. 201 ; 9th September, 1948, p. 955 ; 11th October, 1951, p. 901 ; 10th July, 1952, p. 69 ; 1st July, 1954, p. 1.

s. 30a. Proclamation : *Gazette* 25th July, 1935, p. 138.

s. 39. Proclamation : *Gazette* 29th July, 1909, p. 190.

General regulations : *Gazette* 7th April, 1953, p. 757 ; 20th August, 1953, p. 543 ; 20th August, 1953, p. 544 ; 1st July, 1954, p. 11.

Notices by the Central Board of Health under regulation 112 of the Poison Regulations : *Gazette* 14th May, 1953, p. 1105 ; 2nd December, 1954, p. 1313 ; 6th January, 1955, p. 20.

Regulation under the Fees Regulation Act, 1927, relating to the fee for a licence as a dealer in poisons : *Gazette* 24th November, 1927, p. 1226.

Footwear Regulation Act, 1920.

Regulations : *Gazette* 12th May, 1921, p. 1020.

Friendly Societies Act, 1919-1954.

s. 5. Proclamations : *Gazette* 5th May, 1921, p. 981 ; 7th June, 1928, p. 1209 ; 15th January, 1931, p. 65 ; 14th May, 1936, p. 1002 ; 10th December, 1953, p. 1403.

Regulations : *Gazette* 2nd August, 1894, p. 243 ; 25th May, 1933, p. 882.

Regulation under the Fees Regulation Act, 1927, relating to the fee payable to the Crown Solicitor for perusing and settling rules : *Gazette* 19th December, 1929, p. 1311.

Fruit and Vegetables (Grading) Act, 1934.

Administration : Committed to the Minister of Agriculture *Gazette* 28th January, 1937, p. 187.

s. 4. Proclamation : *Gazette* 14th February, 1935. p. 463.

Regulations : *Gazette* 22nd July, 1937, p. 182 ; 14th July, 1938, p. 53 ; 15th September, 1938, p. 699 ; 29th May, 1941, p. 809 ; 13th February, 1947, p. 680 ; 30th March 1950, p. 695 ; 8th November, 1951, p. 1179.

Fruit and Vegetables (Prevention of Injury) Act, 1927.

Administration : Committed to the Minister of Agriculture *Gazette* 26th January, 1928, p. 149.

Regulations : *Gazette* 19th April, 1928, p. 821 ; 25th July, 1940, p. 181.

Fruit Cases Act, 1949.

Regulations : *Gazette* 3rd August, 1950, p. 225.

Fruit Fly Act, 1947-1953.

Regulations : *Gazette* 19th January, 1950, p. 106.

Garden Suburb Act, 1919-1936.

Commencement : 19th February, 1920 ; *Gazette* 19th February, 1920, p. 493.
Administration : Committed to the Minister of Housing *Gazette* 29th May, 1924, p. 1208.

Gas Act, 1924-1954.

Administration : Committed to the Minister of Industry and Employment, *Gazette* 23rd June, 1949, p. 1815.
s. 5a. Proclamation : *Gazette* 3rd March, 1955, p. 467.
s. 32. Proclamations : *Gazette* 3rd September, 1925, p. 571 ; 2nd February, 1928, p. 205 ; 8th August, 1929, p. 329.
Regulations : *Gazette* 19th November, 1925, p. 1346 ; 24th February, 1955, p. 389.

Gold Buyers Act, 1916-1935.

Commencement : 1st August, 1935 ; *Gazette* 11th July, 1935, p. 38.
Regulations : *Gazette* 19th December, 1935, p. 1477 ; 5th March, 1936, p. 537 ; 23rd December, 1937, p. 1809 ; 29th June, 1939, p. 1541 ; 21st September, 1939, p. 855.

Goods (Trade Descriptions) Act, 1935.

Commencement : 1st March, 1937 ; *Gazette* 28th January, 1937, p. 187.
Administration : Committed to Minister of Industry and Employment *Gazette* 28th January, 1937, p. 187.

Guardianship of Infants Act, 1940.

Rules of Court : *Gazette* 1st May, 1890, p. 1215.

Hairdressers Registration Act, 1939-1951.

Commencement : 1st March, 1940 ; *Gazette* 11th January, 1940, p. 33.
Administration : Committed to the Minister of Industry and Employment *Gazette* 11th January, 1940, p. 33.
Regulations : *Gazette* 21st March, 1940, p. 605 ; 28th November, 1940, p. 1215 ; 11th December, 1941, p. 1402 ; 9th December, 1943, p. 755 ; 3rd January, 1946, p. 25 ; 29th July, 1948, p. 545 ; 14th October, 1948, p. 1269 ; 6th September, 1951, p. 500 ; 5th June, 1952, p. 1285 ; 11th November, 1954, p. 1159.

Harbors Act, 1936-1953.

Commencement : 1st April, 1937 ; *Gazette* 25th March, 1937, p. 641.
Administration of Parts II and III : Committed to the Minister of Marine *Gazette* 25th March, 1937, p. 642.
s. 87. Proclamations (made under the Marine Board and Navigation Act, 1881) : *Gazette* 15th June, 1899, p. 1280 ; 8th September, 1904, p. 449 ; 22nd April, 1915, p. 1001 ; 10th June, 1926, p. 1462 ; 13th June, 1929, p. 1399.
s. 121. Proclamation (made under the Marine Board and Navigation Act, 1881) : *Gazette* 10th June, 1926, p. 1462.
s. 153. Proclamation : *Gazette* 13th February, 1936, p. 397.
s. 191. Proclamations : *Gazette* 10th September, 1914, p. 623 ; 24th September, 1914, p. 707 ; 26th November, 1914, p. 1145 ; 17th December, 1914, p. 1266 ; 25th March, 1915, p. 775 ; 3rd June, 1915, p. 1284 ; 15th July, 1915, p. 331 ; 16th June, 1921, p. 1267 ; 18th March, 1926, p. 793 ; 3rd June, 1926, p. 1421 ; 16th December, 1926, p. 1512 ; 14th April, 1927, p. 842 ; 28th April, 1927, p. 934 ; 3rd April, 1930, p. 649 ; 13th November, 1930, p. 985 ; 12th February, 1931, p. 262 ; 25th August, 1932, p. 342 ; 19th January, 1933, p. 70 ; 26th January, 1933, p. 109 ; 26th October, 1933, p. 899 ; 25th January, 1934, p. 130 ; 26th April, 1934, p. 1095 ; 12th July, 1934, p. 39 ; 25th October, 1934, p. 846 ; 14th March, 1935, p. 777 ; 30th January, 1936, p. 270 ; 10th September, 1936, p. 490 ; 21st October, 1937, p. 1053 ; 29th September, 1938, p. 871 ; 18th December, 1941, p. 1461 ; 17th October, 1946, p. 999 ; 14th September, 1950, p. 655 ; 7th December, 1950, p. 1366 ; 5th March, 1953, p. 397 ; 8th October, 1953, p. 935.

Regulations made under the Marine Board and Navigation Acts, 1881-1933, relating to matters provided for in the Harbors Act, 1936—

General harbor regulations : *Gazette* 26th April, 1883, p. 1429 ; 1st July, 1886, p. 2 ; 10th November, 1887, p. 928 ; 12th March, 1891, p. 768 ; 30th November, 1893, p. 1326 ; 4th November, 1897, p. 1384 ; 26th June, 1902, p. 1283 ; 3rd July, 1902, p. 2 ; 2nd April, 1903, p. 618 ; 2nd August, 1906, p. 212 ; 18th October, 1906, p. 817 ; 18th July, 1907, p. 115 ; 3rd October, 1907, p. 813 ; 10th October, 1907, p. 854 ; 21st January, 1909, p. 115 ; 28th January, 1909, p. 166 ; 8th July, 1909, p. 43 ; 25th August, 1910, p. 393 ; 22nd September, 1910, p. 617 ; 30th March, 1911, p. 561 ; 15th June, 1911, p. 1177 ; 27th July, 1911, p. 159 ; 2nd November, 1911, p. 911 ; 10th April, 1913, p. 680 ; 30th October, 1913, p. 1140 ; 4th December, 1913, p. 1619.

Harbors Act, 1936-1953—*continued.*

Regulations made under the Marine Board and Navigation Act, 1881-1933, relating to matters provided for in the Harbors Act, 1936—*continued*—

Mooring regulations: *Gazette* 26th April, 1883, p. 1429; 4th June, 1891, p. 1462; 5th May, 1892, p. 986; 30th November, 1893, p. 1326.

River Murray navigation regulations: *Gazette* 30th October, 1884, p. 1641; 26th January, 1893, p. 157; 4th October, 1906, p. 714.

Pilotage regulations: *Gazette* 26th September, 1889, p. 1354; 4th June, 1891, p. 1462; 16th February, 1899, p. 301; 2nd October, 1924, p. 825.

Regulations to leasing lands and construction of jetties and slips: *Gazette* 26th April, 1883, p. 1429; 2nd April, 1903, p. 618.

Lifesaving regulations: *Gazette* 26th April, 1883, p. 1429; 10th November, 1892, p. 1269.

Miscellaneous regulations: *Gazette* 11th November, 1897, p. 1446; 15th February 1900, p. 302; 30th November, 1911, p. 1184; 22nd August, 1912, p. 466; 10th April, 1913, p. 680.

Regulations made under the Harbors Acts, 1913-1933, and the Harbors Act, 1936—

General harbor regulations: *Gazette* 26th August, 1915, p. 745; 4th January, 1917, p. 8; 21st August, 1919, p. 383; 21st April, 1921, p. 759; 23rd February, 1922, p. 641; 12th October, 1922, p. 834; 22nd March, 1923, p. 641; 25th October, 1923, p. 954; 25th June, 1925, p. 1213; 14th October, 1926, p. 923; 21st March, 1935, p. 877; 25th June, 1936, p. 1257; 13th August, 1936, p. 250; 15th July, 1937, p. 115; 12th March, 1942, p. 395; 22nd October, 1942, p. 682; 1st March, 1945, p. 340; 22nd January, 1948, p. 169; 9th December, 1948, p. 1747; 20th July, 1950, p. 159; 19th August, 1954, p. 375; 9th December, 1954, p. 1366.

Moorings regulations: *Gazette* 12th December, 1918, p. 1309; 13th May, 1926, p. 1234; 11th June, 1925, p. 1135; 19th August, 1954, p. 375.

River Murray navigation regulations: *Gazette* 20th January, 1916, p. 94; 11th June, 1925, p. 1135; 15th January, 1942, p. 64; 20th June, 1946, p. 1099.

Pilotage regulations: *Gazette* 22nd April, 1915, p. 1001; 10th June, 1926, p. 1462; 5th May, 1927, p. 995; 4th July, 1929, p. 3; 19th August, 1954, p. 375.

Regulations for adjustments of compasses: *Gazette* 30th May, 1935, p. 1433.

Regulations for survey, &c., of vessels: *Gazette* 23rd June, 1921, p. 1318; 30th May, 1935, p. 1433; 8th August, 1935, p. 237; 19th August, 1954, p. 375.

Regulations for helm orders: *Gazette* 22nd December, 1932, p. 1188.

Wharfage regulations: *Gazette* 1st September, 1938, p. 472; 8th July, 1943, p. 28; 20th October, 1949, p. 950; 19th August, 1954, p. 375; 28th April, 1955, p. 985.

Storage regulations: *Gazette* 7th March, 1918, p. 442; 23rd September, 1915, p. 925; 14th February, 1952, p. 389.

Haulage regulations: *Gazette* 6th July, 1916, p. 2; 13th September, 1951, p. 562; 19th August, 1954, p. 375; 20th January, 1955, p. 136.

Port dues regulations: *Gazette* 19th August, 1954, p. 375.

Tonnage rates regulations: *Gazette* 30th October, 1930, p. 892; 19th August, 1954, p. 375.

Flag and sound signals at Port Adelaide: *Gazette* 5th December, 1940, p. 1289; 5th March, 1942, p. 370; 4th February, 1954, p. 193.

Fishing and other boats at Port Pirie: *Gazette* 12th September, 1940, p. 567.

Miscellaneous regulations: *Gazette* 26th August, 1915, p. 744; 23rd September, 1915, p. 925; 20th January, 1916, p. 94; 23rd March, 1916, p. 570; 20th April, 1916, p. 827; 4th January, 1917, p. 7; 4th January, 1917, p. 8; 25th January, 1917, p. 203; 5th September, 1918, p. 565; 30th January, 1919, p. 232; 8th May, 1919, p. 832; 3rd July, 1919, p. 2; 2nd September, 1920, p. 528; 23rd June, 1921, p. 1318; 9th February, 1922, p. 524; 28th June, 1923, p. 1377; 27th November, 1924, p. 1405; 22nd April, 1926, p. 1088; 10th February, 1927, p. 298; 24th February, 1927, p. 400; 2nd June, 1927, p. 1216; 27th October, 1927, p. 1008; 5th September, 1929, p. 570; 21st August, 1930, p. 350; 30th October, 1930, p. 895; 11th August, 1932, p. 235; 22nd December, 1932, p. 1188; 11th January, 1934, p. 42; 30th August, 1934, p. 428; 3rd November, 1938, p. 1214; 26th April, 1945, p. 603; 27th September, 1945, p. 516; 18th October, 1945, p. 568; 4th April, 1946, p. 536; 11th December, 1947, p. 1997; 30th April, 1953, p. 1012.

Rules of Court: *Gazette* 19th April, 1917, p. 639.

Hawkers Act, 1934-1948.

Regulations: *Gazette* 14th February, 1935, p. 523.

Health Act, 1935-1954.

Administration: Committed to the Minister of Health *Gazette* 28th February, 1952, p. 465.
s. 29. Proclamations: *Gazette* 13th July, 1899, p. 57; 2nd November, 1899, p. 1039; 19th December, 1940, p. 1552.
s. 38. Proclamations: *Gazette* 2nd November, 1899, p. 1039; 19th December, 1940, p. 1552.
s. 89. Proclamations: *Gazette* 17th August, 1899, p. 344; 24th August, 1899, p. 407; 4th July, 1901, p. 1; 5th September, 1901, p. 503; 21st November, 1901, p. 1009; 20th March, 1902, p. 675; 9th January, 1908, p. 33; 23rd January, 1908, p. 107; 27th February, 1908, p. 358; 16th September, 1909, p. 561; 13th January, 1910, p. 31; 1st June, 1916, p. 161; 10th August, 1916, p. 237; 7th September, 1916, p. 460; 7th June, 1917, p. 944; 23rd June, 1938, p. 1485.
Model regulations for the guidance of local boards: *Gazette* 29th June, 1899, p. 1442.
General regulations: *Gazette* 25th November, 1948, p. 1593; 2nd April, 1953, p. 696; 28th January, 1954, p. 159; 10th June, 1954, p. 1138.
Regulations under Part IXA: *Gazette* 16th September, 1954, p. 734.
Regulation under the Fees Regulation Act, 1927, relating to fees for examination of plans and inspection of bacteriolytic tanks: *Gazette* 24th November, 1927, p. 1226.

Hide and Leather Industries Act, 1948.

Commencement: 1st January, 1949; *Gazette* 23rd December, 1948, p. 1866.

Hide, Skin, and Wool Dealers Act, 1915-1935.

Regulations: *Gazette* 26th November, 1936, p. 1150.

Highways Act, 1926-1954.

Commencement: 3rd February, 1927; *Gazette* 3rd February, 1927, p. 258.
Administration: Committed to the Minister of Local Government *Gazette* 10th February, 1927, p. 297.
s. 30. Proclamations: *Gazette* 9th June, 1938, p. 1285; 8th December, 1938, p. 1452; 2nd February, 1939, p. 334; 9th March, 1939, p. 569; 30th March, 1939, p. 739; 14th September, 1939, p. 746; 21st September, 1939, p. 814; 26th October, 1939, p. 1157; 23rd November, 1939, pp. 1379 and 1380; 4th January, 1940, p. 2 (republished 18th January, 1940, p. 70), 15th February, 1940, p. 369; 22nd February, 1940, pp. 409 and 410; 28th March, 1940, pp. 645 and 646; 8th August, 1940, pp. 222 and 223; 29th August, 1940, p. 405; 12th September, 1940, p. 516; 24th October, 1940, p. 841; 20th February, 1941, p. 229; 6th March, 1941, p. 335; 24th April, 1941, p. 587; 15th May, 1941, p. 717; 5th June, 1941, p. 812; 26th June, 1941, p. 923; 14th August, 1941, p. 265; 25th September, 1941, p. 623; 3rd December, 1942, p. 1089; 20th May, 1943, p. 628; 28th October, 1943, p. 544; 6th August, 1953, p. 448; 20th August, 1953, p. 539; 8th October, 1953, p. 936.
Regulations as to the preservation of trees: *Gazette* 19th September, 1929, p. 701.
Regulations as to the opening of Birkenhead Bridge: *Gazette* 5th December, 1940, p. 1289; 8th July, 1954, p. 61.
Regulations as to the control of traffic, etc., at Birkenhead and Jervois Bridges: *Gazette* 8th November, 1945, p. 696.

Hire-Purchase Agreements Act, 1931.

Rules of Local Court under section 5: *Gazette* 18th February, 1932, p. 312.

Homes Act, 1941-1952.

s. 10. Proclamation: 5th July, 1945, p. 1.
Regulations: *Gazette* 15th January, 1942, p. 67; 13th June, 1946, p. 1095.

Homestead Act, 1895-1935.

Regulations: *Gazette* 6th February, 1896, p. 289.

Honey Marketing Act, 1949-1953.

Commencement: 12th January, 1950; *Gazette* 12th January, 1950, p. 41.
Regulations: *Gazette* 24th August, 1950, p. 467.

Hospitals Act, 1934-1952.

Commencement: 1st May, 1937; *Gazette* 25th March, 1937, p. 642.
Administration: Committed to the Chief Secretary *Gazette* 25th March, 1937, p. 642.
s 5. Proclamations: *Gazette* 16th January, 1868, p. 51; 23rd March, 1882, p. 960; 12th October, 1905, p. 728; 1st March, 1934, p. 405; 9th August, 1934, p. 251; 24th September, 1936, p. 626; 3rd December, 1936, p. 1195; 1st July, 1937, p. 1; 26th January, 1939, p. 246; 16th March, 1939, p. 616; 17th August, 1939, p. 421; 11th February, 1954, p. 226.
s. 15. Proclamation: *Gazette* 21st November, 1912, p. 1093.

Hospitals Act, 1934-1952—*continued.*

s. 37. Notices: *Gazette* 25th March, 1920, p. 935; 23rd September, 1920, p. 849; 21st July, 1921, p. 95; 29th September, 1921, p. 714; 18th January, 1923, p. 93; 25th December, 1924, p. 1625; 13th May, 1926, p. 1233; 24th November, 1927, p. 1223; 28th June, 1928, p. 1623; 10th October, 1929, p. 854; 19th December, 1929, p. 1307; 11th September, 1930, p. 583; 6th February, 1936, p. 301; 3rd September, 1936, p. 417; 30th November 1939, p. 1437; 30th November, 1939, p. 1438; 4th April, 1946, p. 536; 28th November, 1946, p. 1328; 28th August, 1947, p. 587; 18th January, 1951, p. 74; 26th July, 1951, p. 173; 8th May, 1952, p. 1007; 8th July, 1954, p. 57.

s. 43. Proclamations: *Gazette* 20th January, 1927, p. 122; 27th January, 1927, p. 178; 17th February, 1927, p. 338; 3rd March, 1927, p. 513; 24th March, 1927, p. 674; 19th May, 1927, p. 1099; 14th July, 1927, p. 45; 12th April, 1928, p. 774; 22nd November, 1928, p. 1094; 23rd May, 1929, p. 1051; 23rd May, 1929, p. 1052; 20th February, 1930, p. 371; 15th May, 1930, p. 892; 29th October, 1936, p. 949; 7th March, 1940, p. 494; 1st August, 1940, p. 183; 15th August, 1940, p. 273; 5th June, 1947, p. 1606.

s. 48. Proclamations: *Gazette* 8th January, 1931, p. 26; 30th November, 1939, p. 1436; 20th June, 1946, p. 1097; 31st July, 1952, p. 253.

Proclamation of Her Majesty as to The Queen Elizabeth Hospital: *Gazette* 24th March, 1954, p. 615.

Regulations relating to the following hospitals:—

Royal Adelaide Hospital: *Gazette* 23rd February, 1922, p. 641; 7th December, 1922, p. 1460; 28th August, 1924, p. 555; 24th December, 1925, p. 1665; 19th August, 1926, p. 440; 27th January, 1927, p. 179; 19th January, 1933, p. 76; 10th January, 1935, p. 267; 16th July, 1936, p. 67; 15th September, 1938, p. 697; 24th August, 1939, p. 496; 25th January, 1940, p. 167; 9th May, 1940, p. 987; 7th October, 1948, p. 1217; 29th July, 1954, p. 221.

Bedford Park Sanatorium: *Gazette* 15th March, 1934, p. 788.

Lady Weigall Hospital, Barmera: *Gazette* 8th October, 1936, p. 735.

The Morris Hospital, Northfield: *Gazette* 30th August, 1934, p. 431.

Mount Gambier Hospital: *Gazette* 27th January, 1938, p. 217.

Port Augusta Hospital: *Gazette* 8th September, 1938, p. 662.

Port Lincoln Hospital: *Gazette* 4th November, 1937, p. 1269.

Port Pirie Hospital: *Gazette* 11th October, 1928, p. 806.

Wallaroo Hospital: *Gazette* 21st January, 1937, p. 162.

General regulations relating to the powers of the Inspector-General of Hospitals: *Gazette*, 27th September, 1923, p. 727.

Regulations relating to rating for hospital purposes: *Gazette* 19th August, 1920, p. 383.

Hospital Benefits Act, 1945.

Commencement: 17th January, 1946: *Gazette* 17th January, 1946, p. 71.

Hospital Benefits (Amending Agreement) Act, 1948.

Commencement: 17th February, 1949; *Gazette* 17th February, 1949, p. 403.

Housing Improvement Act, 1940-1950.

Commencement: 19th December, 1940; *Gazette* 19th December, 1940, p. 1551.

Administration: Committed to the Treasurer; *Gazette* 19th December, 1940, p. 1551.

s. 5. Proclamation committing execution of Act to the South Australian Housing Trust; 19th December, 1940, p. 1551.

s. 6. Proclamation: *Gazette* 19th May, 1949, p. 1212.

s. 49. Proclamation: *Gazette* 9th October, 1941, p. 713.

Regulations under section 6; *Gazette* 19th December, 1940, p. 1587.

Regulations as to standards of habitation: *Gazette* 29th May, 1941, p. 806; 8th January, 1942, p. 57; 25th September, 1952, p. 897.

Rules of Local Court: *Gazette* 10th July, 1941, p. 45.

Immigration Act, 1923-1937.

Administration: Committed to the Minister of Immigration *Gazette* 24th April, 1924, p. 973.

Regulations: *Gazette* 1st March, 1928, p. 454; 3rd May, 1928, p. 917.

Impounding Act, 1920-1947.

Administration: Committed to the Minister of Local Government *Gazette* 22nd April, 1937, p. 849.

Imprint Act, 1951.

Administration: Committed to the Chief Secretary *Gazette* 31st January, 1952, p. 171.

Income Tax Assessment Act, 1936-1946.

s. 132. Proclamation : *Gazette* 18th February, 1937, p. 334.
Regulations under the Taxation Act, 1884, and its amendments : *Gazette* 22nd January, 1885, p. 203 ; 29th December, 1904, p. 1205 ; 24th December, 1908, p. 1257.
Regulations under the Taxation Act, 1915, and its amendments : *Gazette* 20th December, 1917, p. 1320 ; 3rd January, 1918, p. 6 ; 20th December, 1923, p. 1436 ; 21st August, 1924, p. 403 ; 9th April, 1925, p. 627 ; 23rd July, 1925, p. 199.
Regulations under the Taxation Act, 1927, and its amendments : *Gazette* 29th December, 1927, p. 1681 ; 28th June, 1928, p. 1624 ; 4th July, 1929, p. 17 ; 19th December, 1929, p. 1307 ; 10th July, 1930, p. 49 ; 4th August, 1932, p. 182 ; 13th June, 1935, p. 1576,
Regulations under the Income Tax Assessment Act, 1936 : *Gazette* 24th December, 1936, p. 1367 ; 18th February, 1937, p. 375 ; 27th May, 1937, p. 1206.

Industrial and Provident Societies Act, 1923-1954.

Regulations : *Gazette* 13th November, 1924, p. 1316.
Rules of Court under section 9 (3) : *Gazette* 2nd October, 1924, p. 830.

Industrial Code, 1920-1951.

Rules of the Industrial Court : *Gazette* 24th August, 1944, p. 229 ; 20th September, 1945, p. 467.
Regulations as to Industrial Boards : *Gazette* 28th April, 1921, p. 939 ; 2nd June, 19 p. 1179; 18th August, 1921, p. 320 ; 13th January, 1944, p. 43 ; 25th November, 1948, p. 1579 ; 6th March, 1952, p. 512 ; 21st October, 1954, p. 1030.
Regulations as to jurisdiction of Industrial Boards : *Gazette* 21st February, 1946, p. 331; 30th May, 1946, p. 1018.
Rules as to the Board of Industry : *Gazette* 21st October, 1954, p. 1030.
Regulations as to the Board of Industry : *Gazette* 28th January, 1937, p. 188.
Regulations as to factories and shops : *Gazette* 28th April, 1921, p. 942 ; 24th November, 1927, p. 1226 ; 7th December, 1944, p. 800.

Inebriates Act, 1908-1934.

Regulations : *Gazette* 26th October, 1911, p. 859 ; 8th August, 1912, p. 300 ; 7th January, 1915, p. 2.
Rules of Court : *Gazette* 26th October, 1911, p. 864.

Infectious Diseases Hospital Transfer Act, 1947.

s. 3. Notice fixing 1st April, 1948, as the "appointed day" : *Gazette*, 25th March, 1948, p. 644.
s. 8. Commencement : 16th September, 1948 ; *Gazette* 16th September, 1948, p. 1068.

Inflammable Oils Act, 1908-1954.

Commencement : 1st June, 1909 ; *Gazette* 4th March 1909, p. 444.
Administration : Committed to the Minister of Industry *Gazette*, 17th November, 1932, p. 953.
s. 46. Proclamation : *Gazette* 28th October, 1920, p. 1120.
General regulations : *Gazette* 31st January, 1952, p. 204.

Institute of Medical and Veterinary Science Act, 1937-1944.

Commencement : 9th June, 1938 ; *Gazette* 9th June, 1938, p. 1270.
Regulations : *Gazette* 30th June, 1938, p. 1568 ; 22nd December, 1949, p. 1581.

Insurance Companies (Deposits) Act, 1924-1931.

Regulations : *Gazette* 4th April, 1929, p. 752.

Interest on Crown Advances and Leases Act, 1944-1951.

s. 2. Notices : *Gazette* 25th January, 1945, p. 91 ; 25th September, 1952, p. 899.
s. 3. Notices : *Gazette* 25th January, 1945, p. 91 ; 25th September, 1952, p. 899.

Interstate Destitute Persons Relief Act, 1910-1943.

Commencement : 5th January, 1911 ; *Gazette* 5th January, 1911, p. 1.
s. 5. Proclamations : *Gazette* 23rd March, 1911, p. 499 ; 20th February, 1913, p. 343, 2nd October, 1913, p. 762 ; 5th August, 1915, p. 555 ; 21st July, 1921, p. 95.
Regulations : *Gazette* 27th April, 1911, p. 720.

Irrigation Act, 1930-1946.

Commencement : 5th February, 1931 ; *Gazette* 5th February, 1931, p. 189.
ss. 16, 17, and 18. Proclamations relating to irrigation areas : *Gazette* 11th July, 1907, p. 43 ; 12th November, 1908, p. 933 ; 25th March, 1909, p. 572 ; 29th April, 1909, p. 785 ; 27th January, 1910, p. 104 ; 13th October, 1910, p. 744 ; 3rd November, 1910, p. 919 ; 24th November, 1910, p. 1063 ; 19th September, 1912, p. 677 ; 12th June, 1913, p. 1268 ; 21st May, 1914, p. 1106 ; 4th February, 1915, p. 276 ; 25th February, 1915, p. 484 ; 25th February, 1915, p. 485 ; 2nd September, 1915, p. 800 ; 17th February, 1916, p. 299 ; 17th August, 1916, p. 289 ; 28th September, 1916, p. 568 ; 9th November, 1916, p. 910 ; 13th June, 1918, p. 1117 ; 30th October, 1919, p. 1083 ; 11th August, 1921, p. 269 ; 15th December, 1921, p. 1386 ; 26th January, 1922, p. 158 ; 27th April, 1922, p. 1119 ; 24th August, 1922, p. 413 ; 7th September, 1922, p. 545 ; 12th April, 1923, p. 819 ; 17th May, 1923, p. 1074 ; 12th July, 1923, p. 49 ; 16th August, 1923, p. 350 ; 5th June, 1924, p. 1271 ; 4th June, 1925, p. 1085 ; 9th July, 1925, p. 51 ; 24th September, 1925, p. 739 ; 9th September, 1926, p. 614 ; 22nd December, 1927, p. 1609 ; 17th May, 1928, p. 1035 ; 25th September, 1930, p. 621 ; 13th November, 1930, p. 986 ; 8th January, 1931, p. 26 ; 17th January, 1935, p. 292 ; 14th October, 1943, p. 475 ; 22nd January, 1948, p. 167 ; 12th August, 1948, p. 647 ; 30th September, 1948, p. 1168 ; 8th September, 1949, p. 647 ; 23rd November, 1950, p. 1255 ; 12th June, 1952, p. 1291 ; 11th December, 1952, p. 1504 ; 13th May, 1954, p. 958 ; 24th June, 1954, p. 1237.
Regulations : *Gazette* 16th September, 1954, p. 707.

Irrigation on Private Property Act, 1939-1949.

Commencement : 5th January, 1940 : *Gazette* 4th January, 1940, p. 1.
s. 9. Proclamations : *Gazette* 12th December, 1940, p. 1425 ; 6th February, 1941, p. 148 ; 27th September, 1945, p. 490 ; 15th May, 1952, p. 1058.

Juries Act, 1927-1937.

Commencement : 6th January, 1928 ; *Gazette* 5th January, 1928, p. 1.
ss. 9 and 10. Proclamation : *Gazette* 28th September, 1950, p. 738.
s. 77. Proclamation : *Gazette* 7th January, 1954, p. 2.

Justices Act, 1921-1943.

Commencement : 26th July, 1922 ; *Gazette* 29th June, 1922, p. 1575.
Rules of the Supreme Court as to appeals under Part VI : *Gazette* 22nd September, 1938, p. 776 ; 24th December, 1952, p. 1620.
Rules made by the Governor under section 203 : *Gazette* 27th February, 1930. p. 443 ; 3rd April, 1930, p. 650 ; 6th April, 1933, p. 552 ; 29th April, 1937, p. 947 ; 1st September, 1938, p. 499 ; 15th June, 1944, p. 718.
Regulations as to payment to witnesses and others for attendance at courts of summary jurisdiction : *Gazette* 7th January, 1954, p. 7.
Rules under the Maintenance Orders (Facilities for Enforcement) Act, 1922, and the Justices Act, 1921 : *Gazette* 25th October, 1923, p. 953 ; 26th February, 1931, p. 374.
Rules under the Licensing Act, 1932, and the Justices Act, 1921 : *Gazette* 29th April, 1937, p. 945 ; 11th April, 1946, p. 653.

Juvenile Courts Act, 1941.

Commencement : 1st July, 1942 ; *Gazette* 18th June, 1942, p. 847.
Administration : Committed to the Attorney-General ; *Gazette* 18th June, 1942, p. 847.

Land Agents Act, 1925-1950.

Commencement : 7th January 1926 ; *Gazette* 7th January, 1926, p. 1.
Commencement of Land Agents Act Amendment Act, 1950 : 18th January, 1951 ; *Gazette* 18th January, 1951, p. 73.
Administration : Committed to the Attorney-General *Gazette* 28th January, 1926, p. 152.
Regulations : *Gazette* 4th October, 1951, p. 865.

Landlord and Tenant Act, 1936.

Commencement : 1st May, 1937 ; *Gazette* 25th March, 1937, p. 645.

Landlord and Tenant (Control of Rents) Act, 1942-1954.

Commencement : 1st January, 1943 ; *Gazette* 3rd December, 1942, p. 1089.
Commencement of Part IIIB : 16th August, 1948 ; *Gazette* 13th August, 1948, p. 703.
Administration : Committed to the Attorney-General ; *Gazette* 10th December, 1942, p. 1123.
s. 5. Proclamations : *Gazette* 11th December, 1952, p. 1505 ; 14th May, 1953, p. 1095 ; 1st April, 1954, p. 665.
s. 29. Notice : *Gazette* 20th July, 1950, p. 144.
s. 32. Notice : *Gazette* 18th September, 1952, p. 858.
Regulations : *Gazette* 26th January, 1950, p. 178.

Landlord and Tenant (Control of Rents) Act, 1942-1954—*continued.*

Regulations prescribing forms of notice to quit: *Gazette* 25th January, 1951, p. 119; 22nd February, 1951, p. 474; 14th February, 1952, p. 387.

Rules of Local Court: *Gazette* 1st May, 1947, p. 1121; 15th December, 1949, p. 1516; 22nd March, 1951, p. 655.

Landlord and Tenant (Rent Reduction) Act, 1932-1936.

Commencement: 24th November, 1932; *Gazette* 24th November, 1932, p. 1001.

Rules of the Local Court: *Gazette* 22nd December, 1932, p. 1209.

Land Settlement Act, 1944-1952.

Regulations: *Gazette* 20th December, 1951, p. 1568; 11th March, 1954, p. 517.

Land Tax Act, 1936-1952.

Commencement: 7th January, 1937; *Gazette* 7th January, 1937, p. 1.

s. 45. Proclamation: *Gazette* 15th December, 1949, p. 1508.

s. 48. Proclamations: 11th December, 1952, p. 1503; 9th April, 1953, p. 895.

Regulations: *Gazette* 2nd April, 1953, p. 699.

Law of Property Act, 1936-1945.

Commencement: 1st November, 1937; *Gazette* 25th March, 1937, p. 646.

Regulations: *Gazette* 13th February, 1947, p. 681.

Legal Practitioners Act, 1936-1948.

Commencement: 1st May, 1937; *Gazette* 25th March, 1937, p. 645.

Rules of Court as to the statutory committee: *Gazette* 9th November, 1916, p. 943.

Rules of Court as to trust accounts and other matters: *Gazette* 31st August, 1939, p. 573.

Levi Park Act, 1948.

s. 7. Notice: *Gazette* 27th January, 1949, p. 191.

By-laws: *Gazette* 26th November, 1953, p. 1339.

Libraries and Institutes Act, 1939-1950.

Commencement: 1st February, 1940; *Gazette* 18th January, 1940, p. 69.

s. 36. Proclamations: 7th March, 1940, p. 494; 8th August, 1940, p. 221; 12th December, 1940, p. 1427; 4th December, 1941, p. 1193; 23rd April, 1942, p. 613; 20th August, 1942, p. 264; 12th November, 1942, p. 985; 25th March, 1943, p. 333; 25th November, 1943, p. 691; 22nd June, 1944, p. 735; 20th July, 1944, p. 67; 20th July, 1944, p. 68; 19th October, 1944, p. 472; 22nd February, 1945, p. 309; 26th July, 1945, p. 99; 20th August, 1945, p. 247; 6th June, 1946, p. 1021; 12th February, 1948, p. 360; 2nd June, 1949, p. 1500; 27th October, 1949, p. 1010; 22nd December, 1949, p. 1579; 16th March, 1950, p. 585; 25th October, 1951, p. 1001; 8th May, 1951, p. 1005; 7th August, 1952, p. 413; 4th September, 1952, p. 723; 4th December, 1952, p. 1431; 12th March, 1953, p. 462; 23rd April, 1953, p. 968; 28th May, 1953, p. 1319; 27th August, 1953, p. 644; 1st October, 1953, p. 891; 1st October, 1953, p. 892; 22nd October, 1953, p. 1052; 7th January, 1954, p. 2; 1st April, 1954, p. 665; 12th May, 1955, p. 1103.

Regulations relating to the Public Library and other premises: *Gazette* 5th December, 1940, p. 1288; 14th February, 1946, p. 241; 21st January, 1954, p. 127.

Regulations relating to the lending of books from the Public Library: *Gazette* 14th February, 1946, p. 239; 20th July, 1950, p. 164.

Regulations relating to the Institutes Association: *Gazette* 6th October, 1910, p. 714; 23rd April, 1936, p. 890; 14th July, 1938, p. 78; 1st August, 1940, p. 191; 3rd January, 1946, p. 24.

Licensing Act, 1932-1954.

Commencement: 8th December, 1932; *Gazette* 8th December, 1932, p. 1079.

s. 5. Order: *Gazette* 11th October, 1917, p. 852.

s. 114. Proclamations: *Gazette* 26th May, 1932, p. 963; 8th June, 1933, p. 974; 29th June, 1933, p. 1093; 10th August, 1939, p. 352.

s. 223. Proclamation: *Gazette* 28th July, 1938, p. 166.

s. 230. For table of resolutions carried at local option polls prior to 26th April, 1937, see the footnote in Volume 4, p. 502 of the South Australian Statutes, 1837-1936. Notices of subsequent resolution: *Gazette* 8th June, 1944, p. 702 (Hindmarsh, Norwood and Semaphore districts); 20th March, 1947, p. 889 (Adelaide and Murray districts); 23rd March, 1950, p. 662 (Semaphore and Port Pirie Districts); 30th March, 1950, p. 684 (Stuart and Glenelg Districts); 9th April, 1953, p. 896 (Semaphore, Glenelg, Prospect, Port Pirie, Goodwood, Albert, Port Adelaide, and Murray Districts).

Licensing Act, 1932-1954—*continued.*

Regulations as to polls under section 62: *Gazette* 10th March, 1955, p. 549; 31st March, 1955, p. 757.
Regulation as to permits under section 150a; *Gazette*, 11th April, 1946, p. 653.
Regulations under section 189 as to declarations by *bona fide* travellers: *Gazette* 6th February, 1936, p. 302.
Regulations under section 195 as to declarations by *bona fide* lodgers: *Gazette* 17th December, 1931, p. 1118.
Regulations under section 197a as to permits to sell liquor in restaurants: *Gazette* 30th January, 1936, p. 271.
Regulations under section 199 as to permits to sell or consume liquor on special occasions: *Gazette* 29th April, 1937, p. 945.
Regulations under section 235 amending the regulations as to local option polls and contained in schedule W: *Gazette* 17th February, 1944, p. 87; 26th January, 1950, p. 169.
Regulations as to proof of notices: *Gazette* 14th October, 1937, p. 1027.
Regulations as to licensing districts: *Gazette* 28th July, 1938, p. 168.
Regulation under the Fees Regulation Act, 1927, as to the fee payable for a permit under section 150a of the Licensing Act; *Gazette* 11th April, 1946, p. 651.

Life Assurance Companies Act, 1936-1952.

Regulations: *Gazette* 27th June, 1889, p. 1800; 2nd October, 1941, p. 676.

Lifts Regulation Act, 1908-1934.

Regulations: *Gazette* 21st November, 1935, p. 1273.

Liquid Fuel Act, 1941.

Commencement: At 1st April, 1955, this Act had not been brought into operation.

Liquid Fuel Act, 1949.

Regulations: *Gazette* 10th November, 1949, p. 1197.
Liquid Fuel (Rationing Orders); No. 1, *Gazette* 15th November, 1949, p. 1221; No. 2, *Gazette* 15th November, 1949, p. 1222.

Loans for Fencing and Water Piping Act, 1938-1952.

Commencement: 1st February, 1939; *Gazette* 19th January, 1939, p. 121.
s. 13 (7). Notice: *Gazette* 2nd February, 1939, p. 343.

Loans to Producers Act, 1927-1952.

Regulations: *Gazette* 21st July, 1927, p. 126; 6th March, 1930, p. 484; 8th April, 1948, p. 768.

Local Courts Act, 1926-1947.

Commencement: 7th March, 1927; *Gazette* 10th February, 1927, p. 297.
s. 8. Proclamations: *Gazette* 12th February, 1948, p. 359; 14th September, 1950, p. 654; 6th November, 1952, p. 1199; 22nd January, 1953, p. 71; 16th April, 1953, p. 923; 26th November, 1953, p. 1307; 21st October, 1954, p. 1027; 18th November, 1954, p. 1205; 9th December, 1954, p. 1365; 20th January 1955, p. 135.
s. 294. Proclamations: *Gazette* 5th November, 1936, p. 1005; 8th May, 1947, p. 1425; 20th January, 1949, p. 113; 15th December, 1949, p. 1507; 20th December, 1951, p. 1553.
General rules of Court: *Gazette* 4th August, 1952, p. 317; 17th December, 1953, p. 1460.
Rules of Court as to bailiffs' fees: *Gazette* 20th October, 1932, p. 802.
Rules of Court as to practitioner's costs: *Gazette* 17th December, 1953, p. 1460.
Rules of Court as to appeals under the Bailiffs and Inquiry Agents Licensing Act, 1945: *Gazette* 9th May, 1946, p. 887.
Rules of Court as to applications under section 5 of the Hire-Purchase Agreements Act, 1931: *Gazette* 18th February, 1932, p. 312.
Rules of Court as to appeals under the Housing Improvement Act, 1940: *Gazette* 10th July, 1941, p. 45.
Rules of Court as to appeals and other matters under the Landlord and Tenant (Control of Rents) Act, 1942: *Gazette* 1st May, 1947, p. 1121; 15th December, 1949, p. 1516; 22nd March, 1951, p. 655.
Rules of Court as to procedure under the Landlord and Tenant (Rent Reduction) Act, 1932-1936: *Gazette* 22nd December, 1932, p. 1209.
Rules of Court in respect of section 309 of the Local Government Act, 1934; *Gazette* 4th November, 1948, p. 1425.
Regulations as to applications under section 10 of the Marine Stores Act, 1898-1936: *Gazette* 22nd June, 1899, p. 1357.
Rules of Court as to applications under the Mortgagors Relief Act, 1931-1936: *Gazette* 28th January, 1932, p. 158.

Local Courts Act, 1926-1947—*continued.*

Rules of Court as to proceedings under the National Security (Landlord and Tenant) Regulations: *Gazette* 20th September, 1945, p. 487.

Rules of Court in aid of the National Security (War Service Moratorium) Regulations: *Gazette* 26th June, 1941, p. 926; 4th October, 1945, p. 528; 15th August, 1946, p. 302.

Rules of Court as to appeals against refusal of drivers' licences under the Road Traffic Act, 1934-1938: *Gazette* 4th March, 1937, p. 484.

Regulations as to applications to Local Courts under the Second-hand Dealers Act, 1919-1934: *Gazette* 26th March, 1936, p. 705.

Rules of Court as to appeals under section 53 or section 96 of the South-Eastern Drainage Act 1931-1947: *Gazette* 5th May, 1932, p. 779.

Rules of Court under the Warehousemen's Liens Act, 1941: *Gazette* 26th March, 1942, p. 477.

Rules of Court under the Workmen's Compensation Act, 1932-1938: *Gazette* 4th May, 1933, p. 723; 2nd July, 1942, p. 22.

Regulations under the Workmen's Liens Act, 1893-1936: *Gazette* 21st February, 1895, p. 453.

Rules of the Supreme Court as to Local Court appeals: *Gazette* 31st March, 1927, p. 745; rules dated 6th February, 1928 (not published in the *Gazette*); 22nd March, 1934, p. 853; 4th November, 1937, p. 1230.

Local Government Act, 1934-1954.

Commencement: 2nd November, 1934: *Gazette* 25th October, 1934, p. 845.

Administration: Committed to the Minister of Local Government *Gazette* 25th October, 1934, p. 845.

s. 48. Proclamations: *Gazette* 23rd December, 1943, p. 810; 11th April, 1946, p. 573; 21st November, 1946, p. 1279; 20th April, 1950, p. 813; 11th September, 1952, p. 795; 26th February, 1953, p. 345; 9th April, 1953, p. 895; 22nd October, 1953, p. 1052; 9th December, 1954, p. 1364.

s. 74. Proclamations: *Gazette* 18th May, 1939, p. 1206; 20th February, 1947, p. 685; 9th April, 1953, p. 895.

s. 163b. Notice: *Gazette* 28th September, 1939, p. 868.

s. 179. Proclamations: *Gazette* 8th August, 1908, p. 249; 25th February, 1909, p. 387; 22nd December, 1910, p. 1300; 12th January, 1911, p. 45; 19th January, 1911, p. 95; 28th December, 1911, p. 1360; 28th March, 1912, p. 585; 17th April, 1913, p. 725; 26th June, 1913, p. 1343; 13th July, 1922, p. 54; 25th March, 1926, p. 866; 11th August, 1927, p. 347; 18th August, 1927, p. 411; 8th September, 1927, p. 599; 22nd September, 1927, p. 713; 18th October, 1928, p. 874; 15th November, 1928, p. 1053; 24th December, 1930, p. 1293; 22nd August, 1946, p. 308; 24th August, 1950, p. 462; 24th May, 1951, p. 1121; 28th June, 1951, p. 1373; 28th June, 1951, p. 1373; 2nd October, 1952, p. 939; 24th June, 1954, p. 1238.

s. 495. Proclamations: *Gazette* 21st September, 1922, p. 675; 31st July, 1924, p. 226, 28th February, 1935, p. 592; 28th November, 1935, p. 1285; 14th January, 1937; p. 33; 12th June, 1941, p. 862; 1st October, 1942, p. 494; 12th September, 1946, p. 449.

s. 625. Proclamations: *Gazette* 7th December, 1944, 1944, p. 779; 10th June, 1948, p. 1195; 30th September, 1948, p. 1168; 8th December, 1949, p. 1411; 22nd December, 1949, p. 1579; 28th April, 1955, p. 984; 28th April, 1955, pp. 984-985.

s. 647. Proclamation: *Gazette* 3rd May, 1894, p. 1009.

Regulations relating to Local Government Auditors' Certificates: *Gazette* 20th February, 1936, p. 459.

Regulations as to qualifications of officers: *Gazette* 13th October, 1938, p. 1023; 16th March, 1939, p. 670; 22nd August, 1940, p. 400; 16th November, 1944, p. 704; 16th May, 1946, p. 895; 24th October, 1946, p. 1113.

Regulations relating to reflections on barriers: *Gazette* 19th December, 1935, p. 1447.

Regulations relating to the charges of the Crown Solicitor under section 674: *Gazette* 31st January, 1935, p. 371.

Regulations relating to cemeteries generally: *Gazette* 5th October, 1944, p. 444; 15th February, 1951, p. 335.

Regulations relating to the West Terrace Cemetery: *Gazette* 2nd October, 1930, p. 662; 31st October, 1940, p. 960; 5th February, 1942, p. 237.

Rules as to appeals by clerks: *Gazette* 27th March, 1947, p. 925.

Rules of the Local Court in respect of section 309: *Gazette* 4th November, 1948, p. 1425.

Rules of the Local Court in respect of notices for removal of unsightly structures: *Gazette* 24th June, 1954, p. 1241.

Model by-laws: *Gazette* 17th September, 1936, p. 562. Amendments of model by-laws: 5th October, 1950, p. 797 (re-enactment of model by-law No. I.); 18th August, 1938, p. 335 (amendment of model by-law No. VII.); 19th October, 1939, p. 1095 (amendment of model by-law No. XVIII.); 5th October, 1944, p. 415 (amendment of model by-law No. XXI.); 12th September, 1940, p. 515 (amendment of model by-law No. XXIV.); 28th September, 1950, p. 739 (amendment of model by-law No. XXIV.); 23rd November, 1950, p. 1254 (amendment of model by-law No.

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XXIV.); 4th September, 1941, p. 458 (amendment of model by-law No. XXV.); 12th September, 1940, p. 515 (amendment of model by-law No. XXVII.); 28th September, 1950, p. 739 (amendment of model by-law No. XXVII.); 23rd November, 1950, p. 1254 (amendment of model by-law No. XXVII.); 4th September, 1941 (amendment of model by-law No. XXIX.); 12th September, 1940, p. 515 (amendment of model by-law No. XXXII.); 5th October, 1944, p. 415 (amendment of model by-law No. XXXIV.); 12th October, 1950, p. 862 (model by-law as to height of fences, etc., at intersections); 4th October, 1951, p. 830 (model by-law as to wrapping of bread); 9th October, 1952, p. 987 (model by-law as to motor vehicles plying for hire).

Local Government (City of Enfield Loan) Act, 1953.

Administration: Committed to the Minister of Local Government *Gazette* 14th January, 1954, p. 57.

Local Government (Forestry Reserves) Act, 1944.

Administration: Committed to the Minister of Forests *Gazette* 25th January, 1945, p. 86.

Lottery and Gaming Act, 1936-1954.

Commencement of the Lottery and Gaming Act Amendment Act (No. 2), 1938; 19th December, 1938: *Gazette* 15th December, 1938, p. 1497.

Commencement of the Lottery and Gaming Act Amendment Act (No. 1), 1950: 1st December, 1950: *Gazette* 30th November, 1950, p. 1301.

ss. 32 and 32a. Proclamations: *Gazette* 13th February, 1936, p. 398; 12th March, 1936, p. 593; 23rd July, 1936, p. 109; 24th December, 1936, p. 1321; 18th February, 1937, p. 334; 21st October, 1937, p. 1053; 13th April, 1939, p. 887; 9th September, 1948, p. 955; 28th October, 1948, p. 1345; 9th December, 1948, p. 1744; 7th July, 1949, p. 1; 5th January, 1950, p. 2; 5th March, 1953, p. 398; 9th December, 1954, p. 1364; 10th March, 1955, p. 551.

s. 42. Directions as to procedure: *Gazette* 31st January, 1946, p. 194.

Rules and regulations as to the totalizator: *Gazette* 27th May, 1937, p. 1207; 7th December; 1939, p. 1556. (These rules and regulations are reprinted in Volume 5, pp. 455-458 of the South Australian Statutes, 1837-1936, and in the 1938 volume, pp. 427-430 and with the amendments made in 1939, in the 1950 volume, pp. 273-277); 26th July, 1951, p. 212.

Regulations as to betting tickets: *Gazette* 20th December, 1933, p. 1231; 6th March, 1941, p. 337.

Rules as to bookmakers: *Gazette* 13th February, 1947, p. 651; 23rd September, 1948, p. 1147; 2nd December, 1948, p. 1686; 21st July, 1949, p. 208; 28th July, 1949, p. 280; 1st December, 1949, p. 1361; 30th November, 1950, p. 1311; 18th December, 1952, p. 1593; 24th December, 1952, p. 1648; 12th March, 1953, p. 515; 30th July, 1953, p. 409; 8th April, 1954, p. 710; 1st July, 1954, p. 16; 8th July, 1954, p. 63; 29th July, 1954, p. 228; 24th February, 1955, p. 426; 7th April, 1955, p. 816.

Rules under section 22a: *Gazette* 28th April, 1955, p. 990.

Lower River Broughton Irrigation Trust Act, 1938-1940.

Commencement: 2nd February, 1939: *Gazette* 2nd February, 1939, p. 334.

Administration: Committed to the Commissioner of Public Works *Gazette* 16th February 1939, p. 422.

ss. 7 and 8. Proclamation: *Gazette* 20th July, 1939, p. 114.

Maintenance Act, 1926-1952.

Commencement: 7th April, 1927; *Gazette* 7th April, 1927, p. 791.

s. 152. Proclamations: *Gazette* 11th June, 1891, p. 1582; 2nd April, 1896, p. 731; 20th January, 1898, p. 81; 9th October, 1947, p. 1034.

s. 153. Proclamations: *Gazette* 3rd August, 1922, p. 217; 17th December, 1942, p. 1150; 9th October, 1947, p. 1033.

Regulations: *Gazette* 24th February, 1927, p. 400; 7th April, 1927, p. 793; 15th April, 1943, p. 495; 1st November, 1945, p. 673; 2nd May, 1946, p. 837; 10th February, 1949, p. 336; 3rd March, 1949, p. 537; 3rd August, 1950, p. 226; 25th October, 1951, p. 1003; 23rd April, 1953, p. 971.

Maintenance Orders (Facilities for Enforcement) Act, 1922-1953.

s. 12. Proclamations: *Gazette* 7th December, 1922, p. 1458; 24th May, 1923, p. 1140; 20th March, 1924, p. 711; 12th November, 1925, p. 1298; 12th November, 1925, p. 1299; 17th December, 1925, p. 1606; 17th December, 1925, p. 1607; 24th December, 1925, p. 1661; 7th July, 1927, p. 1; 29th November, 1928, p. 1138; 15th November, 1929, p. 401; 10th April, 1941, p. 521; 10th December, 1942, p. 1124; 17th December, 1942, p. 1150; 9th December, 1948, p. 1743; 5th October, 1950, p. 797; 20th November, 1952, p. 1330; 4th February, 1954, p. 191; 17th June, 1954, pp. 1195-1196; 25th November, 1954, p. 1259; 21st April, 1955, p. 900.

Maintenance Orders (Facilities for Enforcement) Act, 1922-1953—*continued.*

Rules made under the above Act, and the Justices Act, 1921 : *Gazette* 25th October, 1923, p. 953 ; 26th February, 1931, p. 374.

Rules of Court made under the above Act, and the Supreme Court Acts, 1878 and 1926 : *Gazette* 16th February, 1928, p. 316.

Manufacturing Industries Protection Act, 1937.

Administration : Committed to the Minister of Industry and Employment *Gazette* 17th February, 1938, p. 357.

s. 3. Proclamations : *Gazette* 5th May, 1938, p. 938 ; 11th August, 1938, p. 273 ; 20th April, 1939, p. 915.

Margarine Act, 1939-1952.

Regulations : *Gazette* 29th February, 1940, p. 490 ; 8th January, 1942, p. 55.

Marine Act, 1936-1947.

Commencement : 1st July, 1937 ; *Gazette* 25th March, 1937, p. 641.

Administration : Committed to the Minister of Marine *Gazette* 25th March, 1937, p. 641.

Regulations and rules made under the Marine Board and Navigation Acts, 1881-1933, and the Marine Act, 1936 :—

River Murray navigation : *Gazette* 30th October, 1884, p. 1641 ; 26th January, 1893, p. 157 ; 4th October, 1906, p. 714 ; 15th January, 1942, p. 64 ; 20th June, 1946, p. 1099.

Adjustment of compasses : *Gazette* 9th August, 1900, p. 367 ; 30th May, 1935 ; p. 1433.

Engagement and discharge of seamen : *Gazette* 16th April, 1883, p. 1429 ; 4th August, 1887, p. 246 ; 26th September, 1889, p. 1354.

Receiver of Wreck : *Gazette* 26th April, 1883, p. 1429.

Survey, etc., of vessels : *Gazette* 15th April, 1880, p. 1259 ; 26th April, 1883, p. 1429 ; 1st July, 1886, p. 2 ; 30th November, 1899, p. 1197 ; 9th October, 1913, p. 815 ; 23rd June, 1921, p. 1318 ; 30th May, 1935, p. 1433 ; 19th August, 1954, p. 375.

Examination of masters and mates : *Gazette* 22nd October, 1903, p. 839 ; 7th December, 1905, p. 1214 ; 9th December, 1926, p. 1470.

Examination of engineers : *Gazette* 16th October, 1902, p. 763 ; 16th July, 1908, p. 95 ; 17th March, 1949, p. 654.

Court of Survey (Rules) : *Gazette* 19th November, 1885, p. 1328.

Court of Marine Inquiry (Rules) : *Gazette* 27th February, 1936, p. 506.

Dangerous goods : *Gazette* 20th July, 1950, p. 159 ; 24th July, 1952, p. 178.

Miscellaneous : *Gazette* 11th November, 1897, p. 1446 ; 15th February, 1900, p. 302 ; 2nd November, 1911, p. 911 ; 30th November, 1911, p. 1184 ; 22nd August, 1912, p. 466 ; 10th April, 1913, p. 680 ; 8th May, 1913, p. 1002.

The Marine Stores Act, 1898-1947.

Commencement : 2nd March, 1899 ; *Gazette* 2nd March, 1899, p. 401.

Regulations : *Gazette* 22nd June, 1899, p. 1357 ; 24th September, 1908, p. 632 ; 22nd December, 1921, p. 1458.

Regulations under the Fees Regulation Act, 1927, as to fee for dealer's licence : *Gazette* 24th November, 1927, p. 1227.

Marketing of Eggs Act, 1941-1954.

Regulations : *Gazette* 4th June, 1942, p. 818 ; 18th December, 1947, p. 2219.

The Markets Clauses Act, 1870-1937.

s. 49. Proclamation : *Gazette* 24th October, 1889, p. 1584.

Marriage Act, 1936-1950.

Commencement : 1st May, 1937 ; *Gazette* 28th January, 1937, p. 187.

Administration : Committed to the Chief Secretary *Gazette* 18th February, 1937, p. 334.

Regulations : *Gazette* 22nd March, 1951, p. 647.

Matrimonial Causes Act, 1929-1941.

Commencement : 20th March, 1930 ; *Gazette* 20th March, 1930, p. 561.

Rules of Court : *Gazette* 5th December, 1935, p. 1349.

(These rules are incorporated in the second schedule of the above Act, see Volume 5, pp. 710-728 of the South Australian Statutes, 1837-1936.)

Rules of Court as to increase of costs : *Gazette* 17th June, 1937, p. 1312.

Medical Practitioners Act, 1919-1954.

Regulations : *Gazette* 29th April, 1920, p. 1137 ; 26th May, 1921, p. 1111.

Mental Defectives Act, 1935-1953.

Commencement : 2nd January, 1936 ; *Gazette* 2nd January, 1936, p. 1.
Commencement of Part VIIA : 1st January, 1942 ; *Gazette* 17th July, 1941, p. 83.
Administration : Committed to the Chief Secretary *Gazette* 5th March, 1936, p. 537.
s. 12. Proclamations : *Gazette* 23rd March, 1922, p. 876 ; 2nd May, 1929, p. 903 ; 17th August, 1939, p. 421 ; 17th August, 1939, p. 422 ; 25th November, 1954, p. 1259.
s. 16. Proclamation : *Gazette* 24th October, 1940, p. 841.
s. 122. Proclamations : *Gazette* 21st January, 1915, p. 127 ; 26th October, 1922, p. 941 ; 6th November, 1952, p. 1200.
Regulations relating to the Parkside Mental Hospital : *Gazette* 2nd December, 1915, p. 1559 ; 20th January, 1916, p. 94 ; 21st December, 1922, p. 1560 ; 28th June, 1923, p. 1375 ; 27th January, 1927, p. 179 ; 10th January, 1935, p. 265.
Regulations relating to the Enfield Receiving House : *Gazette* 18th January, 1923, p. 98 ; 18th April, 1940, p. 862 ; 2nd November, 1944, p. 614.
Regulations relating to the Northfield Mental Hospital : *Gazette* 13th August, 1931, p. 255 ; 18th April, 1940, p. 862 ; 2nd November, 1944, p. 613.
Regulations relating to voluntary boarders : *Gazette* 23rd May, 1929, p. 1052.
Regulations relating to criminal mental defectives : *Gazette* 24th October, 1940, p. 886.
Regulations relating to powers to write off charges, etc. : *Gazette* 10th August, 1916, p. 237.
Regulation for the alteration of forms in certain schedules to the Act : *Gazette* 27th May, 1937, p. 1206.
Regulations relating to private mental hospitals : *Gazette* 7th August, 1941, p. 254.
Rules of Court : *Gazette* 3rd September, 1914, p. 585.

Metropolitan and Export Abattoirs Act, 1936-1954.

Commencement : 1st April, 1937 ; *Gazette* 25th March, 1937, p. 646.
Regulations : *Gazette* 28th August, 1952, p. 627 ; 9th April, 1953, p. 922 ; 25th March, 1954, p. 621 ; 24th June, 1954, p. 1240.

Metropolitan Drainage Act, 1935.

ss. 7, 8, and 15. Notices : *Gazette* 26th June, 1941, p. 946 ; 27th April, 1944, p. 544 ; 24th August, 1950, p. 463.
ss. 10, 11, and 15. Notices : *Gazette* 16th June, 1938, p. 1458 : 28th March, 1940, p. 649.
Regulations : *Gazette* 7th July, 1938, p. 2.

Metropolitan Milk Supply Act, 1946-1950.

Commencement of Part III : 2nd October, 1947 ; *Gazette* 2nd October, 1947, p. 970.
s. 18. Notices : *Gazette* 20th December, 1951, p. 1622 ; 10th December, 1953, p. 1443.
s. 28. Notice : *Gazette* 2nd October, 1947, p. 1002.
s. 31. Notice : *Gazette* 2nd October, 1947, p. 1002.
Regulations fixing the price of milk : *Gazette* 10th March, 1955, p. 592.
Regulations fixing the price of cream : *Gazette* 10th March, 1955, p. 592.
Regulations as to herd testing, etc.: *Gazette* 3rd September, 1953, p. 694.
General regulations : *Gazette* 13th November, 1947, p. 1649 ; 17th February, 1949, p. 437 ; 9th August, 1951, p. 293 ; 18th December, 1952, p. 1548.

The Metropolitan Transport Advisory Council Act, 1954.

Administration : Committed to the Minister of Railways *Gazette* 20th January, 1955, p. 134.

Mines and Works Inspection Act, 1920-1935.

Commencement : 20th January, 1921 ; *Gazette* 20th January, 1921, p. 106.
Administration : Committed to the Minister of Mines *Gazette* 17th March, 1921, p. 537.
Regulations : *Gazette* 6th October, 1949, p. 861 ; 29th July, 1954, p. 220.

Mining Act, 1930-1953.

Regulations : 16th October, 1947, p. 1139 ; 9th September, 1948, p 970 ; 3rd June, 1954, p. 1100.

Mining (Petroleum) Act, 1940.

Commencement : 31st July, 1941 ; *Gazette* 31st July, 1941, p. 165.
Regulations : *Gazette* 31st July, 1941, p. 211.

Moneylenders Act, 1940.

Commencement: 1st April, 1941; *Gazette* 9th January, 1941, p. 11.
Administration: Committed to the Chief Secretary: *Gazette* 9th January, 1941, p. 12.
Regulations: *Gazette* 27th March, 1941, p. 445.

Mortgagors Relief Act, 1931-1943.

Commencement: 5th December, 1931; *Gazette* 5th December, 1931, p. 1065.
Rules of the Local Court: *Gazette* 28th January, 1932, p. 158.

Municipal Tramways Trust Act, 1935-1952.

s. 8. Proclamation of 2nd February, 1953, as "proclaimed day": *Gazette* 29th January, 1953, p. 107.
By-laws as to fares and routes: *Gazette* 14th July, 1910, p. 47; 18th September, 1919, p. 661; 8th June, 1922, p. 1478; 18th October, 1923, p. 901; 16th April, 1925, p. 685; 8th August, 1929, p. 342; 7th November, 1929, p. 1048; 19th December, 1929, p. 1343; 26th December, 1929, p. 1362; 30th January, 1930, p. 186; 20th February, 1930, p. 374; 21st August, 1930, p. 357; 8th June, 1939, p. 1414; 26th June, 1947, p. 1714; 22nd January, 1948, p. 208; 26th February, 1948, p. 469; 20th April, 1950, p. 815; 6th July, 1950, p. 22; 5th April, 1951, p. 799; 10th January, 1952, p. 47; 8th May, 1952, p. 1039; 17th March, 1955, p. 614.
By-laws regulating passenger traffic generally, and the conduct of passengers: *Gazette* 14th July, 1910, p. 47; 26th December, 1912, p. 1324; 14th January, 1915, p. 61; 18th September, 1919, p. 665; 20th January, 1921, p. 109; 24th March, 1921, p. 596; 11th August, 1921, p. 272; 8th June, 1922, p. 1478; 16th April, 1925, p. 681.
By-laws as to tramway sections: *Gazette* 14th July, 1910, p. 47; 18th September, 1919, p. 665; 27th November, 1919, p. 1357; 24th May, 1923, p. 1142; 7th February, 1924, p. 329; 3rd April, 1924, p. 825; 29th May, 1924, p. 1210; 16th October, 1924, p. 957; 24th December, 1925, p. 1665; 22nd September, 1927, p. 759.
By-laws regulating ordinary traffic where tramways laid: *Gazette* 14th July, 1910, p. 47; 21st August, 1924, p. 436; 26th December, 1929, p. 1362.
General by-laws: *Gazette* 14th July, 1910, p. 47; 18th September, 1919, p. 665; 16th April, 1925, p. 681; 18th January, 1940, p. 115.
Regulations as to the election of members of the trust: *Gazette* 29th November, 1945, p. 812.

Museum Act, 1939.

Commencement: 1st February, 1940; *Gazette* 18th January, 1940, p. 69.
Regulations: *Gazette* 28th March, 1940, p. 672; 24th July, 1952, p. 179.

The National Park Act, 1891-1935.

By-laws: *Gazette* 17th July, 1947, p. 97; 30th September, 1948, p. 1168; 13th December, 1951, p. 1502; 6th November, 1952, p. 1201.

The National Pleasure Resorts Act, 1914-1935.

Administration: Committed to the Minister of Immigration *Gazette* 22nd May, 1924, p. 1141.
By-laws: *Gazette* 29th October, 1925, p. 1165.

Native Plants Protection Act, 1939.

Administration: Committed to the Minister of Afforestation; *Gazette* 10th October, 1940, p. 745.
s. 3. Proclamation: *Gazette* 10th October, 1940, p. 745.
Regulations: *Gazette* 1st August, 1946, p. 183.

Northern Areas and Whyalla Water Supply Act, 1940.

Commencement: 3rd October, 1940; *Gazette* 3rd October, 1940, p. 675.

The Northern Territory Surrender Act, 1907.

Commencement: 1st January, 1911; *Gazette* 22nd December, 1910, p. 1299.

Northern Territory Surrender Act Amendment Act, 1919.

Commencement: 1st January, 1920; *Gazette* 25th December, 1919, p. 1573.

Notification of Births Act, 1926-1936.

Regulations: *Gazette* 22nd December, 1927, p. 1611.

Noxious Insects Act, 1934.

Administration : Committed to the Minister of Agriculture *Gazette* 10th January, 1935, p. 263.
s. 3. Proclamations : *Gazette* 10th January, 1935, p. 263 ; 21st February, 1935, p. 547.
Regulations : *Gazette* 10th January, 1935, p. 264.

Noxious Trades Act, 1943.

Commencement : 1st January, 1949 : *Gazette* 9th December, 1948, p. 1744.
Administration : Committed to the Minister of Health: *Gazette* 17th February, 1944, p. 88.
Regulations : *Gazette* 9th December, 1948, p. 1787 ; 9th December, 1948, p. 1789 ; 3rd August, 1950, p. 226 ; 3rd August, 1950, p. 227 ; 10th February, 1955, p. 240.

Noxious Weeds Act, 1931-1939.

Commencement : 17th March, 1932 ; *Gazette* 17th March, 1932, p. 511.
Administration : Committed to the Minister of Agriculture *Gazette* 7th January, 1932, p. 1.
ss. 14 and 28. Notice : *Gazette* 18th November, 1948, p. 1574.
Regulations : *Gazette* 12th May, 1938, p. 1020 ; 20th October, 1938, p. 1042 ; 16th February, 1939, p. 423 ; 30th March, 1939, p. 743 ; 20th April, 1939, p. 976 ; 27th April, 1939, p. 983 ; 18th May, 1939, p. 1207 ; 28th March, 1940, p. 672 ; 11th April, 1940, p. 819 ; 18th April, 1940, p. 863 ; 23rd May, 1940, p. 1112 ; 20th June, 1940, p. 1398 ; 18th July, 1940, p. 86 ; 10th October, 1940, p. 774 ; 9th January, 1941, p. 30 ; 30th January, 1941, p. 102 ; 13th February, 1941, p. 183 ; 3rd April, 1941, p. 513 ; 15th May, 1941, p. 718 ; 26th June, 1941, p. 962 ; 3rd July, 1941, p. 33 ; 17th July, 1941, p. 123 ; 11th September, 1941, p. 518 ; 2nd October, 1941, p. 676 ; 12th February, 1942, p. 245 ; 5th March, 1942, p. 371 ; 23rd July, 1942, p. 78 ; 6th August, 1942, p. 164 ; 21st January, 1943, p. 61 ; 22nd April, 1943, p. 499 ; 22nd July, 1943, p. 115 ; 29th July, 1943, p. 118 ; 16th September, 1943, p. 332 ; 23rd September, 1943, p. 410 ; 9th November, 1944, p. 657 ; 9th November, 1944, p. 658 ; 25th July, 1946, p, 141 ; 29th August, 1946, p. 348 ; 4th September, 1947, p. 688 ; 11th September, 1947, p. 690 ; 11th September, 1947, p. 691 ; 30th October, 1947, p. 1367 ; 30th October, 1947, p. 1367 ; 13th November, 1947, p. 1658 ; 29th June, 1950, p. 1331 ; 16th November, 1950, p. 1211 ; 20th September, 1951, p. 742 ; 27th March, 1952, p. 656 ; 24th April, 1952, p. 916 ; 28th August, 1952, p. 626 ; 7th May, 1953, p. 1094 ; 25th June, 1953, p. 1512 ; 13th August, 1953, p. 505 ; 17th September, 1953, p. 769 ; 22nd October, 1953, p. 1055 ; 10th December, 1953, p. 1407 ; 7th January, 1954, p. 8 ; 21st January, 1954, p. 127 ; 8th April, 1954, p. 712 ; 8th April, 1954, p. 713 ; 2nd September, 1954, p. 524.

Nurses Registration Act, 1920-1954.

Commencement : 2nd May, 1921 ; *Gazette* 28th April, 1921, p. 939.
Regulations as to the nomination of members of the board and duties of registrar : *Gazette* 7th February, 1924, p. 326.
Regulations relating to applications for registration : *Gazette* 2nd February, 1922, p. 472 ; 9th February, 1922, p. 524 ; 21st December, 1922, p. 1560 ; 20th September, 1951, p. 740.
Regulations as to training and examination of nurses : *Gazette* 5th October, 1922, p. 783 ; 7th February, 1924, p. 324 ; 10th July, 1924, p. 56 ; 12th March, 1925, p. 434 ; 20th August, 1931, p. 306 ; 17th December, 1931, p. 1116 ; 7th July, 1932, p. 1 (disallowed *Gazette* 13th October, 1932, p. 744) ; 11th August, 1932, p. 238 ; 20th September, 1951, p. 740 ; 22nd July, 1954, p. 164 ; 12th May, 1955, p. 1105.
Regulations as to training and examination of midwives : *Gazette* 5th April, 1923, p. 773 ; 30th October, 1924, p. 1079 ; 24th September, 1931, p. 575 ; 6th September, 1934, p. 479 ; 4th June, 1936, p. 1134 ; 20th September, 1951, p. 740.
Regulations as to infectious diseases training : *Gazette* 19th August, 1943, p. 226.
Regulations as to special nursing certificates, etc. : *Gazette* 21st September, 1939, p. 856.
Regulations as to the practice of midwives : *Gazette* 7th February, 1924, p. 324.
Regulations relating to the wearing of badges : *Gazette* 15th July, 1926, p. 84 ; 23rd August, 1928, p. 414.
Regulations as to the form of consent to legal proceedings : *Gazette* 11th September, 1930, p. 531.

Offenders Probation Act, 1913-1953.

Administration : Committed to the Chief Secretary *Gazette* 5th February, 1914, p. 319.
Regulations : *Gazette* 26th February, 1914, p. 516 ; 7th February, 1946, p. 235 ; 24th January, 1952, p. 140.

Opticians Act, 1920-1949.

Commencement : 23rd June, 1921 ; *Gazette* 23rd June, 1921, p. 1315.
General regulations : *Gazette* 28th February, 1929, p. 470 ; 27th June, 1929, p. 1494 ; 5th September, 1929, p. 570 ; 8th March, 1934, p. 462 ; 4th April, 1940, p. 679 ; 28th March, 1946, p. 529 ; 13th March, 1947, p. 850 ; 4th December, 1952, p. 1439.
Regulations under the Fees Regulation Act, 1927, as to the fees for perusing rules of the Board of Optical Registration, and for publishing the list of registered persons : *Gazette* 19th December, 1929, p. 1311 ; 11th November, 1937, p. 1307.

Pastoral Act, 1936-1953.

Commencement: 1st June, 1937; *Gazette* 25th March, 1937, p. 645.

s. 49. Proclamations: *Gazette* 6th August, 1936, p. 207; 11th February, 1937, p. 286; 22nd April, 1937, p. 850; 10th June, 1937, p. 1281; 24th June, 1937, p. 1363; 5th August, 1937, p. 309; 16th September, 1937, p. 698; 18th November, 1937, p. 1345; 2nd December, 1937, p. 1514; 10th February, 1938, p. 296; 24th March, 1938, p. 660; 27th October, 1938, p. 1100; 11th January, 1940, p. 33; 15th August, 1940, p. 274; 23rd December, 1943, p. 809; 14th March, 1946, p. 431; 19th September, 1946, p. 489; 24th December, 1946, p. 1499; 15th November, 1951, p. 1186.

Regulations: *Gazette* 18th January, 1923, p. 103; 20th March, 1930, p. 565; 17th March, 1938, p. 609.

Pest Destroyers Act, 1919-1935.

Regulations: *Gazette* 18th October, 1934, p. 774; 31st January, 1935, p. 372.

Pharmacy Act, 1935-1952.

Regulations: *Gazette* 10th January, 1952, p. 50; 27th August, 1953, p. 645; 25th March, 1954, p. 619.

Regulations under the Fees Regulation Act, 1927, relating to the charges of the Crown Solicitor for perusing and settling regulations, and to the fee for publishing a list of registered chemists: *Gazette* 19th December, 1929, p. 1311; 11th November, 1937, p. 1307.

Phylloxera Act, 1936-1948.

Commencement: 1st June, 1937; *Gazette* 25th March, 1937, p. 645.

Physiotherapists Act, 1945-1949.

Commencement: 6th June, 1946; *Gazette* 6th June, 1946, p. 1021.

Administration: Committed to the Chief Secretary, *Gazette* 17th January, 1946, p. 71; 3rd October, 1946, p. 747.

Regulations: *Gazette* 13th February, 1947, p. 677; 31st July, 1947, p. 260; 25th September, 1947, p. 933; 22nd January, 1948, p. 210; 15th July, 1948, p. 292; 2nd June, 1949. p. 1719; 7th June, 1951, p. 1267; 5th July, 1951, p. 44; 4th September, 1952, p. 725; 2nd October, 1952, p. 941; 8th January, 1953, p. 10; 4th March, 1954, p. 467.

Pistol Licence Act, 1929.

Commencement: 1st January, 1930; *Gazette* 19th December, 1929, p. 1305.

Regulations: *Gazette* 5th December, 1929, p. 1216.

The Places of Public Entertainment Act, 1913-1954.

Administration: Committed to the Chief Secretary *Gazette* 11th December, 1913, p. 1679.

s. 4. Proclamations: *Gazette* 18th December, 1913, p. 1734; 15th July, 1915, p. **331**; 7th October, 1915, p. 1020; 8th February, 1917, p. 263; 9th May, 1918, p. **945**; 24th October, 1918, p. 916; 21st August, 1919, p. 379; 24th August, 1922, p. **415**; 24th May, 1923, p. 1137; 5th March, 1925, p. 390; 26th November, 1925, p. 1405; 18th March, 1926, p. 794; 30th September, 1926, p. 802; 27th September, 1928, p. 686; 19th September, 1929, p. 698; 6th August, 1931, p. 203; 19th April, 1934, p. 1057; 7th June, 1934, p. 1393; 1st November, 1934, p. 885; 13th December, 1934, p. 1186; 14th February, 1935, p. 463; 4th July, 1935, p. 1; 5th September, 1935, p. 517; 14th November, 1935, p. 1133; 13th February, 1936, p. 397; 18th March, 1937, p. 586; 9th September, 1937, p. 639; 9th November, 1939, p. 1259; 15th July, 1943, p. 53; 20th December, 1945, p. 909; 7th November, 1946, p. 1173; 23rd January, 1947, p. 475; 1st May, 1947, p. 1117; 16th September, 1948, p. 1068; 6th January, 1949, p. 1; 20th January, 1949, p. 114; 20th January, 1949, p. 114; 11th August, 1949, p. 357.

Regulations: *Gazette* 20th December, 1951, p. 1569; 28th May, 1953, p. 1321; 18th June, 1953, p. 1448; 24th September, 1953, p. 830; 7th January, 1954, p. 8; 31st March, 1955, p. 759.

Police Offences Act, 1953.

Commencement: 1st March, 1954: *Gazette* 28th January, 1954, p. 155.

Regulations made by the Governor under section 149a of the Police Act, 1936 (now section 64 of the Police Offences Act, 1953), relating to penalties for local government offences: *Gazette* 23rd March, 1939, p. 732; 14th December, 1939, p. 1612; 6th March, 1941, p. 337; 7th January, 1954, p. 6.

Police Pensions Act, 1954.

Commencement: 16th December, 1954; *Gazette* 16th December, 1954, p. 1468.

General regulations: *Gazette* 19th December, 1929, p. 1307.

Regulations as to contributions of members on leave without pay: *Gazette* 10th October 1935, p. 754; 18th January, 1940, p. 73.

Police Regulation Act, 1952.

Commencement : 13th April, 1953 ; *Gazette* 2nd April, 1953, p. 634.
Regulations : *Gazette* 2nd April, 1953, p. 649 ; 26th November, 1953, p. 1312.

Port Lincoln Abattoirs Act, 1937.

Commencement : 23rd March, 1939 ; *Gazette* 23rd March, 1939, p. 671.
Regulations : *Gazette* 23rd March, 1939, p. 734 ; 18th September, 1941, p. 621 ; 20th November, 1947, p. 1705 ; 21st October, 1948, p. 1296 ; 22nd September, 1949, p. 768 ; 21st September, 1950, p. 697 ; 20th September, 1951, p. 742 ; 11th September, 1952, p. 798.

Potato Marketing Act, 1948.

Commencement : 24th February, 1949 ; *Gazette* 24th February, 1948, p. 484.
s. 2. Notice of affirmative result of poll : *Gazette* 17th February, 1949, p. 467.
s. 6 (5). Notice : *Gazette* 4th June, 1953, p. 1388.
s. 12. Notices : *Gazette* 3rd November, 1949, p. 1156 ; 19th January, 1950, p. 105 ; 6th April, 1950, p. 758.
s. 20. Orders : Potato Marketing Orders : No. 1, *Gazette* 3rd November, 1949, p. 1156 ; No. 2, *Gazette* 6th July, 1950, p. 20 ; No. 3, *Gazette* 24th April, 1952, p. 887 ; No. 4, *Gazette* 11th February, 1954, p. 228. Potato Prices Orders : No. 18, *Gazette* 24th March, 1955, p. 688 ; No. 19, *Gazette* 24th March, 1955, p. 688.
Regulations : *Gazette* 17th March, 1949, p. 649 ; 22nd September, 1949, p. 765 ; 26th January, 1950, p. 176 ; 12th August, 1954, p. 318.

Prevention of Cruelty to Animals Act, 1936-1954.

Commencement : 1st June, 1937 ; *Gazette* 25th March, 1937, p. 644.

Prices Act, 1948-1954.

Commencement : 20th September, 1948 ; *Gazette* 16th September, 1948, p. 1067.
Administration : Committed to the Treasurer *Gazette* 16th September, 1948, p. 1067.
s. 5 (4). Notices : *Gazette* 20th September, 1948, p. 1119 ; 20th September, 1948, p. 1119 ; 7th October, 1948, p. 1218 ; 7th October, 1948, p. 1218 ; 16th November, 1948, p. 1503 ; 14th April, 1949, p. 941 ; 5th May, 1949, p. 1093 ; 12th May, 1949, p. 1149 ; 7th July, 1949, p. 5 ; 22nd September, 1949, p. 764 ; 17th August, 1950, p. 329 ; 12th October, 1950, p. 863 ; 18th January, 1951, p. 76 ; 31st May, 1951, p. 1187 ; 25th October, 1951, p. 1004 ; 17th July, 1952, p. 125 ; 20th November, 1952, p. 1332 ; 11th March, 1954, p. 518.
s. 12 (2). Notices : *Gazette* 20th January, 1949, p. 117 ; 20th January, 1949, p. 120 ; 4th August, 1949, p. 302 ; 4th August, 1949, p. 305 ; 22nd March, 1951, p. 650 ; 5th April, 1951, p. 745 ; 9th August, 1951, p. 289 ; 6th September, 1951, p. 515 ; 6th September, 1951, p. 519 ; 6th September, 1951, p. 524 ; 6th December, 1951, p. 1401 ; 4th December, 1952, p. 1438 ; 26th March, 1953, p. 596 ; 2nd April, 1953, p. 648 ; 17th September, 1953, p. 772.
s. 19. Proclamations of declared goods and services : *Gazette* 20th September, 1948, p. 1115 ; 4th November, 1948, p. 1422 ; 2nd December, 1948, p. 1681 ; 23rd December, 1948, p. 1865 ; 13th January, 1949, p. 51 ; 24th February, 1949, p. 483 ; 31st March, 1949, p. 839 ; 14th April, 1949, p. 940 ; 14th April, 1949, p. 940 ; 14th April, 1949, p. 940 ; 16th June, 1949, p. 1787 ; 23rd June, 1949, p. 1815 ; 30th June, 1949, p. 1867 ; 30th June, 1949, p. 1867 ; 28th July, 1949, p. 229 ; 4th August, 1949, p. 294 ; 13th October, 1949, p. 913 ; 3rd November, 1949, p. 1085 ; 24th November, 1949, p. 1287 ; 12th January, 1950, p. 42 ; 19th January, 1950, p. 102 ; 9th February, 1950, p. 283 ; 16th February, 1950, p. 358 ; 30th March, 1950, p. 679 ; 27th April, 1950, p. 901 ; 25th May, 1950, p. 1099 ; 6th July, 1950, p. 4 ; 14th September, 1950, p. 654 ; 5th October, 1950, p. 799 ; 2nd November, 1950, p. 1065 ; 30th November, 1950, p. 1301 ; 18th January, 1951, p. 74 ; 19th January, 1951, p. 113 ; 22nd February, 1951, p. 403 ; 22nd March, 1951, p. 646 ; 26th April, 1951, p. 925 ; 21st June, 1951, p. 1333 ; 6th September, 1951, p. 498 ; 4th October, 1951, p. 829 ; 15th November, 1951, p. 1187 ; 22nd November, 1951, p. 1229 ; 7th February, 1952, p. 277 ; 21st February, 1952, p. 401 ; 6th March, 1952, p. 509 ; 19th June, 1952, p. 1321 ; 31st July, 1952, p. 255 ; 31st July, 1952, p. 255 ; 7th August, 1952, p. 413 ; 14th August, 1952, p. 471 ; 21st August, 1952, p. 530 ; 16th October, 1952, p. 1055 ; 30th October, 1952, p. 1147 ; 6th November, 1952, p. 1200 ; 13th November, 1952, p. 1255 ; 4th December, 1952, p. 1431 ; 15th January, 1953, p. 34 ; 22nd January, 1953, p. 73 ; 7th May, 1953, p. 1063 ; 13th August, 1953, p. 503 ; 3rd September, 1953, p. 692 ; 24th September, p. 829 ; 29th October, 1953, p. 1099 ; 7th January, 1954, p. 2 ; 4th February, 1954, p. 192 ; 25th February, 1954, p. 401 ; 15th April, 1954, p. 757 ; 22nd April, 1954, p. 806 ; 3rd June, 1954, p. 1098 ; 10th June, 1954, p. 1135 ; 15th July, 1954, p. 102 ; 22nd July, 1954, p. 160 ; 19th August, 1954, p. 361 ; 9th September, 1954, p. 544 ; 23rd September, 1954, p. 795 ; 4th November, 1954, p. 1107 ; 13th January, 1955, p. 33 ; 20th January, 1955, p. 135 ; 24th February, 1955, p. 385 ; 3rd March, 1955, p. 467 ; 10th March, 1955, p. 551 ; 21st April, 1955, p. 899.

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ss. 21 and 24. Orders fixing maximum prices of declared goods and declared services :—

Admission to cinemas : *Gazette* Prices Order No. 479, 22nd April, 1954, p. 812.

Aerated waters : *Gazette* Prices Order No. 148, 22nd March, 1951, p. 654. *See also* Non-intoxicating drinks.

Automotive greases : *Gazette* Prices Order No. 439, 3rd September, 1953, p. 717.

Bags. *See* Secondhand bags and sacks.

Baling wire, galvanized fencing wire, and galvanized wire netting (manufactured in the Commonwealth of Australia): *Gazette* Prices Orders No. 337, 24th July, 1952, p. 183 : No. 372, 9th October, 1952, p. 998.

Barbed wire (imported): *See* Fencing wire, barbed wire, and wire netting (imported).

Barley : *Gazette* Prices Order No. 24, 7th April, 1949, p. 891.

Basic iron and steel products (imported): *Gazette* Prices Order No. 252, 22nd November, 1951, p. 1285.

Blankets and travelling rugs. *See* Woven woollen blankets and travelling rugs.

Boot and shoe repairs : *Gazette* Prices Order No. 511, 9th December, 1954, p. 1367.

Bran and pollard : *Gazette* Prices Order No. 469, 4th February, 1954, p. 204.

Bread—

- Adelaide metropolitan area : *Gazette* Prices Order No. 518, 31st March, 1955, p. 770.
- beyond Adelaide metropolitan area : *Gazette* Prices Order No. 519, 31st March, 1955, p. 769.
- wrapped, sales by retail : *Gazette* Prices Order No. 520, 31st March, 1955, p. 768.

Breakfast foods (oats and oatmeal) : *Gazette* Prices Order No. 427, 4th June, 1953, p. 1378.

Bricks—

- Adelaide metropolitan area : *Gazette* Prices Order No. 382, 30th October 1952, p. 1151.
- building, cartage and delivery of : *Gazette* Prices Orders No. 273, 13th December, 1951, p. 1457 ; No. 274, 20th December, 1951, p. 1555.
- cement. *See* Cement concrete building bricks.
- country areas : *Gazette* Prices Order No. 383, 30th October, 1952, p. 1152.

Brown onions : *Gazette* Prices Order No. 78, 23rd February, 1950, p. 430.

Builder's hardware : *Gazette* Prices Order No. 60, 17th October, 1949, p. 1011.

Butter : *Gazette* Prices Order No. 328, 3rd July, 1952, p. 10.

Canned fruits : *Gazette* Prices Order No. 149, 29th March, 1951, p. 694.

Canned meats : *Gazette* Prices Orders No. 137, 22nd February, 1951, p. 405 ; No. 449, 22nd October, 1953, p. 1067.

Cement : *See* imported cement : Portland cement.

Cement concrete building bricks and blocks : *Gazette* Prices Order No. 414, 26th March, 1953, p. 588.

Cheese. *See* Loaf cheese.

Chocolates and confectionery : *Gazette* Prices Order No. 297, 3rd April, 1952, p. 721.

Cigarettes. *See* Tobacco and cigarettes.

Cinemas. *See* Admission to cinemas.

Clothing and certain furnishings and household drapery sales by retail : *Gazette* Prices Orders No. 195, 9th August, 1951, p. 286 ; No. 216, 27th September, 1951, p. 783.

Clothing and certain furnishings and household drapery sales by wholesale : *Gazette* Prices Order No. 209, 6th September, 1951, p. 516.

Clothing, garments, etc., purchased or obtained from Richard Allen & Sons (1919), Pty., Ltd., and others : *Gazette* Prices Order No. 376, 16th October, 1952, p. 1058.

Cooking and kitchen utensils : *Gazette* Prices Order No. 403, 29th January, 1953, p. 111.

Copper bars, blocks ingots, and pigs : *Gazette* Prices Order No. 448, 22nd October, 1953, p. 1081.

Copper, scrap. *See* Scrap copper.

Cornsacks. *See* New cornsacks.

Crockery, chinaware, earthenware, or glassware (imported): *Gazette* Prices Orders No. 221, 11th October, 1951, p. 903 ; No. 225, 18th October, 1951, p. 967.

Drinks. *See* Non-intoxicating drinks.

Eggs in shell—sales by retail : *Gazette* Prices Order No. 288, 14th February, 1952, p. 336.

Electrical installations : *Gazette* Prices Order No. 412, 26th March, 1953, p. 593.

Exercise books. *See* School exercise books.

Feed wheat—

- Adelaide metropolitan area : *Gazette* Prices Order No. 470, 4th February, 1954, p. 203.
- country areas : *Gazette* Prices Order No. 406, 12th February, 1953, p. 200.

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Feltex and teprac floor coverings and other floor coverings of a similar and like nature : *Gazette* Prices Order No. 501, 19th August, 1954, p. 443.
Fencing posts—split gum : *Gazette* Prices Order No. 516, 10th February, 1955, p. 245.
Fencing wire. *See* Baling wire, etc.
Fencing wire, barbed wire, and wire netting (imported): *Gazette* Prices Order No. 234, 25th October, 1951, p. 1005.
Fertilizers : *Gazette* Prices Order No. 451, 29th October, 1953, p. 1103.
Fibrous plaster : *Gazette* Prices Order 441, 17th September, 1953, p. 771.
Firewood and mallee roots : *Gazette* Prices Order No. 379, 23rd October, 1952, p. 1115.
Firewood, industrial. *See* Industrial firewood.
Floor coverings. *See* Feltex.
Flour : *Gazette* Prices Order No. 497, 19th August, 1954, p. 396.
Footwear—
Gazette Prices Orders No. 34, 9th June, 1949, p. 1728 ; No. 42, 30th June, 1949, p. 1871.
materials used in the repair of. *See* Materials used in the repair of footwear.
Fruits, canned. *See* Canned fruits.
Furniture—retail : *Gazette* Prices Order No. 139, 22nd February, 1951, p. 406.
Galvanized barbed wire (manufactured in the Commonwealth of Australia): *Gazette* Prices Orders No. 338, 24th July, 1952, p. 184 ; No. 355, 11th September, 1952, p. 799.
Galvanized fencing wire, barbed wire, and wire netting (manufactured in the Commonwealth of Australia). *See* Baling wire.
Galvanized iron, imported. See Imported galvanized iron.
Galvanized roofing nails : *Gazette* Prices Order No. 377, 16th October, 1952, p. 1060.
Galvanized steel pipe manufactured in the Commonwealth of Australia : *Gazette* Prices Orders No. 401, 15th January, 1953, p. 38 ; No. 410, 26th March, 1953, p. 586 ; No. 475, 18th March, 1954, p. 558 ; No. 509, 4th November, 1954, p. 1109 ; No. 513, 16th December, 1954, p. 1474 ; No. 517, 3rd March, 1955, p. 469 ; No. 522, 12th May, 1955, p. 1113.
Garden hose. *See* Plastic garden hose : Rubber garden hose.
Glass jars and bottles (preserving) : *Gazette* Prices Orders No. 341, 24th July, 1952, p. 183 ; No. 364, 2nd October, 1952, p. 943 ; No. 505, 16th September, 1954, p. 699.
Golden syrup. *See* Sugar, golden syrup, and treacle.
Goods (various) : *Gazette* Prices Orders No. 114, 30th November, 1950, p. 1305 ; No. 203, 6th September, 1951, p. 521 ; No. 220, 11th October, 1951, p. 907.
Goods and services (general) : *Gazette* Prices Orders No. 192, 9th August, 1951, p. 285 ; No. 219, 11th October, 1951, p. 907.
Grease. *See* Automotive greases.
Haircutting—men and boys : *Gazette* Prices Order No. 276, 17th January, 1952, p. 105.
Handkerchiefs : *Gazette* Prices Order No. 152, 26th April, 1951, p. 926.
Handbags. *See* Travelware, handbags, purses and wallets.
Hand tools : *Gazette* Prices Order No. 43, 15th July, 1949, p. 161.
Hemlock. *See* Oregon and hemlock.
Hessian and Liverpool twill cloth : *Gazette* Prices Order No. 14, 20th January, 1949, p. 122.
Hides and skins (cattle, yearling and calf) : *Gazette* Prices Order No. 419, 2nd April, 1953, p. 640.
Honey : *Gazette* Prices Order No. 304, 1st May, 1952, p. 970.
Ice—Adelaide metropolitan area : *Gazette* Prices Order No. 237, 1st November, 1951, p. 1053.
Ice-cream—sales by retail : *Gazette* Prices Order No. 502, 19th August, 1954, p. 444.
Imported galvanized iron : *Gazette* Prices Order No. 178, 12th July, 1951, p. 60.
Imported Portland cement (grey) : *Gazette* Prices Order No. 173, 5th July, 1951, p. 9.
Indian terra cotta roofing tiles : *Gazette* Prices Order No. 320, 12th June, 1952, p. 1296.
Industrial firewood : *Gazette* Prices Order No. 380, 23rd October, 1952, p. 1116.
Iron and steel products (imported). *See* Basic iron and steel products.
Jams and jellies : *Gazette* Prices Order No. 260, 29th November, 1951, p. 1334.
Kerosene—lighting and heating : *Gazette* Prices Order No. 486, 1st July, 1954, p. 5.
Kitchen utensils. *See* Cooking and kitchen utensils.
Lead. *See* Pig lead : Scrap lead.
Leather : *Gazette* Prices Orders No. 145, 15th March, 1951, p. 583 ; No. 160, 7th June, 1951, p. 1268.
Liquors—sales by retail : *Gazette* Prices Order No. 426, 4th June, 1953, p. 1377.
Loaf cheese : *Gazette* Prices Order No. 421, 30th April, 1953, p. 1017.
Lubricating oils. *See* Mineral lubricating oils.
Mallee roots. *See* Firewood and mallee roots.
Margarine—table and cooking : *Gazette* Prices Order No. 342, 24th July, 1952, p. 185.
Matches. *See* Safety matches : Wax matches.

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Materials used in the repair of footwear—sales by retail : *Gazette* Prices Order No. 398, 18th December, 1952, p. 1550.
Mattresses and pillows : *Gazette* Prices Order No. 50, 4th August, 1949, p. 296.
Meat : *Gazette* Prices Order No. 510, 11th November, 1954, p. 1161.
Meats, canned. *See* canned meats.
Mild steel rods (reinforcing quality) manufactured in the Commonwealth : *Gazette* Prices Orders No. 251, 22nd November, 1951, p. 1285 ; No. 269, 6th December, 1951, p. 1404 ; No. 339, 24th July, 1952, p. 185.
Milk products. *See* Processed milk products.
Mineral lubricating oils : *Gazette* Prices Order No. 496, 5th August, 1954, p. 293.
Motor spirit. *See* Petroleum and shale products.
Mouldings : *Gazette* Prices Order No. 442, 17th September, 1953, p. 773.
Nails, brads, clouts, and staples : *Gazette* Prices Order No. 361, 18th September, 1952, p. 849.
Nails. *See* Galvanized roofing nails.
New Cornsacks : *Gazette* Prices Order No. 249, 15th November, 1951, p. 1193.
New tyres and tubes—sales by retail : *Gazette* Prices Orders No. 146, 15th March, 1951, p. 581 ; No. 185, 19th July, 1951, p. 112 ; No. 226, 18th October, 1951, p. 965 ; No. 325, 19th June, 1952, p. 1328 ; No. 436, 6th August, 1953, p. 454 ; No. 477, 25th March, 1954, p. 633.
Non-intoxicating drinks—sales by retail—Adelaide metropolitan area : *Gazette* Prices Order No. 420, 2nd April, 1953, p. 638.
Oatmeal. *See* Breakfast foods.
Oats. *See* Breakfast foods.
Onions. *See* Brown onions.
Oregon and hemlock : *Gazette* Prices Order No. 514, 16th December, 1954, p. 1475.
Paints and accessories : *Gazette* Prices Order No. 472, 18th February, 1954, p. 296.
Perambulators and baby carriages—sales by retail : *Gazette* Prices Order No. 275, 10th January, 1952, p. 46.
Petroleum and shale products—motor spirit : *Gazette* Prices Order No. 515, 6th January, 1955, p. 17.
Pig lead : *Gazette* Prices Order No. 369, 9th October, 1952, p. 998.
Pillows. *See* Mattresses and pillows.
Pipes. *See* Galvanized and black steel pipes.
Plaster, fibrous. *See* Fibrous plaster.
Plastic garden hose : *Gazette* Prices Order No. 373, 16th October, 1952, p. 1059.
Plumbing charges : *Gazette* Prices Order No. 395, 4th December, 1952, p. 1437.
Pollard. *See* Bran and pollard.
Portland cement (grey) manufactured from imported materials : *Gazette* Prices Order No. 313, 5th June, 1952, p. 1245.
Portland cement (grey) manufactured in South Australia : *Gazette* Prices Order No. 490, 15th July, 1954, p. 110.
Portland cement (grey) manufactured in the Commonwealth of Australia (other than in South Australia) : *Gazette* Prices Order No. 357, 18th September, 1952, p. 850.
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Potatoes : *Gazette* Prices Order No. 487, 8th July, 1954, p. 66.
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s. 27 (5). Notices of exemption: *Gazette* 16th November, 1948, p. 1505; 16th November, 1948, p. 1508; 24th March, 1949, p. 793; 7th April, 1949, p. 890; 3rd November, 1949, p. 1086; 10th November, 1949, p. 1168; 12th January, 1950, p. 46; 3rd August, 1950, p. 228; 24th August, 1950, p. 464; 2nd November, 1950, p. 1071; 23rd November, 1950, p. 1256; 30th November, 1950, p. 1303; 4th January, 1951, p. 3; 8th February, 1951, p. 237; 17th May, 1951, p. 1071; 14th June, 1951, p. 1305; 25th October, 1951, p. 1004; 1st November, 1951, p. 1053; 17th January, 1952, p. 105; 3rd July, 1952, p. 12; 6th November, 1952, p. 1204; 12th February, 1953, p. 200; 19th March, 1953, p. 519; 20th August, 1953, p. 548; 29th October, 1953, p. 1104; 29th October, 1953, p. 1105; 26th November, 1953, p. 1313; 10th December, 1953, p. 1406; 7th January, 1954, p. 40; 4th February, 1954, p. 203; 11th February, 1954, p. 228; 3rd June, 1954, p. 1104; 8th July, 1954, p. 66.

s. 35 (2). Orders of exemption: *Gazette* 20th January, 1949, p. 115; 22nd September, 1949, p. 764.

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Administration : Committed to the Minister of Lands *Gazette* 25th February, 1954, p. 400.
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Commencement : 1st June, 1937 ; *Gazette* 25th March, 1937, p. 645.
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Administration : Committed to the Minister of Local Government *Gazette* 20th December, 1923, p. 1435.

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s. 4. Proclamations : *Gazette* 19th December, 1940, p. 1552 ; 17th June, 1954, p. 1196.

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s. 25. Proclamations : *Gazette* 14th June, 1917, p. 992 ; 30th January, 1919, p. 231 ; 4th September, 1919, p. 517 ; 4th December, 1919, p. 1411 ; 22nd July, 1920, p. 117 ; 28th October, 1920, p. 1119 ; 13th October, 1921, p. 866 ; 23rd February, 1922, p. 641 ; 29th March, 1923, p. 689 ; 31st March, 1927, p. 741 ; 7th April, 1927, p. 791 ; 16th June, 1927, p. 1301 ; 8th December, 1927, p. 1514 ; 13th December, 1928, p. 1214 ; 31st January, 1929, p. 217 ; 28th March, 1929, p. 635 ; 3rd October, 1929, p. 802 ; 13th November, 1930, p. 985 ; 20th November, 1930, p. 1025 ; 2nd April, 1936, p. 734 ; 2nd July, 1936, p. 1 ; 8th October, 1936, p. 698 ; 14th March, 1940, p. 537 ; 16th March, 1944, p. 301 ; 21st September, 1944, p. 357 ; 12th February, 1948, p. 360 ; 19th February, 1948, p. 399 ; 11th November, 1948, p. 1459 ; 22nd June, 1950, p. 1275 ; 28th June, 1951, p. 1373 ; 21st January, 1954, p. 123 ; 25th February, 1954, p. 400 ; 10th June, 1954, p. 1136.
s. 45. Notices : *Gazette* 9th September, 1937, p. 667 ; 16th September, 1937, p. 699.
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Commencement : 17th December, 1914 ; *Gazette* 17th December, 1914, p. 1265.
Administration : Committed to the Commissioner of Public Works ; *Gazette* 17th December, 1914, p. 1265.
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Radium Hill Water Supply Agreement Act, 1953.

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The Real Property Act, 1886-1945.

Commencement of Real Property Act Amendment Act, 1939 : 1st February, 1940 ; *Gazette* 11th January, 1940, p. 38 (republished 18th January, 1940, p. 70).
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Recreation Grounds (Regulations) Act, 1931-1935.

Regulations as to the Adelaide Oval : *Gazette* 18th August, 1932, p. 273.
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s. 6. Proclamations : *Gazette* 30th March, 1933, p. 520 ; 27th April, 1933, p. 657 ; 18th January, 1934, p. 77 ; 13th June, 1935, p. 1511 ; 20th February, 1936, p. 442 ; 26th March, 1936, p. 689 ; 8th April, 1937, p. 745 ; 30th March, 1944, p. 382 ; 8th June, 1944, p. 699 ; 19th April, 1945, p. 551 ; 7th June, 1945, p. 845 ; 27th March, 1947, p. 901.
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Administration : Committed to the Minister of Irrigation *Gazette* 1st February, 1945, p. 145.
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Sale of Goods Act, 1895-1952.

s. 57a. Commencement: 1st July, 1938; *Gazette* 9th June, 1938, p. 1270.

s. 57b. Commencement: 1st March, 1954: *Gazette* 25th February, 1954, p. 400.

Sandalwood Act, 1930-1949.

Administration: Committed to the Commissioner of Crown Lands *Gazette* 4th December, 1930, p. 1129.

Regulations: *Gazette* 7th July, 1932, p. 2; 6th December, 1934, p. 1142.

Sand Drift Act, 1923-1935.

Commencement: 8th May, 1924; *Gazette* 8th May, 1924, p. 1057.

Administration: Committed to the Minister of Local Government *Gazette* 24th January, 1924, p. 151.

s. 4 (1). Proclamation: *Gazette* 6th February, 1941, p. 148.

s. 28. Proclamations: *Gazette* 14th October, 1926, p. 922; 24th February, 1927, p. 397; 5th January, 1928, p. 2; 23rd May, 1929, p. 1051; 13th August, 1931, p. 253; 19th September, 1935, p. 637; 10th October, 1935, p. 754; 26th January, 1939, p. 246; 2nd May, 1940, p. 897; 20th June, 1940, p. 1350; 29th August, 1940, p. 405; 23rd April, 1942, p. 613; 10th June, 1943, p. 706.

Regulations: *Gazette* 19th January, 1928, p. 91; 1st November, 1945, p. 672.

The Savings Bank of South Australia Act, 1929-1953.

Rules: *Gazette* 4th March, 1943, p. 272.

Scaffolding Inspection Act, 1934-1940.

Commencement: 1st June, 1937; *Gazette* 25th March, 1937, p. 642.
Administration: Committed to the Minister of Industry and Employment *Gazette* 25th March, 1937, p. 642.
s. 3. Proclamations: *Gazette* 17th October, 1940, p. 777; 13th February, 1941, p. 181; 25th November, 1954, p. 1262.
Regulations amending the second schedule: *Gazette* 14th September, 1944, p. 324.

School of Mines and Industries Act, 1892-1934.

Commencement: 1st February, 1893; *Gazette* 19th January, 1893, p. 96.
s. 8. Proclamation: *Gazette* 7th January, 1935, p. 407.
Rules and regulations: *Gazette* 30th July, 1942, p. 122; 10th July, 1947, p. 89; 5th May, 1949, p. 1093; 27th October, 1949, p. 1010.

Second-hand Dealers Act, 1919-1950.

Commencement: 12th August, 1920; *Gazette* 12th August, 1920, p. 315.
Administration: Committed to the Chief Secretary *Gazette* 19th August, 1920, p. 379.
Regulations: *Gazette* 27th July, 1950, p. 170.

Settled Estates Act, 1880-1943.

Rules of Court: *Gazette* 5th April, 1883, p. 1174.

Sewerage Act, 1929-1953.

s. 79. Proclamation: *Gazette* 27th May, 1926, p. 1365.
Regulations: *Gazette* 15th August, 1935, p. 359; 10th September, 1942, p. 403; 26th September, 1946, p. 733; 19th August, 1954, p. 374.
Regulation under the Fees Regulation Act, 1927, fixing fees for services relating to sewers: *Gazette* 20th September, 1934, p. 596.

Sharebrokers Act, 1945.

Commencement: 1st July, 1946; *Gazette* 27th June, 1946, p. 1121.
Regulations: *Gazette* 27th June, 1946, p. 1172.

Shearers Accommodation Act, 1922-1947.

Administration: Committed to the Minister of Industry *Gazette* 18th January, 1923, p. 93.
Proclamation under section 2 (2) of the Shearers Accommodation Act Amendment Act, 1947, declaring 1st February, 1954, as the day on which the 1939-1945 war ceased: *Gazette* 28th January, 1954, p. 155.

Soil Conservation Act, 1939-1947.

Administration: Committed to the Minister of Agriculture *Gazette* 4th January, 1940, p. 3.
s. 6a. Proclamations: *Gazette* 29th May, 1947, p. 1559; 12th June, 1947, p. 1637; 26th June, 1947, p. 1709; 17th July, 1947, p. 94; 23rd October, 1947, p. 1255; 22nd April, 1948, p. 825; 9th September, 1948, p. 955; 30th September, 1948, p. 1167; 22nd November, 1951, p. 1229.
s. 6c. Proclamations: *Gazette* 26th July, 1951, p. 173; 30th April, 1953, p. 1011; 15th July, 1954, p. 102.
s. 9. Proclamations: *Gazette* 29th April, 1943, p. 549; 24th July, 1947, p. 131; 27th November, 1952, p. 1384.
Regulations: *Gazette* 15th February, 1945, p. 273; 2nd October, 1947, p. 1027.

South Australian Housing Trust Act, 1936-1952.

Administration: Committed to the Treasurer *Gazette* 14th January, 1937, p. 33.

South Australian Railways Commissioner's Act, 1936-1950.

Commencement: 1st June, 1937; *Gazette* 25th March, 1937, p. 644.
s. 53n. Proclamation: *Gazette* 29th October, 1942, p. 889.
By-laws—
1. General by-laws governing passengers and public—By-law A: *Gazette* 16th August, 1906, p. 355; by-law D: *Gazette* 24th June, 1920, p. 1487.
2. Unauthorised crossings—By-law E: *Gazette* 5th March, 1931, p. 419.
3. Removal of goods from railway premises—By-law F: *Gazette* 7th January, 1932, p. 20.
4. Tickets covering combined services—By-law G: *Gazette* 12th July, 1934, p. 42.
5. Conduct of passengers and persons on railway premises—By-law H: *Gazette* 17th February, 1938, p. 359; By-law K: *Gazette* 17th May, 1945, p. 699.
6. Rates and conditions for the carriage of merchandise, minerals, livestock, &c.—By-law 226: *Gazette* 9th March, 1934, p. 541; by-law 229 (livestock): *Gazette*

South Australian Railways Commissioner's Act, 1936-1950—*continued.*

By-laws—*continued.*

25th April, 1935, p. 1198; by-law No. 232 (crude oil, kerosene, and motor spirit): *Gazette* 18th June, 1936, p. 1212; by-law No. 236 (carriage of perishable traffic): *Gazette* 4th January, 1940, p. 31; by-law No. 237 (carriage of motor vehicles); *Gazette* 17th April, 1941, p. 558: by-law No. 244 (carriage of freight, livestock, etc.); *Gazette* 17th February, 1949, p. 419; by-law No. 246 (carriage of freight, livestock, etc.): *Gazette* 31st August, 1950, p. 537; by-law No. 252; *Gazette* 26th June, 1952, p. 1410.

7. Passenger rates and conditions—By-law No. 253; *Gazette* 3rd July, 1953, p. 37; by-law No. 254: *Gazette* 10th March, 1955, p. 554.
8. Use of railway facilities for loading and unloading merchandise other than rail-borne merchandise—By-law 230: *Gazette* 23rd January, 1936, p. 218.

Regulations—

1. Employment, rules, duties, &c., of staff—Regulation No. 56: *Gazette* 2nd November, 1922, p. 990; regulation No. 86: *Gazette* 28th March, 1929, p. 652; regulation No. 88: *Gazette* 27th June, 1929, p. 1495; regulation No. 90: *Gazette* 23rd January, 1930, p. 139; regulation No. 105: *Gazette* 7th March, 1935, p. 688; regulation No. 108: *Gazette* 30th May, 1935, p. 1439; regulation No. 123: *Gazette*, 13th March, 1941, p. 370; regulation No. 125: *Gazette* 2nd April, 1942, p. 498; regulation No. 128: *Gazette* 24th December, 1942, p. 1218.
2. Employment on other than railway duties—Regulation No. 120: *Gazette* 9th May, 1940, p. 1054.
3. Locomotive workshop rules—Regulation No. 89: *Gazette* 21st November, 1929, p. 1125.
4. Branches of railway service—Regulation No. 99: *Gazette* 14th January, 1932, p. 32.
5. Classification of officers—Regulation No. 111: *Gazette* 24th September, 1936, p. 643; regulation No. 114: *Gazette* 14th October, 1937, p. 1029; regulation No. 115: *Gazette* 14th October, 1937, p. 1030; regulation No. 119: *Gazette* 28th November, 1940, p. 1211; regulation No. 136: *Gazette* 29th April, 1948, p. 921.
6. Home stations and travelling allowances—Regulation No. 65: *Gazette* 21st August, 1924, p. 469; regulation No. 67: *Gazette* 11th September, 1924, p. 658.
7. Transfers—Regulation No. 66: *Gazette* 11th September, 1924, p. 658.
8. Leave of absence, holidays, sick leave, hours of duty—Regulation No. 68: *Gazette* 20th November, 1924, p. 1338; regulation No. 69: *Gazette* 23rd July, 1925, p. 182; regulation No. 118: *Gazette* 3rd November, 1938, p. 1182; regulation No. 131: *Gazette* 9th May, 1946, p. 899; regulation No. 134: *Gazette* 21st November, 1946, p. 1322.
9. Injuries, sickness, and medical standards—Regulation No. 107: *Gazette* 18th April, 1935, p. 1142.
10. Clothing and equipment—Regulation No. 91: *Gazette* 28th August, 1930, p. 410.
11. The Railways Institute—Regulation No. 79: *Gazette* 28th July, 1927, p. 218; regulation No. 84: *Gazette* 8th March, 1928, p. 509; regulation No. 101, *Gazette* 25th February, 1932, p. 381.
12. The Railways Service Appeal Board—*Gazette* 11th February, 1904, p. 253; 18th December, 1941, p. 1504.
13. The Railway Officers Classification Board: *Gazette* 19th January, 1939, p. 239; 19th October, 1939, p. 1155; 3rd October, 1940, p. 733.
14. Audit regulations: *Gazette* 16th March, 1944, p. 302; 3rd January, 1946, p. 21.

South-Eastern Drainage Act, 1931-1948.

Commencement: 1st January, 1932; *Gazette* 17th December, 1931, p. 1115.
Administration: Committed to the Minister of Irrigation *Gazette* 17th December, 1931, p. 1115.
s. 105. Notice: *Gazette* 27th August, 1953, p. 646.
Rules of Court as to appeals under section 53 or section 96: *Gazette* 5th May, 1932, p. 779.

Stamp Duties Act, 1923-1954.

Commencement of sections 4, 5 and 6 of the Stamp Duties Act Amendment Act, 1952; 22nd January, 1953: *Gazette* 22nd January, 1953, p. 72.
Proclamation under paragraph 23 of Second Schedule declaring 1st February, 1954, as the day on which the 1939-1945 war ceased: *Gazette* 28th January, 1954, p. 155.
Regulations: *Gazette* 24th July, 1924, p. 169; 8th March, 1951, p. 532; 22nd January, 1953, p. 74.

The Standard Time Act, 1898.

Commencement: 1st May, 1899; *Gazette* 9th February, 1899, p. 245.

State Bank Act, 1925-1954.

Commencement : 1st February, 1926 ; *Gazette* 28th January, 1926, p. 151.
Administration : Committed to the Treasurer *Gazette* 28th January, 1926, p. 151.
Regulations : *Gazette* 21st November, 1929, p. 1137.

Statutory Salaries and Fees Act, 1947.

Regulations relating to the Board of Management of the Adelaide Hospital, the Board of Trustees of the Savings Bank of South Australia, the Municipal Tramways Trust, and the Commissioners of Charitable Funds : *Gazette* 30th September, 1948, p. 1170 ; 2nd December, 1948, p. 1728 ; 12th February, 1953, p. 198 ; 14th April, 1955, p. 861.
Regulation relating to the Fire Brigades Board : *Gazette* 27th January, 1949, p. 193.
Regulation relating to the South Australian Housing Trust : *Gazette* 19th May, 1949, p. 1420.
Regulation relating to the Local Government Officers' Classification Board : *Gazette* 9th August, 1951, p. 292.

Steam Boilers and Enginedrivers Act, 1935-1952.

Commencement : 1st June, 1937 ; *Gazette* 25th March, 1937, p. 643.
Administration : Committed to the Minister of Industry and Employment *Gazette* 25th March, 1937, p. 643.
Regulations relating to the examination of boilers : *Gazette* 11th February, 1932, p. 257 ; 12th March, 1936, p. 593.
Regulations relating to the Enginedrivers' Board and examinations : *Gazette* 2nd April, 1925, p. 578 ; 23rd September, 1937, p. 765.

Stock and Poultry Diseases Act, 1934-1954.

Commencement of Stock and Poultry Diseases Act Amendment Act, 1946 : 27th February, 1947 ; *Gazette* 27th February, 1947, p. 743.
Administration : Committed to the Minister of Agriculture *Gazette* 20th December, 1934, p. 1218.
s. 5 (1). Proclamations of " disease " : *Gazette* 19th January, 1950, p. 101 ; 18th May, 1950, p. 1036 ; 26th April, 1951, p. 925 ; 21st June, 1951, p. 1333 ; 22nd April, 1954, p. 806.
s. 5 (1). Notices under definition of " stock ": *Gazette* 27th May, 1937, p. 1211 ; 5th April, 1945, p. 503 ; 18th December, 1952, p. 1546.
s. 6. Proclamations : *Gazette* 15th December, 1932, p. 1143 ; 10th December, 1942, p. 1124 ; 26th August, 1943, p. 230 ; 27th February, 1947, p. 744 ; 22nd April, 1948, p. 823 ; 25th January, 1951, p. 115 ; 18th December, 1952, p. 1544 ; 19th February, 1953, p. 272 ; 19th February, 1953, p. 273.
ss. 29 and 30. Notices : *Gazette* 29th April, 1954, p. 899.
s. 48. Proclamation : *Gazette* 5th April, 1945, p. 499.
Regulations : *Gazette* 27th June, 1946, p. 1151 ; 27th February, 1947, p. 778; 4th September, 1947, p. 687 ; 25th December, 1947, p. 2266 ; 10th June, 1948, p. 1210 ; 19th August, 1948, p. 712 ; 27th January, 1949, p. 192 ; 2nd February, 1950, p. 251 ; 8th April, 1954, p. 712.

Stock Foods Act, 1941-1948.

Commencement: 1st April, 1942; *Gazette* 29th January, 1942, p. 143.
Administration: Committed to the Minister of Agriculture: *Gazette* 29th January, 1942, p. 143.
Regulations: *Gazette* 29th January, 1942, p. 146 ; 15th July, 1948, p. 294.

Stock Licks Act, 1931.

Commencement : 3rd April, 1932 ; *Gazette* 17th March, 1932, p. 511.
Administration : Committed to the Minister of Agriculture *Gazette* 31st December, 1931, p. 1227.
Regulations: *Gazette* 17th March, 1932, p. 513.

Stock Medicines Act, 1939.

Commencement : 1st July, 1940 ; *Gazette* 21st March, 1940, p. 589.
Administration : Committed to the Minister of Agriculture *Gazette* 21st March, 1940, p. 589.
s. 4. Proclamation : *Gazette* 24th June, 1948, p. 1304.
Regulations : *Gazette* 21st March, 1940, p. 592.

Subdivided Land Debts Act, 1932-1934.

s. 8. Notice : *Gazette* 26th January, 1933, p. 111.
Regulations : *Gazette* 19th January, 1933, p. 72.

Succession Duties Act, 1929-1954.

s. 6. Proclamations : *Gazette* 2nd July, 1925, p. 1 ; 16th June, 1932, p. 1067 ; 23rd January, 1936, p. 208 ; 12th November, 1942, p. 985 ; 20th February, 1947, p. 684 ; 5th November, 1953, p. 1163 ; 10th December, 1953, p. 1403.

s. 55a. Proclamation declaring 1st February, 1954, as the day on which the 1939-1945 war ceased : *Gazette* 28th January, 1954, p. 155.

Regulations : *Gazette* 20th January, 1949, p. 129 ; 2nd April, 1953, p. 698.

Regulation under the Fees Regulation Act, 1927, providing for the fee payable to the Public Trustee on the preparation of a certain succession duty form : *Gazette* 3rd December, 1931, p. 1033.

Superannuation Act, 1926-1954.

Commencement : 22nd December, 1926 ; *Gazette* 23rd December, 1926, p. 1565.

Administration : Committed to the Treasurer *Gazette* 23rd December, 1926, p. 1565.

s. 3. Notice of " appointed day " : *Gazette* 24th February, 1927, p. 400.

s. 23. Notice : *Gazette* 24th February, 1927, p. 400.

s. 66a. Notice of arrangement : *Gazette* 6th July, 1950, p. 47.

s. 66b. Proclamation : *Gazette* 30th November, 1950, p. 1301.

Regulations : *Gazette* 22nd December, 1926, p 1566 ; 16th June, 1927, p. 1306 ; 20th December, 1928, p. 1293 ; 10th September, 1931, p. 430 ; 23rd November, 1933, p. 1055 ; 11th July, 1940, p. 72 ; 20th November, 1947, p. 1705 ; 24th March, 1955, p. 749.

Regulations as to superannuation rights of officers transferred from other Governments : *Gazette* 29th May, 1947, p. 1601 ; 9th November, 1950, p. 1146 ; 18th November, 1954, p. 1233.

Rules of Court : *Gazette* 12th May, 1932, p. 869.

Supreme Court Act, 1935-1953.

Commencement : 1st November, 1937 ; *Gazette* 25th March, 1937, p. 646.

s. 52. Proclamations : *Gazette* 21st March, 1878, p. 620 ; 14th July, 1881, p. 92 ; 3rd March, 1892, p. 527 ; 21st January, 1897, p. 92 ; 14th September, 1939, p. 745.

Rules of Court—

Actions and other proceedings in the Court : Supreme Court Rules : *Gazette* 7th May, 1947, p. 1153 ; 28th October, 1948, p. 1350 ; 11th January, 1951, p. 31 ; 17th January, 1952, p. 104 ; 19th June, 1952, p. 1323 ; 7th April, 1955, p. 810.

The following Rules of Court have operation to the extent set out in the fourth schedule to the Supreme Court Rules : Rules of Court, 1913, dated 10th December, 1913 (not published in the *Gazette*) ; Rules of Court, 1937 : *Gazette* 4th November, 1937, p. 1205.

Administration and probate : *Gazette* 24th November, 1927, p. 1255 ; 11th March, 1937, p. 537 ; 14th October, 1937, p. 1021 ; 2nd June, 1938, p. 1265 ; 22nd June, 1950, p. 1278 ; 24th December, 1952, p. 1621 ; 8th January, 1953, p. 8.

Administration of Justice Act, 1922—Procedure : Rules dated 25th October, 1922, Not published in the *Gazette*.

Adoption of Children Act, 1925—Procedure : Rules dated 23rd December, 1926. Not published in the *Gazette*.

Companies Act, 1934 : *Gazette* 8th February, 1940, p. 233. (Rule 147 and the fourth schedule disallowed, *Gazette* 19th September, 1940, p. 570) ; 14th, October, 1948, p. 1271.

Compulsory Acquisition of Land Act, 1925—Procedure : *Gazette* 10th May, 1928, p. 968.

Criminal appeals : Dated 1st September, 1925. Not published in the *Gazette*.

Criminal sittings : *Gazette* 4th August, 1932, p. 191 ; 1st December, 1949, p. 1408.

Criminal trials : *Gazette* 15th June, 1944, p. 730.

Dentists Act, 1931—Appeals : *Gazette* 4th August, 1932, p. 183.

Detention of ships : Rules of Court, 1913, Order 53, Rule 17. Not published in the *Gazette*.

Evidence on Commission Act, 1857 (Imp.) : *Gazette* 20th February, 1908, p. 313.

Guardianship of Infants Act, 1887—Procedure : *Gazette* 1st May, 1890, p. 1215.

Harbors Act, 1913—Appeals and other proceedings : *Gazette* 19th April, 1917, p. 639.

Industrial and Provident Societies Act, 1924—Appeals : *Gazette* 2nd October, 1924, p. 830.

Inebriates Act, 1908—Applications : *Gazette* 26th October, 1911, p. 864.

Justices Act, 1921—Appeals : *Gazette* 22nd September, 1938, p. 776 ; 24th December, 1952, p. 1620

Law Society Act, 1915—Procedure of Statutory Committee : *Gazette* 9th November, 1916, p. 943.

Legal Practitioners—Admission : *Gazette* 27th August, 1936, p. 357.

Legal practitioners—Trust accounts and other matters : *Gazette* 31st August, 1939, p. 573.

Supreme Court Act, 1935-1953—*continued.*

Rules of Court—*continued.*

Local Courts Act, 1926—Appeals : *Gazette* 31st March, 1927, p. 745 ; rules dated 6th February, 1928 (not published in the *Gazette*) ; 22nd March, 1934, p. 853 ; 4th November, 1937, p. 1230.

Maintenance Orders (Facilities for Enforcement) Acts, 1922 and 1925 : *Gazette* 16th February, 1928, p. 316.

Matrimonial Causes Act, 1929 : Rules in the second schedule to the Matrimonial Causes Act, 1929. Amendments *Gazette* 5th December, 1935, p. 1349.

Mental Defectives Act, 1913—Applications : *Gazette* 3rd September, 1914, p. 585. [Rules made under the Lunatics Act, 1864, on 3rd September, 1869, and 10th August, 1875, may also be applied in any case where the court or judge so orders.]

Prize Court Rules—

Proclamation as to war with Germany, *Gazette* 7th September, 1939, p. 689.
Proclamation as to war with Italy : *Gazette* 13th June, 1940, p. 1273.
Application of rules to Supreme Court : *Gazette* 28th September, 1939, p. 865.

Probate and letters of administration : see administration and probate.

Revenue jurisdiction : Schedule to Act, 7, 1867.

Service and Execution of Process Act, 1901-1934 (Commonwealth) : *Gazette* 19th April, 1917, p. 646 ; 4th November, 1937, p. 1247.

Settled Estates Act, 1880—Procedure : *Gazette* 5th April, 1883, p. 1174.

Superannuation Act, 1926—Appeals : Dated 26th August, 1930. Not published in the *Gazette*.

Testators Family Maintenance Act, 1918—Applications : Dated 27th May, 1922. Not published in the *Gazette*.

Trustee Act, 1936 : *Gazette* 4th November, 1937, p. 1225 ; 16th December, 1948, p. 1804.

Workmen's Compensation Act, 1932—Appeals *Gazette* 4th November, 1937, p. 1229

Surplus Revenue Act, 1938-1951.

s. 3b. (1). Commencement : 1st May, 1952 ; *Gazette* 1st May, 1952, p. 961.

Surveyors Act, 1935-1949.

Commencement : 26th March, 1936 ; *Gazette* 26th March, 1936, p. 689.

Regulations as to examinations and licensing of surveyors : *Gazette* 12th March, 1953, p. 477.

Regulations as to surveys, fees, etc. : *Gazette* 16th November, 1939, p. 1367 ; 14th December, 1950, p. 1633.

Regulation under the Fees Regulation Act, 1927, relating to the fee payable for the publication of a list of licensed surveyors : *Gazette* 11th November, 1937, p. 1307.

Swine Compensation Act, 1936-1954.

Commencement : 1st March, 1937 ; *Gazette* 24th December, 1936, p. 1321.

Administration : Committed to the Minister of Agriculture *Gazette* 24th December, 1936, p. 1322.

Regulations : *Gazette* 16th January, 1941, p. 35 ; 9th November, 1944, p. 656 ; 5th June, 1947, p. 1632 ; 26th August, 1948, p. 864 ; 21st February, 1952, p. 403 ; 20th March, 1952, p. 595.

Tatiara Drainage Trust Act, 1949.

Commencement : 3rd April, 1952, ; *Gazette* 3rd April, 1952, p. 717.

ss. 7 and 8. Proclamation : *Gazette* 3rd April, 1952, p. 717.

Testator's Family Maintenance Act, 1918-1943.

Rules of Court were made 27th May, 1922, but have not been published in the *Gazette*.

Textile Products Description Act, 1953.

Commencement : 1st August, 1954 ; *Gazette* 2nd August, 1954, p. 269.

Administration : Committed to the Minister of Industry and Employment *Gazette* 2nd August, 1954, p. 269.

Regulations : 2nd August, 1954, p. 269.

Tobacco Industry Protection Act, 1934.

Administration : Committed to the Minister of Agriculture *Gazette* 28th February, 1935, p. 591.

Regulations : *Gazette* 28th February, 1935, p. 592 ; 2nd May, 1935, p. 1225.

Town Planning Act, 1929.

Commencement : 15th January, 1930 ; *Gazette* 16th January, 1930, p. 69.
Administration : Committed to the Attorney-General *Gazette* 20th February, 1930, p. 369.
Regulations : *Gazette* 13th March, 1930, p. 526 ; 15th December, 1938, p. 1502.

The Travelling Stock Waybills Act, 1911-1947.

Administration : Committed to the Minister of Agriculture *Gazette* 3rd June, 1937, p. 1254.

Trespassing on Land Act, 1951.

Administration : Committed to the Minister of Agriculture *Gazette* 3rd April, 1952, p. 717.
s. 3. Proclamation : *Gazette* 3rd April, 1952, p. 717.

Trustee Act, 1936-1953.

Commencement : 1st November, 1937 ; *Gazette* 25th March, 1937, p. 646.
Commencement of Trustee Act Amendment Act, 1941; 8th December, 1941; *Gazette* 4th December, 1941, p. 1193.
s. 5 (1) (*f*). Proclamations : *Gazette* 21st June, 1894, p. 1381 ; 8th February, 1900, p. 228 ; 21st February, 1901, p. 367 ; 6th October, 1904, p. 635 ; 7th June, 1906, p. 996 ; 1st June, 1911, p. 1071 ; 21st May, 1914, p. 1105 ; 17th August, 1922, p. 333 ; 7th September, 1922, p. 545 ; 1st March, 1928, p. 453 ; 19th May, 1932, p. 899 ; 27th September, 1951, p. 775 ; 18th December, 1952, p. 1546.
s. 5 (2). Proclamations : *Gazette* 15th May, 1902, p. 1025 ; 17th August, 1922, p. 333 ; 11th October, 1923, p. 834.
Rules of Court : *Gazette* 4th November, 1937, p. 1225 ; 16th December, 1948, p. 1804.

Unemployment Relief Council Act, 1930.

Administration : Committed to the Minister of Industry and Employment *Gazette* 11th May, 1933, p. 789.
Regulations : *Gazette* 9th July, 1931, p. 33 ; 12th November, 1936, p. 1066.

University of Adelaide Act, 1935-1950.

By-laws under section 18a : *Gazette* 24th May, 1951, p. 1125.

Uranium Mining Act, 1949-1954.

s. 4b. Proclamations : *Gazette* 4th June, 1953, p. 1371 ; 4th February, 1954, p. 192.
Regulations : 30th July, 1953, p. 397.

Use of Firearms Restriction Act, 1917-1934.

Administration : Committed to the Chief Secretary *Gazette* 20th December, 1917, p. 1319.

Vaccination Act, 1936.

Commencement : 1st June, 1937 ; *Gazette* 25th March, 1937, p. 645.
Regulations : *Gazette* 17th May, 1894, p. 1112 ; 29th January, 1903, p. 186 ; 7th August, 1913, p. 301 ; 18th December, 1913, p. 1734.

Venereal Diseases Act, 1947.

Regulations : *Gazette* 10th June, 1948, p. 1206.

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