Registrar Land Office

ACTS OF THE PARLIAMENT OF SOUTH AUSTRALIA

—

1955

ACTS

OF

THE PARLIAMENT

OF

SOUTH AUSTRALIA

1955

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

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1956

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ANNO QUARTO

ELIZABETHAE II REGINAE

A.D. 1955

****

No. 1 of 1955

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

[*Assented to 23rd June,* 1955.]

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. 1), 1955 ". 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-six, any moneys not exceeding in the whole seven million pounds. Issue and application of £7,000,000.

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

(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.

J. M. NAPIER, Lieutenant-Governor.

ANNO QUARTO

ELIZABETHAE II REGINAE

A.D. 1955

****

No. 2 of 1955

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-five, and for other purposes.

[*Assented to 23rd June,* 1955.]

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. 1), 1955".

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, 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-five, any further sum or sums not exceeding in the whole seven hundred and four thousand one hundred and forty-seven pounds.

Appropriation of General Revenue issued under this Act.

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

	£
Chief Secretary and Minister of Health—Miscellaneous	171,495
Treasurer and Minister of Immigration—	
Publicity and Tourist Bureau and Immigration Department	25,652
Miscellaneous	35,000
Minister of Lands and Minister of Repatriation—	
Miscellaneous	5,000
Minister of Works—	
Engineering and Water Supply Department	212,000
Minister of Education—	
Education Department	50,000
Miscellaneous	12,000
Minister of Agriculture and Minister of Forests—	
Agriculture Department	67,000
Miscellaneous	55,000
Minister of Mines—	
Mines Department	60,000
Minister of Marine—	
Miscellaneous	5,000
Minister of Railways—	
Miscellaneous	6,000
	£704,147

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.

Payments under returns relating to Public Service.

5. (1) In this section—

"the interim period"—

(*a*) in relation to any officer means the period commencing on 20th December, 1954, and ending on the day when a return applicable to the salary of the officer is made;

(*b*) in relation to a teacher means the period commencing on 20th December, 1954, and ending on 18th March, 1955.

"return" means any return which was made by the Public Service Board on or after 21st February, 1955, and operates as from 20th December, 1954.

"the teachers award" means the award which was made by the Teachers Salaries Board on 18th March, 1955, and operates as from 20th December, 1954.

(2) Where an officer whose salary was increased by a return, or a teacher whose salary was increased by the teachers award, has retired or died during the interim period and a direction has been given under section 76a of the Public Service Act, 1936-1954, or under section 18a of the Education Act, 1915-1954, that a cash payment in lieu of leave not taken be made to that officer, or teacher, or his dependants or representatives, that direction shall, unless the Governor otherwise directs, authorize the payment of an amount calculated on the basis of the officer's or teacher's salary as so increased.

(3) Where an officer, the salary of whose office was increased by a return, has died before 20th December, 1954, and the Governor has directed, under subsection (8) of section 75 of the Public Service Act, 1936-1954, that an amount of salary be paid to the dependants or representatives of that officer, and the period in respect of which such salary is to be calculated falls wholly or partially within the interim period, the direction shall authorize the payment of an amount of salary which includes the increase made by the return.

(4) This section shall apply to directions given by the Governor as mentioned in subsections (2) and (3) of this section either before or after the passing of this Act.

(5) The Treasurer, out of the General Revenue of the State, may make any payments, including additions to payments made before the passing of this Act, which it is necessary to make in order to give effect to this section. This section, without further appropriation, shall be sufficient authority for making such payments.

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

J. M. NAPIER, Lieutenant-Governor.

ANNO QUARTO

ELIZABETHAE II REGINAE

A.D. 1955

****

No. 3 of 1955

An Act to amend the Agent-General Act, 1901-1953, the Audit Act, 1921-1951, the Constitution Act, 1934-1953, the Industrial Code, 1920-1951, the Payment of Members of Parliament Act, 1948-1953, the Police Regulation Act, 1952, the Public Service Act, 1936-1954, the Public Works Standing Committee Act, 1927-1954, and the Supreme Court Act, 1935-1953, to repeal the Public Officers Salaries Act, 1953, and for other purposes.

[*Assented to 23rd June,* 1955.]

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 "Statutes Amendment (Public Salaries) Act, 1955".

Amendment of Agent-General Act, 1901-1953, s. 5—

Salary and allowances of Agent-General.

2. Section 5 of the Agent-General Act, 1901-1953, is amended—

(*a*) by inserting after the words "two thousand" in paragraph (*a*) of subsection (1) thereof the words "five hundred";

(*b*) by striking out subsection (3) thereof.

Amendment of Audit Act, 1921-1951, s. 6—

Salary of Auditor-General.

3. Section 6 of the Audit Act, 1921-1951, is amended by striking out the words "two thousand three hundred" in subsection (1) thereof and inserting in their place the words "three thousand five hundred".

Amendment of Constitution Act, 1934-1953 s. 55—

Standing Rules and Orders.

4. Section 55 of the Constitution Act, 1934-1953, is amended—

(*a*) by striking out the words "one hundred" in the fourth line of subsection (3) thereof and inserting in their place the words "two hundred";

(*b*) by striking out the word "fifty" in the sixth line thereof and inserting in its place the words "one hundred";

(*c*) by striking out the words "and shall be payable as from the first day of January, nineteen hundred and thirty-nine" at the end of subsection (3) thereof.

Amendment of Constitution Act, 1934-1953, s. 65—

Number of Ministers and salaries payable.

5. Section 65 of the Constitution Act, 1934-1953, is amended by striking out the words "nineteen thousand" in subsection (3) thereof and inserting in their place the words "twenty-eight thousand, seven hundred and fifty".

Amendment of Industrial Code, 1920-1951—

Salary of President and Deputy President.

6. Section 13 of the Industrial Code, 1920-1951, is amended—

(*a*) by striking out the words "two thousand five hundred" in subsection (1) thereof and inserting in their place the words "three thousand two hundred and fifty";

(*b*) by striking out the words "two thousand one hundred" in subsection (2) thereof and inserting in their place the words "two thousand seven hundred and fifty".

Amendment of payment of Members of Parliament Act, 1948-1953, s. 4—

Payments to members.

7. Section 4 of the Payment of Members of Parliament, Act, 1948-1953, is amended—

(*a*) by striking out the words "fourteen hundred and twenty-five" in paragraph (*a*) of subsection (1) thereof and inserting in their place the words "one thousand nine hundred";

(*b*) by striking out the words "fourteen hundred and seventy-five" in paragraph (*b*) of subsection (1) thereof and inserting in their place the words "one thousand nine hundred and fifty";

(*c*) by striking out the words "fifteen hundred" in paragraph (*c*) of subsection (1) thereof and inserting in their place the words "one thousand nine hundred and seventy-five";

(*d*) by striking out subsection (2) thereof.

Amendment of Payment of Members of Parliament Act, 1948-1953, s. 5—
Payments to holders of certain offices.

8. Section 5 of the Payment of Members of Parliament Act, 1948-1953, is amended—

(*a*) by striking out the words "six hundred and twenty-five" in the fourth line thereof and inserting in their place the words "eight hundred and fifty";

(*b*) by striking out the words "six hundred and twenty-five" in the fifth line thereof and inserting in their place the words "eight hundred and fifty";

(*c*) by striking out the words "two hundred and fifty" in the seventh line thereof and inserting in their place the words "three hundred and fifty";

(*d*) by striking out the words "five hundred" in the last line thereof and inserting in their place the words "seven hundred".

Amendment of Police Regulation Act, 1952, s. 8—
Salary of Commissioner.

9. Section 8 of the Police Regulation Act, 1952, is amended—

(*a*) by striking out the words "two thousand two hundred" in subsection (1) thereof and inserting in their place the words "three thousand two hundred";

(*b*) by striking out subsection (4) thereof.

Amendment of Public Service Act, 1936-1954, s. 11—
Remuneration.

10. Section 11 of the Public Service Act, 1936-1954, is amended by inserting at the beginning thereof the words "Subject to section 17 of this Act".

Amendment of Public Service Act, 1936-1954, s. 17—
Salary of Commissioner.

11. Section 17 of the Public Service Act, 1936-1954, is amended by striking out subsection (1) thereof and inserting in its place the following subsection:—

(1) The salary of the Commissioner, including the remuneration for his services as the chairman or a member of the board, shall be at the rate of three thousand five hundred pounds a year.

Amendment of Public Works Standing Committee Act, 1927-1954, s. 11—
Salaries of chairman and members of committee.

12. Section 11 of the Public Works Standing Committee Act, 1927-1954, is amended—

(*a*) by striking out the words "four hundred" in subsection (1) thereof and inserting in their place the words "six hundred";

(*b*) by striking out the words "two hundred and fifty" in subsection (2) thereof and inserting in their place the words "four hundred".

13. Section 12 of the Supreme Court Act, 1935-1953, is amended— Amendment of Supreme Court Act, 1935-1953, s. 12—Salaries of judges.

(*a*) by striking out the words "three thousand seven hundred and fifty" in the second line of subsection (1) thereof and inserting in their place the words "four thousand seven hundred and fifty";

(*b*) by striking out the words "three thousand two hundred and fifty" in the third line of subsection (1) thereof and inserting in their place the words "four thousand".

14. The Public Officers Salaries Act, 1953, is repealed. Repeal of Public Officers Salaries Act, 1953.

15. (1) The rates of salary fixed by this Act for the following officers shall be deemed to have come into operation on the twentieth day of December, nineteen hundred and fifty-four, namely— Operation of increases in salaries of public servants.

(*a*) the Agent-General;

(*b*) the Auditor-General;

(*c*) the Commissioner of Police; and

(*d*) the Public Service Commissioner.

(2) For the purposes of this section, any remuneration paid to the Public Service Commissioner after the nineteenth day of December, nineteen hundred and fifty-four and before this Act is assented to by the Governor as the chairman of The Public Service Board, shall be deemed to have been paid to him as part of the arrears to which he is entitled by virtue of subsection (1) of this section.

(3) The amendments made by sections 2, 3, 9, 10 and 11 of this Act, and the repeal effected by section 14 of this Act, shall be deemed to have come into operation on the twentieth day of December, nineteen hundred and fifty-four.

16. (1) The rate of salary, payment, and remuneration fixed by this Act for persons other than the officers mentioned in section 15 of this Act shall be deemed to have come into operation on the first day of the month in which this Act is assented to by the Governor. Operation of increases in other cases.

(2) The amendments made by sections 4, 5, 6, 7, 8, 12 and 13 of this Act shall be deemed to have come into operation on the first day of the month in which this Act is assented to by the Governor.

Retrospective increase in salaries of South Australian Railways Commissioner and Commissioner of Highways.

17. The Governor may direct that any increase made in the rate of salary of the South Australian Railways Commissioner or of the Commissioner of Highways in force on the day on which this Act is assented to by the Governor shall be deemed to have come into operation on the twentieth day of December, nineteen hundred and fifty-four.

Arrears.

18. (1) The arrears of salary, payment or remuneration payable to any person by virtue of this Act may be paid in one sum.

(2) This Act shall, without further appropriation, be sufficient authority for the payment of arrears payable by virtue of this Act.

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

J. M. NAPIER, Lieutenant-Governor.

ANNO QUARTO

ELIZABETHAE II REGINAE

A.D. 1955

****

No. 4 of 1955

An Act relating to the bulk handling of wheat and other grain by South Australian Co-operative Bulk Handling Limited, and other matters incidental thereto.

[*Assented to 7th July,* 1955.]

Preamble.

WHEREAS South Australian Co-operative Bulk Handling, Limited, a company limited by guarantee and without a share capital has been incorporated and registered under the Companies Act, 1934-1952, with the principal object of establishing, maintaining, and conducting in the State of South Australia a scheme or system for receiving, handling, transporting, and storing wheat and other grain in bulk, and exercising powers incidental to that object:

AND WHEREAS the company has been formed on a co-operative basis so that all growers of wheat as defined in the Articles of Association of the company may become members thereof, but the company has no power to declare or pay dividends and the net profits of the company are to be applied in carrying out its objects and in maintaining and improving the facilities of the company:

AND WHEREAS it is desirable to confer certain rights and powers upon the said company and to regulate and control the bulk handling of wheat and other grain in South Australia in order to ensure that proper service is given to growers, millers, merchants, and other persons concerned in the marketing,

handling, and disposal of wheat and other grain : 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 "Bulk Handling of Grain Act, 1955".

Interpretation.

2. In this Act, unless the context otherwise requires, or some other meaning is clearly intended—

"bulk handling facilities" means bins, silos, elevators, conveyor belts, and other accommodation, plant, and equipment for the reception, storage, handling, and delivery of grain in bulk ;

"the company" means South Australian Co-operative Bulk Handling, Limited, a company limited by guarantee without a share capital, and incorporated under the provisions of the Companies Act, 1934-1952 ;

"country bin" means a building, shed, silo, bin, or other receptacle at a place other than a terminal port for the reception and storage of grain in bulk pending transport or delivery, and any plant or equipment used in connection therewith ;

"grade" as applied to wheat means grade prescribed by regulations under this Act, and if no grades are so prescribed means grade determined in the manner customary among persons trading in wheat in the State ;

"licensed receiver" means licensed receiver within the meaning of the Wheat Industry Stabilization Act, 1954, of the State ;

" miller" means person who carries on the business of milling or otherwise processing wheat or other grain ;

"the Minister" means the Minister of Agriculture, or the person for the time being acting as such Minister :

"the Railways Commissioner" means The South Australian Railways Commissioner ;

"season" means period of twelve months commencing on the first day of October in any year and expiring on the thirtieth day of September in the following year ;

"terminal bin" means a building, shed, silo, bin, or other receptacle at a terminal port for the storage of grain in bulk pending transport or delivery, and any plant and equipment in connection therewith ;

"warrant" means warrant issued by the company under this Act authorizing the holder to receive wheat from the company ;

"the Wheat Board" means the Australian Wheat Board continued in existence by the Wheat Industry Stabilization Act, 1954, of the Commonwealth.

Terminal ports.

3. (1) For the purposes of this Act the following ports shall be terminal ports, namely, Ardrossan, Port Adelaide, Port Pirie, Port Lincoln, Thevenard, Wallaroo, and any other port which is a terminal port within the meaning of any proclamation in force under this section.

(2) The Governor may, by proclamation, declare that any port other than those named in subsection (1) of this section shall be a terminal port for purposes of this Act, and may, by proclamation, revoke any such proclamation.

Finance, Directors and Management.

Power of Treasurer to guarantee loan to company.

4. (1) The Treasurer may execute a guarantee in favour of the Commonwealth Trading Bank of Australia for the repayment of any sum, not exceeding five hundred thousand pounds, being the whole or part of a loan made by that bank to the company on the security of a mortgage or charge over the assets of the company.

(2) The guarantee shall contain such terms and conditions as are agreed upon between the Treasurer and the said bank.

(3) If any sum becomes payable to the said bank by the Treasurer under a guarantee given pursuant to this section, the Treasurer may pay that sum out of the general revenue of the State.

This section, without other appropriation, shall be sufficient authority for making any such payment.

Directors.

5. Notwithstanding the Articles of Association of the company the following provisions respecting the directors of the company shall have effect :—

(1) The provisional directors may remain in office until directors are elected in accordance with this section :

(2) There shall be seven elected directors of the company; and so long as a guarantee given by the Treasurer in respect of a loan to the company remains in force there may be two directors of the company appointed by the Governor:

(3) Of the seven elected directors—

(*a*) three (hereinafter called "State directors") shall be elected by members of the company throughout the State:

(*b*) four (hereinafter called "zone directors") shall be elected by members of the company resident in the respective zones;

(4) For the purpose of electing zone directors the provisional directors shall divide the State into four zones, and the zones so created shall be used for the election of the first zone directors, and for any subsequent election of zone directors, unless the zones are altered. The directors shall have power to alter the zones.

(5) The first elections of State directors and zone directors shall be held as soon after commencement of this Act as is convenient.

(6) Every election of State directors shall be conducted by a postal ballot, at which all members of the company in South Australia shall have a right to vote.

Every candidate at such an election must be nominated in writing by not less than three members of the company resident in the State:

(7) The election of each zone director shall be conducted by a postal ballot at which all the members of the company in the zone shall have a right to vote. Every candidate at such an election must be nominated in writing by not less than three members of the company resident in the zone:

(8) When a guarantee is given by the Treasurer under this Act in respect of a loan to the company, the Governor may appoint two directors of the company:

(9) Every elected director shall hold office for six years:

Provided that—

(*a*) the first zone directors shall hold office for three years;

(*b*) a director elected or appointed to a casual vacancy shall hold office for the balance only of the term of his predecessor.

(11) Every director appointed by the Governor shall hold office for such term as is fixed by the Governor, but notwithstanding any term so fixed a director appointed by the Governor shall vacate his office not later than one month after the guarantee given by the Treasurer in respect of a loan to the company ceases to be in force :

(12) A casual vacancy in the office of an elected director shall be filled by election : Provided that if the casual vacancy occurs within two years before the normal expiration of the term of office of the director whose place has become vacant the remaining directors may fill the vacancy :

(13) A casual vacancy in the office of a director appointed by the Governor may be filled by another person appointed by the Governor :

(14) The company may, any time after the guarantee given by the Treasurer as aforesaid has ceased to be in force alter its Articles of Association so as to alter the number of directors :

(15) The provisions as to directors contained in the Articles of Association of the company shall have effect except where inconsistent with this section.

Directors' remuneration.

6. The initial rate of remuneration of the directors (other than the provisional directors) shall be approved by the Minister and shall not be altered unless the alteration is first agreed to at a general meeting of members of the company.

Disagreement between directors.

7. (1) Where the two directors appointed by the Governor dissent from any proposal which is agreed to by a majority of the directors, or is intended to be carried out by the company, and the proposal relates to or affects the order of priority of the construction of the bulk handling facilities at terminal ports, or would, if carried in effect, increase the risk of the Treasurer having to pay money under the guarantee given by him in respect of money lent to the company, the said two directors may, by notice to the secretary of the company record their dissent from the proposal.

(2) When such a notice has been given, the company shall not carry the proposal into effect, except with the approval of the Minister.

(3) For the purpose of obtaining such approval the company may refer the proposal to the Minister. The Minister shall thereupon—

(*a*) inquire into the proposal and consider any information submitted to him by the company or by the dissenting directors and any other relevant information obtained by him ; and

(*b*) give a decision either approving of the proposal, with or without modifications, or refusing to approve of it.

Statutory meeting of company.

8. The company may hold the statutory meeting required by section 132 of the Companies Act, 1934-1952, at any time not later than six months after this Act is assented to.

Restrictions on trading by company.

9. (1) Except as allowed by this section, neither the company nor any director, officer, or servant of the company shall carry on or have any share or interest in a business which consists of or includes the buying or selling of wheat or acting as agent for the buying or selling of wheat.

Penalty: Two hundred pounds.

(2) Notwithstanding subsection (1) of this section it shall be lawful—

(*a*) for the company to buy wheat to replace damaged wheat or make up losses or shortages in out-turn ;

(*b*) for the company to sell wheat which has become damaged or wheat representing any excess of out-turn resulting from its operations under this Act ;

(*c*) for a director, officer, or servant of the company who is also a member, servant, or agent of the Wheat Board to do any act in the ordinary course of business of that board ;

(*d*) for the company to act in any matter for and on behalf of the Wheat Board ;

(*e*) for any director, officer, or servant of the company who is a grower of wheat to sell wheat in the normal course of his business as a wheatgrower, or to buy wheat for use on his farm.

Prohibition of preferences and disclosures by company.

10. (1) Neither the company nor any director, servant, officer, or agent of the company shall—

(*a*) give to any persons desiring the services of the company preferential treatment as against other persons desiring such services;

(*b*) solicit business on behalf of any wheat buyer;

(*c*) disclose anything relating to the business or transactions of any person doing business with the company to any other person, except where such disclosure is required by any other Act or law, or is necessary for the purpose of transacting the business of the company.

Penalty: Two hundred pounds.

(2) This section shall not affect the right of the company to make any charges authorized by any other provision of this Act.

Application of moneys from excess of out-turn.

11. (1) All moneys arising from any excess of out-turn in wheat received by the company in any season shall be transferred by the company to a reserve fund to meet any shortage in the out-turn of wheat of any season: Provided that any excess of the reserve fund over twenty thousand pounds may be transferred to and applied as part of the general earnings of the company.

(2) Money in the reserve fund may be invested in any securities in which trustees are authorized by law to invest trust funds.

Bulk Handling of Wheat.

Right of company in respect of bulk handling of wheat.

12. (1) Subject to this Act the company shall have the sole right of receiving, storing and handling wheat in bulk within the State, and the sole right to contract or arrange for the transport and delivery of wheat in bulk within the State.

(2) Subsection (1) of this section shall not—

(*a*) prevent the Wheat Board from receiving, storing, and handling wheat in bulk in the Wheat Board's bulk handling facilities, or from transporting or delivering wheat to or from such facilities, or from arranging for such transport or delivery or otherwise operating such facilities;

(*b*) prevent the Wheat Board from making and carrying out arrangements for the transport of wheat held by the company as a licensed receiver in any bulk handling facilities operated by the company;

(*c*) prevent any person who uses wheat or flour in milling or manufacture from establishing at his mill or factory, or at any other place in the town in which his mill or factory is situated, or in accordance with a permit under this section, any bulk handling facilities for receiving and storing and handling wheat to be used in such milling or manufacture;

(*d*) affect the right of any person to receive, store, handle, transport, and deliver wheat in bags;

(*e*) impose any liability on the Railways Commissioner or his officers or servants by reason of receiving, handling, storing, or carrying any wheat in bulk in the ordinary course of the business of the railways;

(*f*) impose any liability on any person who handles, transports, or delivers wheat in bulk to or from the Wheat Board's facilities.

(3) The Minister may grant a permit to any miller authorizing him to do either or both of the following things, namely:—

(*a*) to erect bins at any place of receival where the company does not provide separate storage for premium wheat in bulk, and to use such bins for the storage in bulk of premium wheat to be used by the miller in his own business;

(*b*) to transport or arrange for the transport of wheat in bulk from any bin erected or used by the miller to his mill.

Every such permit shall apply only to such mills, bins, or places as are mentioned therein, and may include conditions fixed by the Minister.

An act done in accordance with a permit granted under this subsection shall not be deemed to be a contravention of this section.

(4) Any person who receives, handles or stores wheat in bulk or contracts or arranges for the transport and delivery of wheat in bulk contrary to this section shall be guilty of an offence.

Penalty: Two hundred pounds.

General powers of company.

13. (1) The company may enter into and carry out contracts, arrangements, and transactions (whether with Governmental bodies, or other authorities or persons) for all or any of the following purposes, namely :—

(*a*) purchasing, leasing, hiring, or otherwise acquiring bulk handling facilities, and sites for such facilities ;

(*b*) for the use by the company whether as lessee or licensee, or in any other capacity of jetties, piers, wharves, sheds, railway sidings, platforms, or any other facilities ;

(*c*) borrowing money for the purposes mentioned in this section ;

(*d*) doing any other act or thing incidental to the execution of its powers duties and functions under this Act.

(2) Subsection (1) of this section shall not be deemed to restrict or take away any power of the company under its Memorandum of Association.

(3) The amount of the rent or other payment payable to the South Australian Harbors Board, or the Railways Commissioner, under or for any lease, licence, right of user, or other right granted by that board or commissioner to the company under this section shall be approved by the Governor before the lease, licence, or right takes effect.

Duty of company to construct bulk handling facilities.

14. (1) The company shall, with all practicable speed, erect adequate bulk handling facilities—

(*a*) at each terminal port ; and

(*b*) at a sufficient number of railway stations, railway sidings, and depots, to receive the wheat which is to be taken to the terminal ports.

(2) The company shall not be obliged to erect bulk handling facilities at any railway station or railway siding unless the average annual amount of wheat received thereat during a period of five consecutive years after the first day of September, 1949, has been thirty thousand bushels or more.

(3) The company shall not erect a country bin unless the design and materials of such bin have been approved by the Minister. The Minister may give a general or special approval to any design and materials.

(4) The company shall not erect a terminal bin except in accordance with plans and specifications reported on by the Parliamentary Standing Committee on Public Works and approved by the Minister.

Order of priority of works.

15. Subject to section 7 of this Act the order of priority of the erection of bulk handling facilities shall be determined by the company. In determining such order the company shall take into account the following matters :—

(*a*) The urgency of the needs of growers and the amount of wheat produced in the various parts of the State :

(*b*) The urgency of the needs of persons shipping wheat in bulk from the respective terminal ports and the quantity of wheat in bulk which may reasonably be expected to be handled at each port :

(*c*) The amount of finance available to the company :

(*d*) The quantity of materials and labour available to the company at the respective places at which bulk handling facilities are to be erected.

Duty to call for tenders.

16. (1) Before commencing the building, manufacture, or construction of any bulk handling facilities the company shall, by public advertisement, call for tenders for such building, manufacture, or construction.

(2) This section shall not apply to any bulk handling facilities—

(*a*) estimated by the company to cost a sum not exceeding five thousand pounds ; or

(*b*) at the Port of Wallaroo, if the building, manufacture, or construction thereof is commenced not later than 31st December, 1955.

Maintenance and repair of bins and equipment.

17. The company shall—

(*a*) keep all bulk handling facilities used by it or under its control in good repair and condition, and in safe working order ; and

(*b*) take all reasonable precautions to protect all wheat received and handled by the company from destruction, loss, and damage.

Powers of Minister as to alteration or additions to facilities.

18. Whenever, in the opinion of the Minister, any bulk handling facilities provided by the company are inadequate for the needs of the district which they serve, or are defective, or ought to be enlarged so as to meet the requirements of a larger district, the Minister may, by notice in writing, direct the company to make such alterations or additions to those facilities as the Minister deems necessary, and the company shall obey such direction.

Appointment and duty of company as licensed receiver.

19. (1) The company shall be entitled to be appointed as a licensed receiver of wheat in bulk for the purposes of the Wheat Industry Stabilization Act, 1954.

(2) The company shall receive and handle all wheat in bulk offered to it as a licensed receiver at any of its bulk handling facilities which are in use, in such manner as the Wheat Board shall, from time to time, direct, and in accordance with the provisions of the Wheat Industry Stabilization Act, 1954.

(3) The provisions of this Act relating to the receipt of wheat in bulk by the company otherwise than as a licensed receiver, and to the issue of warrants for wheat, and to the delivery of wheat to holders of warrants, shall not apply to wheat received by the company as a licensed receiver.

Terms and conditions of handling wheat otherwise than as licensed receiver.

20. The terms and conditions on which bulk wheat shall be received, stored, handled, and delivered by, the company otherwise than as a licensed receiver shall be in accordance with this Act and the regulations to be made under this Act.

Notwithstanding any contract or agreement to the contrary, such terms and conditions shall apply to the delivery, storage, receipt, and handling of all such wheat.

Duty to exhibit handling charges.

21. If at or from any bulk handling facilities the company receives or delivers wheat in bulk otherwise than as a licensed receiver, it shall exhibit in a conspicuous position on or near the site of such facilities a poster or placard showing in clearly legible words and figures the prescribed charges and dockages authorized to be made by the company in connection with wheat received by it in its bulk handling facilities.

Duty to receive wheat in bulk.

22. (1) The company shall receive all wheat in bulk which is offered to it, otherwise than as a licensed receiver, at any of its bulk handling facilities which are in use, but shall not receive any wheat which is inferior to the lowest prescribed grade, and differs from that grade to a greater extent than is permitted by the regulations.

(2) If the company refuses to accept wheat on the ground of inferior quality, the person offering it may, by notice to the company, request that the question whether the wheat should be accepted or not by the company shall be referred to an official referee for decision, and the question shall be referred and decided accordingly.

Dockage on wheat in bulk received, otherwise than as a licensed receiver.

23. (1) When the company, otherwise than as a licensed receiver, receives wheat into its bulk handling facilities, an officer of the company duly appointed for that purpose shall determine whether or not any dockage is to be imposed in

respect of such wheat. The items for which dockages may be made and the amount of the dockages shall be as prescribed by regulations.

(2) Such officer shall assess the amount of the dockage and particulars of the dockage shall be stated on the warrant.

(3) If the person delivering the wheat disputes the assessment of dockage he may, by giving notice forthwith in the prescribed form to the officer making the assessment require that the amount (if any) of the dockage shall be determined by an official referee, and the dockage shall be determined accordingly.

Warrants.

24. (1) When the company, otherwise than as a licensed receiver, receives wheat into its bulk handling facilities, the company shall cause the wheat to be weighed, and its grade to be determined, and a warrant to be issued for it.

(2) Every such warrant shall—

(*a*) clearly state the name of the grower of the wheat;

(*b*) be in the prescribed form; and

(*c*) be issued in the name of the grower or some person nominated by the grower at the time of the delivery of the wheat.

(3) All such warrants shall be consecutively numbered and two warrants bearing the same number shall not be issued in respect of wheat of the same season.

Transfer of warrants.

25. (1) Every warrant shall be transferable and upon the transfer of a warrant all rights and obligations of the transferor under the warrant (including the obligation to pay charges and tolls to the company in respect of the wheat to which the warrant applies) shall pass to the transferee: Provided that the person to whom a warrant is transferred shall accept and hold it subject to all rights of ownership, charges, liens, and interests of other persons in or over the wheat in respect of which the warrant was issued.

(2) The transfer of a warrant by the person to whom it was issued by the company or by a person to whom the warrant has been transferred by special indorsement shall be effected by indorsement and delivery.

(3) An indorsement may be in blank, or may specify the person to whom the warrant is transferred.

(4) A subsequent transfer of a warrant which has been transferred by indorsement in blank may be effected by delivery.

Title to wheat in bulk.

26. (1) The receipt or storage of wheat by the company in its bulk handling facilities shall not confer on the company the ownership of, or any proprietary right or interest in the wheat.

(2) The company shall be a custodian for reward of all wheat in its bulk handling facilities.

(3) If wheat belonging to more than one person is held by the company in its bulk handling facilities, all wheat so held shall be the property of all the owners as owners in common.

(4) Wheat held by the company in its bulk handling system shall not be liable to be held or taken or sold for enforcement or discharge of any debts or obligations of the company.

Indemnity to company where wheat converted.

27. Where the company has, in good faith, and without negligence, received wheat from any person who had wrongfully converted it to his own use, or from a person in derogation of the right, title, claim, or interest of any other person, the person from whom the wheat was received shall indemnify the company against all actions, proceedings, claims, demands, costs and expenses in respect of the receipt, detention, handling or delivery by the company of such wheat.

Insurance of wheat.

28. (1) The company shall, at its own expense, insure all wheat from time to time in its custody or under its control (other than wheat received by it as a licensed receiver) in its full insurable value with some reputable public insurance company which has complied with the provisions of the Insurance Act, 1932-1937, of the Commonwealth, against destruction, loss or damage by fire, storm, tempest, flood, explosion, and such other risks as may, from time to time, be prescribed.

(2) The company may receive and give a good discharge for all moneys payable under and in respect of such insurance and settle, adjust, and compromise any claim thereunder.

(3) If the company receives any money under a policy of insurance taken out pursuant to this section it shall apply that money towards the purchase of wheat to replace wheat destroyed, lost or damaged, or to compensate any person for the loss, destruction, or damage of or to his wheat.

Handling charges for grain.

29. (1) The company, in return for all services performed by it in the receipt, handling, storage, and delivery of any wheat or other grain may demand and recover charges. Separate charges may be demanded and recovered for the respective services performed by the company, or inclusive charges may be demanded and recovered for any two or more such services.

(2) The company may, by notice in the *Gazette*, fix and alter from time to time the amounts of the charges which may respectively be demanded and recovered in respect of wheat or other grain delivered by members of the company, and in respect of wheat or other grain delivered by persons who are not such members: Provided that the charges which may be demanded and recovered in respect of wheat or other grain delivered by persons who are not members of the company shall not be published in the *Gazette* until they have been approved by the Auditor-General.

(3) In determining whether to approve any proposed charges the Auditor-General shall take into account the full operating costs of the company, depreciation, interest, and all other proper charges, as well as any payments or allowances (other than payments or allowances for handling wheat or other grain) made to the company by the Wheat Board, or by any other authority for whom wheat or other grain is handled, and shall allow for a fair margin of profit.

Delivery of Wheat.

Delivery of wheat received as licensed receiver.

30. Delivery of wheat received by the company as a licensed receiver shall be made at such places and upon such terms and conditions as are, from time to time, agreed between the company and the Wheat Board.

Delivery of wheat to warrant holders.

31. (1) The holder of a warrant in respect of wheat received by the company otherwise than as a licensed receiver shall be entitled to receive the amount mentioned in the warrant of wheat of a grade substantially equal to the grade of the wheat in respect of which the warrant was issued, but not the identical wheat on receipt of which the warrant was issued.

(2) Wheat shall be deemed to be substantially equal in grade to other wheat, if it does not differ from that other wheat to a greater extent than is permitted by the regulations.

Dispute as to wheat tendered to warrant holders.

32. If any dispute arises as to the quality or condition of wheat tendered by the company to the holder of a warrant for delivery, the company or the holder of the warrant may require the matter to be determined by an official referee, and thereupon the matter in issue shall be referred and decided accordingly.

Handling of Bagged Wheat and Grain Other than Wheat.

Company authorized to handle other grain in bulk.

33. (1) Subject to subsection (2) of this section, the company may, subject to and in accordance with the regulations, receive, store, handle, transport and make arrangements or contracts for the transport of bagged wheat, or grain (other than wheat) in bulk.

(2) The company shall not receive any bagged wheat except at a place where no licensed receiver or other wheat merchant is carrying on the business of receiving wheat.

Supplementary Provisions.

34. (1) The Governor, on the recommendation of the company, may make regulations not inconsistent with this Act prescribing all matters and things which are by this Act required or permitted to be prescribed, or which it is necessary or convenient to prescribe for the purpose of enabling this Act to be carried into effect and facilitating the operations of the company under this Act. Regulations.

(2) Without limiting the generality of subsection (1), the Governor, on the recommendation of the company, may make regulations not inconsistent with this Act with respect to all or any of the following matters :—

(*a*) The conduct of bulk handling by the company :

(*b*) the method and procedure to be followed and observed by the company in the exercise of its powers and in the conduct of its business under this Act, and the records to be kept by the company :

(*c*) Defining or describing the grades of wheat :

(*d*) The delivery of wheat to the company, the precautions to be taken in regard to the checking of the quality and quantity thereof :

(*e*) Describing the wheat which the company is permitted to refuse to receive because of inferiority to wheat of any specified grade :

(*f*) The protection of charges, liens, or securities over wheat offered or delivered to the company :

(*g*) The delivery of wheat by the company, and ensuring that proper precautions shall be taken to check the quantity and quality of the wheat delivered by the company :

(*h*) Defining the rights of a warrant holder to sample wheat tendered to him by the company and to reject wheat which is below the prescribed standard :

(*i*) The issue of warrants in place of warrants lost or destroyed, and the conditions under which two or more warrants may be issued in exchange for one warrant, or under which one warrant may be issued in exchange for two or more warrants :

(*j*) The settlement by referees of questions and disputes arising between the company and the holders of warrants or other persons, and the appointment, powers, and procedure of such referees:

(*k*) Prescribing the amount of the fees payable to referees under this Act, and the persons liable for payment, and the mode and time of payment:

(*l*) Regulating the receipt, storage, handling, custody, and transport by the company of bagged wheat, or grain (other than wheat) in bulk and generally regulating matters incidental thereto:

(*m*) Any matters incidental to any of those mentioned in this subsection:

(*n*) Declaring that breaches of any regulations shall be offences, punishable summarily by fines not exceeding one hundred pounds.

(3) Where the Minister is of opinion that any regulations (being regulations on matters mentioned in subsections (1) and (2) of this section) ought to be made for the protection of any class of persons, he may submit a draft of such regulations to the company with a request that the company shall recommend the making of such regulations.

(4) The company may within two months after the receipt of the draft regulations make representations thereon to the Minister.

(5) If the company does not notify the Minister within the said period that it is willing to recommend the regulations the Minister, after considering any representations made by the company, may recommend the regulations and if he does so the regulations may be made without the recommendation of the company.

Offences.

35. (1) Proceedings for offences against this Act shall be heard and determined summarily.

(2) The penalty for an offence against this Act for which no other penalty is prescribed shall be a fine not exceeding one hundred pounds.

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

J. M. NAPIER, Lieutenant-Governor.

ANNO QUARTO

ELIZABETHAE II REGINAE

A.D. 1955

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No. 5 of 1955

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

[*Assented to 25th August,* 1955.]

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. 2), 1955".

Issue and application of £7,000,000.

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-six, in addition to any moneys so issued and applied pursuant to the Supply Act (No. 1), 1955, any moneys not exceeding in the whole seven 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-five, 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.

J. M. NAPIER, Lieutenant-Governor.

ANNO QUARTO

ELIZABETHAE II REGINAE

A.D. 1955

****

No. 6 of 1955

An Act to authorize the Treasurer to refund certain registration fees paid under the Road Traffic Act, 1934-1954, and for purposes incidental thereto.

[*Assented to 15th September,* 1955.]

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 "Motor Vehicles Registration Fees (Refunds) Act, 1955".

Interpretation

2. (1) In this Act the expression "interstate motor vehicle" means a vehicle which, at the time when the registration thereof in South Australia took effect, was also registered in another State.

(2) The words and expressions used in this Act shall, unless the context otherwise requires, have the same meaning as in the Road Traffic Act, 1934-1954.

Power to make refunds.

3. (1) Where the registration of an interstate motor vehicle took effect after the thirty-first day of January, nineteen hundred and fifty-five, and not later than the commencement of this Act, the Treasurer may, subject to subsection (2) of this section, refund to the person who registered the vehicle the amount of the registration fee paid by him.

(2) No such refund shall be made unless—

(*a*) a written application is made for it; and

(*b*) the applicant satisfies the Registrar by statutory declaration in such form as the Registrar requires, and by such other evidence, if any, as the Registrar requires, that the vehicle was not, between the thirty-first day of January, nineteen hundred and fifty-five, and the day on which the statutory declaration was made, used for the carriage of goods or passengers on any intrastate journey in South Australia ; and

(*c*) the Registrar is satisfied by such evidence as he requires that the registration card issued upon the registration of the vehicle has been destroyed.

Appropriation.

4. This Act, without other appropriation, shall be sufficient authority for the Treasurer to make the refunds mentioned in this Act out of the general revenue of the State.

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

J. M. NAPIER, Lieutenant-Governor.

ANNO QUARTO

ELIZABETHAE II REGINAE

A.D. 1955

****

No. 7 of 1955

An Act to repeal the Draught Stallions Act, 1932-1934, and for incidental purposes.

[*Assented to 29th September,* 1955.]

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 "Draught Stallions Act Repeal Act, 1955". **Short title.**

2. The Draught Stallions Act, 1932-1934, is hereby repealed. **Repeal of Draught Stallions Act.**

3. If for the purpose of the registration of any draught stallion pursuant to the Draught Stallion Act, 1932-1934, any fee is paid in respect of any period after the thirtieth day of June, nineteen hundred and fifty-five, the Minister of Agriculture may, from the Draught Stock Fund and without any further appropriation than this section, repay the amount of the fee to the person by whom it was paid. **Refund of registration fees.**

4. Any moneys which, at the passing of this Act and after the payment of any amounts authorised to be paid by section 3, stand to the credit of the Draught Stock Fund may, without any further appropriation than this section, be applied by the Minister of Agriculture for either or both of the following purposes, namely : **Application of Draught Stock Fund.**

I. Providing a scholarship or scholarships in veterinary science upon such terms and conditions as the Minister of Agriculture thinks fit:

II. The improvement of the services provided by the Department of Agriculture for the animal industries of the State.

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

J. M. NAPIER, Lieutenant-Governor.

ANNO QUARTO

ELIZABETHAE II REGINAE

A.D. 1955

****

No. 8 of 1955

An Act to amend the Public Works Standing Committee Act, 1927-1954.

[*Assented to 29th September,* 1955.]

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, 1955".

(2) The Public Works Standing Committee Act, 1927-1954, as amended by this Act, may be cited as the "Public Works Standing Committee Act, 1927-1955".

(3) The Public Works Standing Committee Act, 1927-1954, 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.

Amendment of s. 3 of principal Act—Interpretation.

3. The definition of "public work" in section 3 of the principal Act is amended—

(*a*) by striking out the word "repair" in the fifth line thereof; and

(*b*) by striking out the last sentence thereof and inserting in lieu thereof the following:

> The term does not include the repair or maintenance of any public work as defined in this definition, or the relaying of railway track without alteration of gauge.

Amendment of s. 25 of principal Act—Duty to submit works to Committee.

4. Section 25 of the principal Act is amended by striking out the word "thirty" in the fifth and ninth lines of subsection (1) and inserting in lieu thereof the words "one hundred".

Consequential amendment of s. 25a of principal Act—Operation of s. 25 during war.

5. Section 25a of the principal Act is amended by striking out the word "thirty" in the sixth line thereof and inserting in lieu thereof the words "one hundred".

Operation of Act.

6. The amendments made by this Act shall apply only to public works referred to the Committee after the passing of this Act.

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

J. M. NAPIER, Lieutenant-Governor.

ANNO QUARTO

ELIZABETHAE II REGINAE

A.D. 1955

****

No. 9 of 1955

An Act to amend the Dairy Cattle Improvement Act, 1921-1940.

[*Assented to 29th September,* 1955.]

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 "Dairy Cattle Improvement Act Amendment Act, 1955".

(2) The Dairy Cattle Improvement Act, 1921-1940, as amended by this Act, may be cited as the "Dairy Cattle Improvement Act, 1921-1955".

(3) The Dairy Cattle Improvement Act, 1921-1940, is hereinafter referred to as "the principal Act".

Amendment of first schedule to principal Act.

2. (1) The first schedule to the principal Act is amended—

(*a*) by striking out the figures "10. 0" therein and by inserting in lieu thereof the figures "1. 0. 0";

(*b*) by striking out the figures "5. 0" therein and by inserting in lieu thereof the figures "10. 0".

(2) The amendments made by this section shall apply with respect to every licence which is in force on or after the first day of July, nineteen hundred and fifty-six.

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

J. M. NAPIER, Lieutenant-Governor.

ANNO QUARTO

ELIZABETHAE II REGINAE

A.D. 1955

****

No. 10 of 1955

An Act to amend the Prices Act, 1948-1954.

[*Assented to 29th September,* 1955.]

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, 1955".

(2) The Prices Act, 1948-1954, as amended by this Act, may be cited as the "Prices Act, 1948-1955".

(3) The Prices Act, 1948-1954, 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.

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-six" 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.

J. M. NAPIER, Lieutenant-Governor.

ANNO QUARTO

ELIZABETHAE II REGINAE

A.D. 1955

****

No. 11 of 1955

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 30th September,* 1955.]

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, 1955 ".

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 and fifty 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-eight million three hundred 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 1955-1956 for works and purposes mentioned in the first schedule shall not exceed twenty-eight million three hundred 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 and apply loan money in 1956-1957.

8. (1) The Treasurer may arrange to borrow, during the period between the 30th June, 1956, and the commencement of the Act authorizing the raising and expenditure of loan money for the financial year 1956-1957, 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.

9. 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 8 shall cease on the thirtieth day of June, 1956.

Authority to expend money received from Commonwealth.

10. (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.

Authority to make certain payments to the Commonwealth.

11. The Treasurer out of money paid to him by the South Australian Housing Trust shall pay to the Commonwealth the money which the State is required to pay to the Commonwealth under clause 14 of the Commonwealth and State Housing Agreement as set out in clause 4 of the Agreement referred to in the Commonwealth and State Housing Supplemental Agreement Act, 1954.

Commencement of Act.

12. This Act shall be deemed to have come into operation on 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.

J. M. NAPIER, Lieutenant-Governor.

FIRST SCHEDULE.

Amounts Proposed to be Expended from the Loan Fund During the Financial Year Ending 30th June, 1956.

Loan Undertakings.	Estimated Expenditure.
	£
STATE BANK.	
Advances for Homes	1,450,000
Loans to Producers	200,000
Advances to Settlers	50,000
Loans for Fencing and Water Piping	4,000
Vermin-proof Fencing	1,000
Advances to State Bank	200,000
Loans for Water Conservation	1,000
HIGHWAYS AND LOCAL GOVERNMENT.	
Roads and Bridges	200,000
LANDS.	
Land Repurchase for Closer Settlement	5,000
Crown Lands Development Act	75,000
IRRIGATION AND DRAINAGE.	
Irrigation and Reclamation of Swamp Lands	259,500
Lessees Reclaimed Swamp Lands—Loans to	500
South-Eastern Drainage	540,000
WOODS AND FORESTS.	
Afforestation and Timber Milling	1,750,000
RAILWAYS.	
Railway Accommodation	2,300,000
HARBORS BOARD.	
Harbors Accommodation	900,000
ENGINEERING AND WATER SUPPLY.	
Waterworks and Sewers	5,600,000
River Murray Weirs, Dams, Locks, etc.	300,000
ARCHITECT-IN-CHIEF.	
Government Buildings and Land	3,680,000
MISCELLANEOUS.	
Expenses and Discounts of Floating Conversion and Public Purposes Loans	110,000
Temporary and Emergency Housing Accommodation	10,000
South Australian Housing Trust—War-time and Post-war Housing	500,000

Amounts Proposed to be Expended from the Loan Fund During the Financial Year Ending 30th June, 1956—continued.

Loan Undertakings.	Estimated Expenditure.
	£
MISCELLANEOUS—*continued.*	
Electricity Trust of South Australia—Loan to	5,000,000
Leigh Creek Coal Field	450,000
Mines Department	250,000
Uranium Production	2,750,000
Municipal Tramways Trust—Loan to	500,000
Metropolitan and Export Abattoirs Board—Loan to	100,000
Public Parks Act—Purchase of Land	1,000
Enfield General Cemetery—Advances to	1,000
Settlement of Discharged Soldiers on the Land, 1914-18	2,000
Lands Department—Buildings, Plant, etc.	50,000
Printing and Stationery Department—Plant, Machinery, Stores, etc.	30,000
Produce Department—Buildings, Plant, etc.	30,000
Purchase of Stores	1,000,000
Total	£28,300,000

ANNO QUARTO

ELIZABETHAE II REGINAE

A.D. 1955

****

No. 12 of 1955

An Act to amend the Supreme Court Act, 1935-1953.

[*Assented to 30th September,* 1955.]

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 "Supreme Court Act Amendment Act, 1955".

(2) The Supreme Court Act, 1935-1953, as amended by this Act, may be cited as the "Supreme Court Act, 1935-1955".

(3) The Supreme Court Act, 1935-1953, 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. 11 of principal Act—Acting judges.

3. Section 11 of the principal Act is amended by adding at the end thereof the following subsection :—

(4) If, in the Governor's opinion, it is desirable that an acting judge should continue in office after the time when his appointment would normally have determined in order that he may complete the hearing and determination of any proceedings which may be pending before him at that time the Governor may continue the appointment of the acting judge for such period as he deems proper.

4. Section 53 of the principal Act is amended by adding at the end thereof the following subsection:— Amendment of s. 53 of the principal Act—Commissions for holding circuit sessions.

(5) For the purpose of completing any business commenced at any circuit sessions the Commissioner shall have the powers referred to in section 45 of this Act.

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

J. M. NAPIER, Lieutenant-Governor.

ANNO QUARTO

ELIZABETHAE II REGINAE

A.D. 1955

****

No. 13 of 1955

An Act to amend the Physiotherapists Act, 1945-1949.

[*Assented to 24th November,* 1955.]

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 "Physiotherapists Act Amendment Act, 1955".

(2) The Physiotherapists Act, 1945-1949, as amended by this Act, may be cited as the "Physiotherapists Act, 1945-1955".

(3) The Physiotherapists Act, 1945-1949, 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 principal Act, s. 29— Alterations in register.

3. Section 29 of the principal Act is amended by striking out paragraph (*d*) therein and inserting the following paragraphs in its place :—

(*d*) insert in the register a note of any order made under section 32, 32b, 32c or 44a of this Act other than an order of de-registration ; and

(*d*1) insert in the register a note of the institution of an appeal under this Act against an order made under section 32, 32b, 32c or 44a of this Act and a note of the result of that appeal ; and

4. Section 32 of the principal Act is repealed and the following sections are enacted and inserted in its place :— Repeal of s. 32 of principal Act and enactment of ss. 32 and 32a-32c of principal Act—

De-registration and other orders.

32. (1) The board may de-register any person who applies in writing to the board to de-register him.

(2) Where a person registered under this Act—

(*a*) has obtained his registration, whether before or after the commencement of the Physiotherapists Act Amendment Act, 1955, by fraud or misrepresentation ;

(*b*) has ceased, whether before or after the said commencement, to possess or does not possess the qualification in respect of which he was registered ;

(*c*) is no longer capable of practising as a physiotherapist by reason of mental defect ;

(*d*) is twelve months in arrear in payment of any subscription becoming payable, whether before or after the said commencement, by him to the board under this Act ;

(*e*) has been guilty whether before or after the said commencement of unprofessional conduct ; or

(*f*) has been convicted, whether before or after the said commencement, of any offence against this Act or of any offence triable in the Supreme Court,

the board may make any one or more of the following orders, that is to say the board may—

(*a*) censure the person ;

(*b*) suspend his registration for such period as the board deems proper ;

(*c*) de-register him.

Where the person has been guilty of unprofessional conduct after the said commencement, the board may make, in addition to or in lieu of any of the above-mentioned orders, an order that he pay to the board within such time as is fixed by the board a fine not exceeding fifty pounds.

This subsection shall apply with respect to any charge relating to any of the matters mentioned herein which is made after the said commencement.

(3) All fines ordered to be paid under subsection (2) of this section and received by the board shall be paid by the board to the Treasurer of the State and shall form part of the General Revenue of the State.

Charges.

32a. A charge made after the commencement of the Physiotherapists Act Amendment Act, 1955, and relating to any of the matters mentioned in subsection (2) of section 32 of this Act shall be made in writing to the board by the person aggrieved or the registrar.

Costs.

32b. (1) If a charge made pursuant to section 32a of this Act is proved, the board may order that the person charged pay within such time as is fixed by the board to the person making the charge such costs as the board thinks just and reasonable.

(2) If a charge made pursuant to section 32a of this Act is dismissed, the board may order that the person making the charge pay within such time as is fixed by the board to the person charged such costs as the board thinks just and reasonable.

Recovery of fines and costs.

32c. (1) Where the board has made an order for the payment of a fine or costs against a person registered under this Act, and the fine or costs are not paid within the time fixed by the board, the board may suspend the registration of the person until the fine or costs be paid or for such period as the board thinks fit.

(2) A fine or costs ordered to be paid under this Act shall be recoverable summarily.

Enactment of s. 44a of principal Act—

5. The following section is enacted and inserted in the principal Act after section 44 thereof:—

Suspension of orders.

44a. (1) Where the board has, whether before or after the commencement of the Physiotherapists Act Amendment Act, 1955, made an order under this Act, the board or a judge of the Supreme Court may, on application, if the board or the judge is satisfied that an appeal against the order has been or is intended to be instituted under this Act, suspend the operation of the order pending the determination of the appeal.

(2) The board may, at any time after the suspension by the board of an order pursuant to subsection (1) of this section, terminate the suspension.

(3) A judge of the Supreme Court, on application in that behalf, may, at any time after the suspension by a judge of the Supreme Court of an order pursuant to subsection (1) of this section, terminate the suspension.

(4) In this section "order" includes decision or direction.

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

R. A. GEORGE, Governor.

ANNO QUARTO

ELIZABETHAE II REGINAE

A.D. 1955

****

No. 14 of 1955

An Act to provide for compensation for loss arising from measures to eradicate fruit fly and to amend the Fruit Fly Act, 1947-1953.

[*Assented to 20th October,* 1955.]

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 "Fruit Fly Act Amendment Act, 1955".

(2) The Fruit Fly Act, 1947-1953, as amended by this Act, may be cited as the "Fruit Fly Act, 1947-1955".

(3) The Fruit Fly Act, 1947-1953, 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. 4—Right to compensation.

3. Section 4 of the principal Act is amended by striking out subsection (2a) thereof.

Re-enactment of schedule to the principal Act.

4. The schedule to the principal Act is struck out and the following schedule inserted in its place :—

THE SCHEDULE.

Date of Proclamation.	Date and Page of *Gazette*.
31/1/47	31/1/47, page 583
11/2/47	11/2/47, page 633
20/2/47	20/2/47, pages 683 and 684
4/8/49	4/8/49, page 294
26/11/53	26/11/53, page 1307

Compensation.

5. (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 thirty-first day of December, nineteen hundred and fifty-four and published in the *Gazette* of the sixth day of January, nineteen hundred and fifty-five at page 1,

shall be entitled to compensation for that loss as provided in the principal Act.

(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 said 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.

Claim for compensation.

6. Notwithstanding the provisions of subsection (1a) of section 5 of the principal Act, a notice of claim under that section for compensation under section 5 of this Act—

(*a*) if the claim is for loss resulting from any act, shall be delivered to the committee before the first day of February, nineteen hundred and fifty-six ; 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-six.

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

J. M. NAPIER, Lieutenant-Governor.

ANNO QUARTO

ELIZABETHAE II REGINAE

A.D. 1955

****

No. 15 of 1955

An Act to amend the Noxious Insects Act, 1934.

[*Assented to 21st October,* 1955.]

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. (1) This Act may be cited as the "Noxious Insects Act Amendment Act, 1955".

(2) The Noxious Insects Act, 1934, as amended by this Act may be cited as the "Noxious Insects Act, 1934-1955".

(3) The Noxious Insects Act, 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.

Enactment of ss. 6a and 6b of principal Act—

3. The following sections are enacted and inserted in the principal Act after section 6 thereof:—

Powers of officers on non-compliance with notice

6a. (1) If an occupier does not comply with a notice under subsection (1) or subsection (2) of section 6 any authorized officer may with or without assistants—

(*a*) enter upon the land of such occupier;

(*b*) take all such measures and do and perform all such acts and things as to him appear proper or necessary to carry out the measures specified in the notice;

(*c*) remain upon and have free right of ingress, egress and regress into, over and across the said land for such period as is necessary for the purpose mentioned in paragraph (*b*) of this subsection.

(2) For the purposes of subsection (1) of this section an occupier who—

(*a*) does not after the service upon him of a notice mentioned in section 6 forthwith commence to comply therewith ; or

(*b*) having so commenced does not continue such compliance,

shall be deemed not to have complied with the notice.

(3) The powers conferred by this section may be exercised whether or not proceedings are taken against the occupier under section 6, and without affecting the liability of the occupier under that subsection.

(4) In this section "an authorized officer" means a person appointed by a council or the Minister as an authorized officer for purposes of this Act.

Recovery of cost of action taken on default of occupier.

6b. (1) The expense incurred by an authorized officer in acting under section 6a shall be a debt due by the occupier of the land to the appointer of the authorized officer, and shall be payable on demand and recoverable by action in any court of competent jurisdiction.

(2) A council shall have authority to expend its revenue on taking action under section 6a of this Act.

Amendment of s. 11 of principal Act—Powers of Minister.

4. Section 11 of the principal Act is amended by adding at the end thereof the following subsection :—

(2) If the Minister publishes or gives any notice as mentioned in section 6 of this Act all the provisions of sections 6, 6a, and subsection (1) of section 6b shall apply with the necessary modifications in relation to the land and the occupiers to which the notice applies.

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

J. M. NAPIER, Lieutenant-Governor.

ANNO QUARTO

ELIZABETHAE II REGINAE

A.D. 1955

****

No. 16 of 1955

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-six.

[*Assented to 3rd November,* 1955.]

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. 3), 1955 ". 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-six, in addition to any moneys so issued and applied pursuant to the Supply Acts (Nos. 1 and 2), 1955, any moneys not exceeding in the whole five million pounds. Issue and application of £5,000,000.

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-five, 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 QUARTO

ELIZABETHAE II REGINAE

A.D. 1955

****

No. 17 of 1955

An Act to amend the Gas Act, 1924-1954.

[*Assented to 17th November,* 1955.]

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, 1955".

(2) The Gas Act, 1924-1954, as amended by this Act, may be cited as the "Gas Act, 1924-1955".

(3) The Gas Act, 1924-1954, 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.

Repeal of ss. 38-40 of principal Act and enactment of other provisions—

3. Sections 38, 39, and 40 of the principal Act are repealed and the following section is enacted and inserted in lieu thereof :—

Depreciation and reserves

38. (1) The Company may set aside out of its revenue such sums for depreciation and for reserves as are in accordance with usual commercial practice.

(2) The moneys standing to the credit of any depreciation account or reserve account may be invested in securities in which trustees are authorized by law to invest trust funds, or may be used for any purposes of the Company, or may be partly invested and partly used as aforesaid.

Enactment of s. 40a of principal Act—

4. The following section is enacted and inserted in the principal Act after section 40 thereof:—

Capitalisation of certain interest.

40a. Interest on capital spent by the Company on additional works and plant, to the extent that such interest is payable in respect of any period before the additional works and plant are in operation, may be paid out of capital and included in the accounts of the Company as part of the cost of such works and plant.

Amendment of s. 41 of principal Act—
Half-yearly statement.

5. Section 41 of the principal Act is amended by striking out the words "paid into the Special Purposes Fund, the Reserve Fund and the Divisible Profits Account" and inserting in lieu thereof the words "set aside for depreciation and reserves".

Amendment of s. 43 of principal Act—
Superannuation Fund.

6. Section 43 of the principal Act is amended by striking out the words "Special Purposes Fund" in paragraph (*b*) of subsection (1) and inserting in lieu thereof the words "revenue of the Company".

Repeal of s. 44 of principal Act—
Distribution of profits.

7. Section 44 of the principal Act is repealed.

Repeal of s. 45 of principal Act and enactment of other provisions—
New capital issues.

8. Section 45 of the principal Act is repealed and the following section is enacted and inserted in lieu thereof:—

45. Notwithstanding any Act or the deed of settlement of the Company, the Company shall not offer or issue any shares, bonds, debentures, stock or other like securities unless the terms and conditions of issue and the amount, terms, and conditions of the shares, bonds, debentures, stock, or other securities, and the terms of any underwriting agreement respecting the issue thereof have first been approved by the Treasurer: Provided that this section shall not apply to share stock or redeemable stock issued under section 45b of this Act.

Enactment of s. 45b of principal Act—

9. The following section is enacted and inserted in the principal Act after section 45a thereof:—

Partial conversion of shares to redeemable stock.

45b. (1) The Minister may by notice in the *Gazette*, declare that a day specified in the notice shall be the day of conversion for the purposes of this section.

(2) On the day of conversion—

(*a*) the par value of each fully paid one pound share in the company shall be reduced to five shillings; and

(*b*) each shareholder shall, subject to subsection (5) of this section, become entitled to redeemable stock of an amount equal to fifteen shillings for each such share held by him.

(3) Redeemable stock issued pursuant to this section shall—

(*a*) have a currency of a period of fifteen years, commencing on the day of conversion;

(*b*) carry interest at the rate of six per cent per annum, payable half-yearly, on the amount thereof, such interest to be calculated and payable as from the first day of July next preceding the day of conversion;

(*c*) in a winding up of the Company rank in priority after all bonds issued by the Company.

(4) Redeemable stock and share stock issued pursuant to this section may be divided into unnumbered units, the par value of a unit of redeemable stock being one pound, and that of a unit of share stock, five shillings.

(5) If the amount of redeemable stock to which a shareholder is entitled under subsection (2) of this section includes any fractional part of a pound, the Company shall issue to the shareholder share stock for that fractional part, in lieu of redeemable stock.

(6) The company shall forthwith after the publication of the notice under subsection (1) of this section send a notice to every shareholder informing him of the reduction in the par value of his shares and of his rights under subsections (2), (3), (7) and (8) of this section.

(7) At any time not later than two months after the day of conversion any shareholder may give the company written notice that he dissents from the proposal to issue redeemable stock in respect of the amount by which the par value of his shares is reduced, and desires a cash payment in lieu of such stock.

(8) If a shareholder gives such a notice within the said two months he shall, subject to subsection (9) of this section, be entitled to a cash payment of three-quarters of the market value of his shares, together with interest on the amount of that payment at the rate of five per cent for the period commencing on the day of conversion and ending on the day of payment.

For the purposes of this subsection the market value of shares in the Company shall be the average price at which sales of such shares were effected on the Stock Exchange of Adelaide during the last four weeks before the day of conversion. The President of the Stock Exchange of Adelaide shall on request by the Company issue to it a certificate of such average price, and the Company shall publish the certificate in the *Gazette*. The certificate so published shall be conclusive evidence of the said average price.

(9) Every shareholder shall, upon delivery to the company of the certificate for his shares be entitled to receive from the company at any time after three months from the day of conversion—

(*a*) a certificate for share stock of an amount equal to the par value of his shares as reduced under this section and for any additional share stock which the Company is required to issue to him under subsection (2) of this section; and

(*b*) the redeemable stock or, as the case may be, the cash to which he is entitled.

(10) Notwithstanding the previous provisions of this section if, after considering the amount of the cash payments to be made to dissenting shareholders, the directors are of opinion that it would be inexpedient to carry out the conversion provided for in this section, they may by resolution declare that the conversion shall not be proceeded with and thereupon the rights of the shareholders shall be the same as if this section had not been enacted.

Amendment of s. 46 of principal Act—Annual statement of accounts.

10. Section 46 of the principal Act is amended by striking out subsections (1) and (2) thereof and inserting in lieu thereof the following subsections :—

(1) The Company shall prepare and forward to the Minister and to the Registrar of Companies between the thirtieth day of June and the thirtieth day of September in each year, or a later day approved by the Minister, a profit and loss account for the financial year ending on such thirtieth day of June, and a balance-sheet showing the position of the Company as at that day.

(2) The Company shall keep copies of such account and balance-sheet at its office and shall on request by any person sell him a copy of both the account and balance-sheet at a price not exceeding one shilling.

11. Section 49 of the principal Act is amended by inserting at the commencement thereof the words "Subject to section 45 of this Act". Amendment of s. 49 of principal Act—Issue of preference shares.

12. Section 50 of the principal Act is amended by inserting after subsection (1) thereof the following subsection :— Amendment of s. 50 of principal Act—Powers of trustees.

(1a) Subsection (1) of this section and section 5 of the Trustee Act, 1936-1952, shall not apply to redeemable stock issued under section 45b of this Act ; but a trustee holding shares in the Company which are converted by section 45b of this Act, may elect to take either cash or redeemable stock on such conversion and shall not be chargeable with breach of trust by reason of any such election.

Any powers conferred on a trustee by the terms of the trust to retain, hold or deal with the shares in the Company shall apply equally to redeemable stock issued to him on the conversion of such shares.

13. Section 51 of the principal Act is repealed. Repeal of s. 51 of principal Act—Amendment of Second Schedule.

14. The following section is enacted and inserted in the principal Act after section 55 thereof :— Enactment of s. 56 of principal Act—

56. Notwithstanding any Act, or the deed of settlement of the Company, the Company may in any year, hold its annual general meeting at any time fixed by the directors, but not more than fifteen months after the previous annual meeting. Time for annual general meetings and payment of dividends.

15. The Second Schedule to the principal Act is repealed. Repeal of The Second Schedule to the principal Act.

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

R. A. GEORGE, Governor.

ANNO QUARTO

ELIZABETHAE II REGINAE

A.D. 1955

****

No. 18 of 1955

An Act to amend the Wheat Industry Stabilization Act, 1954.

[*Assented to 17th November,* 1955.]

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 Industry Stabilization Act Amendment Act, 1955".

(2) The Wheat Industry Stabilization Act, 1954, as amended by this Act, may be cited as the "Wheat Industry Stabilization Act, 1954-1955".

(3) The Wheat Industry Stabilization 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.

Amendment of s. 8 of principal Act—Delivery of wheat.

3. Section 8 of the principal Act is amended—

(*a*) by inserting before the words "this section" in the first line of subsection (4) the words "the preceding provisions of" ; and

(*b*) by striking out the word "to" in the fifth line of subsection (5) and inserting in lieu thereof the word "by"

4. Section 12 of the principal Act is amended by adding at the end thereof the following subsection :— Amendment of s. 12 of principal Act— Payment by Board.

(6) Notwithstanding any other provision of this Act the Board may deduct from the amount otherwise payable under this Act to any person (hereinafter called "the payee"), in respect of wheat harvested after the thirtieth day of September, 1955, the following amounts, namely :—

(*a*) where the payee is a member of S.A. Co-operative Bulk Handling Limited, any amounts of money which the payee by writing authorizes the Board to deduct and pay to the said Company in respect of tolls which the payee has agreed to pay to the Company ;

(*b*) where the payee is not a member of S.A. Co-operative Bulk Handling Limited, any amount payable to the said Company as the whole or part of a charge for the receipt, storage or handling of wheat delivered by the payee, other than or in excess of the amount payable in the like circumstances by a member of the said Company: Provided that the board shall not deduct any amount under this paragraph unless the charge in respect of which the deduction is made has been fixed by the Company, approved by the Auditor-General, and published in the *Gazette*.

Where the Board deducts any money pursuant to this subsection, it shall pay it to the said Company and such payment shall, to the extent of the amount so paid, be a discharge of the Board's liability to the payee from whose payment the deduction was made.

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

R. A. GEORGE, Governor.

ANNO QUARTO

ELIZABETHAE II REGINAE

A.D. 1955

****

No. 19 of 1955

An Act to provide for vesting certain land in The Young Women's Christian Association of Port Pirie Incorporated, and for other purposes.

[*Assented to 17th November,* 1955.]

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 Young Women's Christian Association of Port Pirie Incorporated (Port Pirie Parklands) Act, 1955".

Interpretation.

2. In this Act—

"the association" means The Young Women's Christian Association of Port Pirie Incorporated;

"the Minister" means the Minister of Lands.

Grant of portion of Port Pirie Parklands.

3. After resumption thereof pursuant to the Crown Lands Act, 1929-1944, the Governor may grant to the association in fee simple, subject to the powers of resumption and re-entry contained in section 4 of this Act and the restrictions on sale or other disposal contained in section 5 of this Act, all that piece of land (hereinafter called "the land") situated in the Hundred of Pirie County of Victoria and being the section numbered 1098 on the Public Plan of the said Hundred deposited in the Land Office at Adelaide.

Power of Governor to resume.

4. (1) Subject to subsection (4) of this section, if, at any time after the land is granted to the association, the Minister is satisfied that the land is not being used principally for the

objects and purposes of the association, he may give notice in writing to the association requiring the association to use the land principally for the objects and purposes of the association.

(2) Subject to subsections (3) and (4) of this section, unless before the expiration of three months from the giving of such notice, the Minister is satisfied that the land is being used principally for the objects and purposes of the association, the Governor may by proclamation resume the land, and may enter upon the land, and have again, re-possess and enjoy the land, together with all erections and buildings thereon, as if the land had never been granted to the association.

(3) The powers conferred by subsection (2) of this section shall not be exercised so as to affect any right or interest of any mortgagee under a mortgage of the land or any right or interest derived by any person from the mortgagee.

(4) The powers conferred by subsection (1) and subsection (2) of this section shall not be exercised where a mortgagee of the land has obtained an order of foreclosure or has sold the land in the exercise of a power of sale.

(5) Upon resumption under this section, any certificate of title or other muniment of title to the land shall be cancelled by the Registrar-General of Deeds.

(6) In this section and in sections 5 and 6 of this Act, "the land" includes a part of the land.

Disposal of land.

5. (1) Subject to subsection (2) of this section, the association shall not sell or otherwise dispose of the land or any interest therein, and any purported sale or other disposal of the land or any interest therein by the association shall be void.

(2) The association may grant mortgages over the land: Provided that the total amount of principal moneys secured by such mortgages shall not at any time exceed the sum of three thousand pounds.

Rates.

6. While the association occupies the land, the land shall not be ratable property under the Local Government Act, 1934-1954.

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

R. A. GEORGE, Governor.

ANNO QUARTO

ELIZABETHAE II REGINAE

A.D. 1955

****

No. 20 of 1955

An Act to amend the Landlord and Tenant (Control of Rents) Act, 1942-1954.

[*Assented to 24th November,* 1955.]

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, 1955".

(2) The Landlord and Tenant (Control of Rents) Act, 1942-1954, as amended by this Act, may be cited as the "Landlord and Tenant (Control of Rents) Act, 1942-1955".

Reference 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, the Landlord and Tenant (Control of Rents) Act Amendment Act, 1953, and the Landlord and Tenant (Control of Rents) Act Amendment Act, 1954, 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—Exemption from Act.

3. Section 6 is amended by inserting therein after subsection (2a) thereof the following subsection :—

(2b) If any lease in writing of any dwellinghouse is entered into after the passing of the Landlord and Tenant (Control of Rents) Act Amendment Act, 1955, and

if the lease provides that the term thereof shall commence from a date specified in the lease and shall terminate upon a date specified in the lease, then the provisions of this Act relating to the control of rents shall not apply with respect to any rent payable under the lease in respect of the term so specified in the lease.

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-seven and one-half" in the eighth line of subsection (2) thereof and by inserting in lieu thereof the words "thirty-three and one-third".

Amendment of principal Act, s. 42—Notice to quit.

5. Section 42 of the principal Act is amended—

(*a*) by striking out paragraph (*k*) of subsection (6) thereof;

(*b*) by inserting after the word "In" in the first line of subsection (7) thereof the passage "subsection (3) and";

(*c*) by striking out the words "if the lessor" in the second line of subsection (9) thereof and by inserting in lieu thereof the words "by a lessor who is";

(*d*) by striking out the words "if the purchaser" in the sixth line of subsection (9) thereof and by inserting in lieu thereof the words "by a purchaser who is".

Enactment of s. 55c of principal Act—

6. The following section is enacted and inserted in the principal Act after section 55b thereof:—

Recovery of possession of premises in certain cases.

55c (1) Notwithstanding section 42, but subject to this section, the lessor of any dwellinghouse may, at any time after the passing of the Landlord and Tenant (Control of Rents) Act Amendment Act, 1955, give notice to quit to the lessee thereof, on the ground that the dwellinghouse is reasonably needed for the occupation as a dwellinghouse by the lessor, or by a son or daughter, or the father or mother of the lessor.

(2) Notice to quit shall not be given under this section except subject to the following provisions:—

1. With the notice to quit, there shall be served on the lessee by the lessor, a statutory declaration by the lessor declaring that the dwellinghouse is reasonably needed for occupation by the lessor,

or by a son or daughter, or the father or mother of the lessor, as the case may be, and setting out the full name and particulars of the accommodation then occupied by that person:

II. The notice to quit given to the lessee shall be for a period of not less than six months.

(3) On the hearing of any proceedings for an order for the recovery of possession of the dwellinghouse, or the ejectment of the lessee therefrom, if proof is given (the onus of which proof shall be on the lessor) that the notice to quit was given in accordance with this section, the court shall make the order without taking into consideration any of the matters mentioned in subsection (1) of section 49.

(4) Except as otherwise provided by this section, the provisions of this Part shall apply with respect to any such notice to quit or proceedings.

(5) Nothing in this section shall limit the right of the lessor under any other provision of this Act.

(6) Section 45 shall not apply to any notice to quit given under this section.

Amendment of principal Act, s. 64—Protection of certain persons in possession of premises.

7. Section 64 of the principal Act is amended by striking out the words "not being a lodger or boarder" in the second line thereof and by inserting in lieu thereof the words "being the wife, husband, father, mother, son or daughter of the lessee."

Enactment of s. 103a of principal Act—Provision for payment of rent on sale of premises.

8. The following section is enacted and inserted in the principal Act after section 103 thereof:—

103a. If the lessor under any lease of any premises to which this Act applies—

(*a*) transfers, conveys or assigns his interest as lessor to any other person; and

(*b*) notice of the transfer, conveyance or assignment and of the name and address of such other person is not given to the lessee,

any payment of rent or tender of payment of rent under the lease by the lessee to the lessor by whom the transfer conveyance or assignment is made or to a person to whom the rent has been previously customarily paid shall be deemed to be a valid payment or tender of payment, as the case may be, of that rent.

9. Section 123 of the principal Act is amended by striking out the word "fifty-five" in the second line thereof and by inserting in lieu thereof the word "fifty-six". Amendment of principal Act, s. 123—Duration of Act.

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

R. A. GEORGE, Governor.

ANNO QUARTO

ELIZABETHAE II REGINAE

A.D. 1955

****

No. 21 of 1955

An Act to amend the Industrial Code, 1920-1951.

[*Assented to 24th November,* 1955.]

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 Code Amendment Act, 1955".

(2) The Industrial Code, 1920-1951, as amended by this Act, may be cited as the "Industrial Code, 1920-1955".

(3) The Industrial Code, 1920-1951, 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.

Repeal of ss. 12d and 12e of principal Act and enactment of other provisions.

3. Sections 12d and 12e of the principal Act are repealed and the following sections are enacted and inserted in lieu thereof :—

Election by contributors to Superannuation Fund.

12d. Where a contributor to the South Australian Superannuation Fund under the Superannuation Act, 1926-1954, is appointed as President or Deputy President, he may by notice in writing given within three months after his appointment to the Treasurer and to the Board

administrating that Act, elect to continue to contribute to the said Superannuation Fund. If such a notice is given, he shall not contribute for or be entitled to pension under this Act but shall continue to be subject to the obligations and entitled to the rights prescribed by the Superannuation Act, 1926-1954.

Contributions for pension.

12e. (1) A President or Deputy President who has elected either before or after the passing of the Industrial Code Amendment Act, 1955, to contribute for pension pursuant to section 12c of this Act shall in each month pay to the Treasurer in aid of the General Revenue of the State a contribution equal to the prescribed percentage of his salary for that month.

(2) The prescribed percentage shall depend on the age at which the President or Deputy President first became a contributor (whether before or after the passing of the Industrial Code Amendment Act, 1955) and shall be in accordance with the following table :—

Contributions.

Age at Commencing to Contribute.	Percentage of Salary to be Contributed.
Under 50 years	5·0
50 years and under 51 years	5·2
51 years and under 52 years	5·4
52 years and under 53 years	5·7
53 years and under 54 years	6·0
54 years and under 55 years	6·3
55 years and under 56 years	6·6
56 years and under 57 years	7·0
57 years and under 58 years	7·4
58 years and under 59 years	7·8
59 years and under 60 years	8·3

(3) A President or Deputy President who elects to contribute for pension shall pay contributions in respect of the period commencing on the first day of the month in which the election is made and ending on the last day of the month preceding the month in which the President or Deputy President reaches the age of sixty-five years or retires before reaching that age.

Benefits.

12ea. Where a President or Deputy President has elected (whether before or after the passing of the Industrial Code Amendment Act, 1955) to contribute for a pension he or his widow or personal representatives shall be entitled to the following benefits :—

(*a*) Where the President or Deputy President retires being disabled by permanent invalidity or infirmity from the performance of his duties or having reached the age of sixty-five years, he shall be entitled to a pension for life at the annual rate of one-half of the annual rate of his salary at the time of his retirement ;

(*b*) Where the President or Deputy President dies before retirement and is survived by a widow she shall be entitled to pension for life at the annual rate of one-quarter of the annual rate of the salary of her husband immediately before his death ;

(*c*) Where the President or Deputy President dies before retirement without leaving a widow his personal representatives shall be entitled to a refund of the contributions paid by him ;

(*d*) Where the President or Deputy President dies after retirement and is survived by a widow she shall be entitled to a pension for life at the annual rate of one quarter of the annual rate of the salary of her husband immediately before his retirement ;

(*e*) Where the President or Deputy President retires in any circumstances other than those mentioned in paragraph (*a*) of this section he shall be entitled to a refund of the contributions paid by him but his widow shall not on his death after such retirement be entitled to pension.

Consequential amendment of s. 12f of principal Act.

4. Section 12f of the principal Act is amended by striking out the figures and letter "12e" in the second line and inserting in lieu thereof "12ea".

5. Sections 12h and 12i of the principal Act are repealed. Repeal of ss. 12h and 12i.

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

R. A. GEORGE, Governor.

ANNO QUARTO

ELIZABETHAE II REGINAE

A.D. 1955

****

No. 22 of 1955

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-six, and for other purposes.

[*Assented to 24th November,* 1955.]

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), 1955 ".

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-six million, three hundred and seventy-six thousand seven hundred and eighty-four pounds.

Appropriation of General Revenue.

3. (1) Out of the sum of seven million pounds issued under the authority of the Supply Act (No. 1), 1955, and the sum of seven million pounds issued under the authority of the Supply Act (No. 2), 1955, and the sum of five million pounds issued under the authority of Supply Act (No. 3), 1955, and the said sum of twenty-six million, three hundred and seventy-six thousand, seven hundred and eighty-four 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

ending the thirtieth day of June, nineteen hundred and fifty-six the sum of forty-five million, three hundred and seventy-six thousand, seven hundred and eighty-four pounds, the said amount being appropriated as follows, viz. :— Estimates, 1955-56.

	£
Legislative Council	10,246
House of Assembly	13,080
Parliamentary Library	5,247
Joint House Committee	9,832
Electoral	59,459
Government Reporting	33,119
Parliamentary Standing Committee on Public Works	3,709
Parliamentary Committee on Land Settlement	3,525
Legislature, Miscellaneous	36,789
State Governor's Establishment	6,218
Chief Secretary	15,740
Statistical	58,677
Audit	58,972
Printing and Stationery	230,644
Police	1,568,704
Sheriff and Gaols and Prisons	244,250
Hospitals	3,250,000
Children's Welfare and Public Relief	495,000
Public Health	129,858
Chief Secretary, Miscellaneous	1,608,466
Attorney-General	17,580
Registrar of Companies	11,223
Crown Solicitor	34,541
Parliamentary Draftsman	7,895
Public Trustee	54,000
Supreme Court	68,460
Adelaide Local Court	30,357
Adelaide Police Court	31,981
Country and Suburban Courts	54,000
Coroners	4,526
Registrar-General of Deeds	94,269
Attorney-General, Miscellaneous	13,781
The Treasury	37,254
Superannuation	43,088
Motor Vehicles	184,974
Agent-General in England	32,403
Land Tax	90,217
Stamp and Succession Duties	30,509
Publicity and Tourist Bureau and Immigration	226,260
Prices Control	66,704
Treasurer, Miscellaneous	5,424,271
Lands	580,981
Government Motor Garage	31,350
Advances to Settlers, Vermin Proof Fencing and Loans for Fencing and Water Piping	1,033
Minister of Lands, Miscellaneous	106,316
Public Works (Office of the Minister)	7,602
Engineering and Water Supply	2,026,000
Architect-in-Chief	250,000

	£
Government Offices	123,500
Cemetery	17,700
Public Stores	117,961
Aborigines	177,301
Public Works	966,220
Minister of Works, Miscellaneous	31,289
Education	5,943,282
The Libraries	105,302
The Museum	37,045
The Art Gallery	16,015
Minister of Education, Miscellaneous	993,535
Industry	79,805
Factories and Steam Boilers	49,586
Minister of Industry, Miscellaneous	4,700
Minister of Agriculture (Office of Minister)	8,688
Agriculture	550,079
Agricultural College	98,995
Produce	225,066
Fisheries and Game	32,850
Chemistry	42,919
Minister of Agriculture, Miscellaneous	114,563
Department of Lands—Irrigation and Drainage	430,000
Mines	683,000
Harbors Board	1,454,000
Minister of Marine, Miscellaneous	5,500
Railways	15,051,268
Transport Control Board	19,122
Office of Minister of Roads and Local Government	5,795
Highways and Local Government	262,189
Minister of Roads and Local Government, Miscellaneous	326,399
Total	£45,376,784

(2) If—

(*a*) during the financial year ending on the thirtieth day of June nineteen hundred and fifty-six 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-seven.

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-six notwithstanding that the payment is—

(*a*) in respect of a period prior to the first day of July, nineteen hundred and fifty-five; 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, 1936-1954, or under any regulation of the South Australian Railways Commissioner.

Payments to be in addition to other payments.

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.

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

R. A. GEORGE, Governor.

ANNO QUARTO

ELIZABETHAE II REGINAE

A.D. 1955

****

No. 23 of 1955

An Act to amend the Metropolitan Milk Supply Act, 1946-1950.

[*Assented to 24th November,* 1955.]

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 Milk Supply Act Amendment Act, 1955".

(2) The Metropolitan Milk Supply Act, 1946-1950, as amended by this Act, may be cited as the "Metropolitan Milk Supply Act, 1946-1955".

(3) The Metropolitan Milk Supply Act, 1946-1950, 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 s. 32 of principal Act—

3. Section 32 of the principal Act is amended by striking out subsection (2) thereof and inserting in lieu thereof the following subsections :—

Refusal of licence.

(2) Where—

(*a*) a person applies for a licence for unlicensed premises as defined in this subsection ; and

(*b*) such premises or the plant, equipment, or animals to be used by the applicant in carrying on the business for which the licence is required do not comply with this Act,

the Board may refuse the application or grant a provisional licence.

In this subsection " unlicensed premises " means premises in respect of which a licence has not previously been granted, or premises the licence in respect of which has expired more than a month before the making of the application.

(2a) A provisional licence—

(*a*) shall be in force for the period specified therein by the board:

(*b*) while so in force shall have effect as a licence of the kind applied for:

(*c*) shall contain a condition that the applicant will, before the expiration of the provisional licence, do everything required to make the premises, plant, equipment and animals comply with this Act:

(*d*) may contain any other conditions which the Board deems necessary.

(2b) If the conditions of a provisional licence are complied with before the expiration of such provisional licence the holder thereof shall be entitled to be granted a licence of the kind for which he applied.

(2c) If the conditions of a provisional licence are not so complied with the licence applied for by the holder thereof shall be refused.

Enactment of s. 45a of principal Act—

4. The following section is enacted and inserted in the principal Act after section 45 thereof:—

Reconstituted milk.

45a. (1) In this section "reconstituted milk" means the product resulting from the mixing of—

(*a*) dried milk with water; or

(*b*) dried skimmed milk and butter or butterfat or any derivative of milk or butter with water.

(2) No person shall within the metropolitan area sell or have in his possession for sale any reconstituted milk unless he has obtained a permit from the board entitling him to do so.

(3) Any such permit—

(*a*) shall specify the period or periods during which it is to be in operation, or shall declare that it is to be in operation for an indefinite period terminable by the board at any time by notice to the holder:

(*b*) may contain conditions as to the composition and standard (including freedom from bacteria and foreign matter) of the reconstituted milk to which it applies and of the ingredients thereof:

(*c*) may contain such other conditions as the board deems proper in the public interest.

(4) Any permit granted under this section may be revoked by the board for breach of any condition thereof.

5. The following section is enacted and inserted in the principal Act after section 46 :— Enactment of s. 46a of principal Act—

46a. (1) The power conferred on the Governor by the preceding section to make regulations on the recommendation of the board shall include power to make regulations for the zoning of milk deliveries, that is to say, regulations for the following purposes :— Zoning of milk deliveries.

(*a*) For empowering the board to define and alter retail milk distribution areas (hereinafter called "zones") within the metropolitan area or any part thereof:

(*b*) For empowering the board to allot to any person a zone or zones in which he is permitted to carry on business as a retail vendor of milk and cream, and forbidding any person to carry on such business in the metropolitan area except in a zone allotted to him by the board:

(*c*) For requiring every person to whom a zone has been allotted to supply and deliver milk or cream in bulk or bottles by retail to all persons desiring such supply within that zone:

(*d*) For ensuring that persons carrying on business as retail vendors of milk and cream in zones will receive adequate supplies of milk and cream from holders of milk treatment licences:

(*e*) For empowering the board to withdraw a zone from a retail vendor who has been guilty of any breach of the regulations:

(*f*) Generally for the co-ordination, regulation and control of the supply and delivery of milk and cream to retail consumers in the metropolitan area and for any matters incidental thereto:

(*g*) For fixing the fees, not exceeding ten shillings, payable on an application for the allotment of a zone:

(*h*) For prescribing penalties recoverable summarily and not exceeding fifty pounds for breach of any regulation.

(2) In the administration of the regulations under this section the board shall, as far as possible, ensure that in each zone there are at least three persons carrying on business, independently of each other, as retail vendors of milk and cream delivered at the premises of customers.

(3) This section shall not take away or restrict the duty of any person to comply with the provisions of, or the regulations made under, the Food and Drugs Act, 1908-1954.

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

R. A. GEORGE, Governor.

ANNO QUARTO

ELIZABETHAE II REGINAE

A.D. 1955

****

No. 24 of 1955

An Act to amend the Sewerage Act, 1929-1953.

[*Assented to 24th November,* 1955.]

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 " Sewerage Act Amendment Act, 1955 ".

(2) The Sewerage Act, 1929-1953, as amended by this Act, may be cited as the " Sewerage Act, 1929-1955 ".

(3) The Sewerage Act, 1929-1953, 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. 74—
Scale of sewerage rates.

3. Section 74 of the principal Act is amended by inserting at the beginning of subsection (1) thereof the words " Subject to section 74a of this Act ".

Enactment of s. 74a of principal Act—

4. The following section is enacted and inserted in the principal Act after section 74 thereof :—

Rates in country drainage areas.

74a. (1) Subject to subsection (2) of this section, the sewerage rate in a country drainage area shall be an amount not exceeding two shillings and sixpence in the Pound fixed by the Minister by notice published annually in the *Gazette* as the sewerage rate for all country drainage areas.

(2) The minimum amount payable for sewerage rates on any land, or land and premises, comprised in an assessment and situated in a country drainage area, shall be—

(*a*) four pounds per annum in the case of land, or land and premises, drained by the sewers ;

(*b*) one pound per annum in the case of other land, or land and premises.

Amendment of principal Act, s. 75—Power of Minister to fix minimum sewerage rates.

5. Section 75 of the principal Act is amended—

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

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

(3) The Minister shall not fix under the foregoing provisions of this section a minimum sewerage rate payable in respect of land, or land and premises, situated in a country drainage area.

Repeal of s. 75a of principal Act—Rates in country drainage areas.

6. Section 75a of the principal Act is repealed.

Operation of Act.

7. This Act shall apply with respect to sewerage rates payable in the financial year commencing on the first day of July, nineteen hundred and fifty-five and in succeeding financial years.

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

R. A. GEORGE, Governor.

ANNO QUARTO

ELIZABETHAE II REGINAE

A.D. 1955

****

No. 25 of 1955

An Act to amend the Mines and Works Inspection Act, 1920-1935.

[*Assented to 1st December,* 1955.]

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 "Mines and Works Inspection Act Amendment Act, 1955".

(2) The Mines and Works Inspection Act, 1920-1935, as amended by this Act, may be cited as the "Mines and Works Inspection Act, 1920-1955".

(3) The Mines and Works Inspection Act, 1920-1935, 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 s. 10 of principal Act—Powers of inspectors.

3. Subsection (1) of section 10 of the principal Act is amended as follows :—

(1) The following subparagraph is inserted at the end of paragraph III :—

(*e*) any mining operations which are creating or are likely to create a nuisance, or are damaging or likely to damage property :

(2) The following subparagraph is inserted at the end of paragraph IV :—

and

(*c*) any mining operations or practices which are likely to create a nuisance or damage property :

(3) After the word "person" in the last line of paragraph VII the following words are inserted :—"or for the purpose of preventing nuisances or damage to property".

Amendment of s. 11 of principal Act—Dangerous practices and omissions.

4. Section 11 of the principal Act is amended—

(*a*) by adding after the word "person" in the seventh line of subsection (1) the words "or to create or continue any nuisance or to damage property" :

(*b*) by adding after the word "person" in the ninth line the words "or to create or continue any nuisance or to damage property".

Amendment of s. 18 of principal Act—Regulations.

5. Section 18 of the principal Act is amended by inserting after the word "public" in the sixth line of subsection (1) the words "and for the prevention of nuisances and damage to property caused by mining operations".

Amendment of s. 19 of principal Act—Offences.

6. Section 19 of the principal Act is amended—

(*a*) by striking out the word "three" in subsection (2) and inserting in lieu thereof the word "six" :

(*b*) by adding at the end of subsection (2) the words "but in no case later than twelve months after the commission of the offence".

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

R. A. GEORGE, Governor.

ANNO QUARTO

ELIZABETHAE II REGINAE

A.D. 1955

****

No. 26 of 1955

An Act to amend the Evidence Act, 1929-1949.

[*Assented to 1st December,* 1955.]

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 " Evidence Act Amendment Act, 1955 ".

(2) The Evidence Act, 1929-1949, as amended by this Act, may be cited as the " Evidence Act, 1929-1955 ".

(3) The Evidence Act, 1929-1949, 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. 13 of principal Act—Effect of unsworn evidence of child.

3. Section 13 of the principal Act is amended by adding at the end thereof the following subsection (the previous part of section 13 being read as subsection (1) thereof):—

(2) Where the evidence of a child admitted by virtue of section 12 of this Act is given on behalf of the prosecution, and the accused denies the offence on oath, the accused shall not be convicted of the offence unless the evidence of the child is corroborated in some material particular by evidence implicating him.

Repeal of s. 17 of principal Act—

Parties and their husbands and wives competent witnesses in suits of adultery.

4. Section 17 of the principal Act is repealed.

Amendment of principal Act, s. 66—

Taking of affidavits out of the State.

5. Section 66 of the principal Act is amended—

(*a*) by striking out the words " or Australian " in paragraph (*b*) of subsection (1) thereof;

(*b*) by inserting after paragraph (*b*) of subsection (1) thereof the following paragraph :—

(*b*1) any person appointed to hold or act in any of the following offices of the Commonwealth in that place :—

(i) ambassador :

(ii) high commissioner :

(iii) minister :

(iv) head of mission :

(v) commissioner :

(vi) charge d'affaires :

(vii) counsellor or secretary at an embassy, high commissioner's office, legation or other post :

(viii) consul-general :

(ix) consul :

(x) vice-consul :

(xi) trade commissioner :

(xii) consular agent; or

(*c*) by inserting after the word " agent " in the second line of paragraph (*a*) of subsection (2) thereof the words " or of any person appointed as aforesaid";

(*d*) by striking out the expression " and (*b*) " in the fourth line of subsection (3) thereof, and inserting in its place the expression " (*b*) and (*b*1)".

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

R. A. GEORGE, Governor.

ANNO QUARTO

ELIZABETHAE II REGINAE

A.D. 1955

****

No. 27 of 1955

An Act to amend the Health Act, 1935-1954.

[*Assented to 1st December,* 1955.]

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, 1955 ".

(2) The Health Act, 1935-1954, as amended by this Act, may be cited as the " Health Act, 1935-1955 ".

(3) The Health Act, 1935-1954, is hereinafter referred to as " the principal Act ".

Amendment of principal Act, s. 147— Regulations.

2. Section 147 of the principal Act is amended—

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

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

(*c*) by inserting after the word "disease" in the fourth line of paragraph (*e*) of subsection (1) thereof the words "or notifiable disease" ;

(*d*) by inserting after paragraph (*m*6) of subsection (1) thereof the following paragraph :—

(*m*7) prescribing qualifications for persons employed as inspectors by local boards and county boards ; authorizing the Central Board to examine persons and

grant certificates of competency to persons passing such examinations or who are otherwise qualified therefor; providing that any such examinations may be conducted by persons appointed by the Central Board; prescribing the mode of determining such qualifications and obtaining recognition therefor in other States of Australia; providing for the cancellation or suspension of such certificates and the grounds upon and the manner in which such cancellation or suspension may be effected; and providing that after a day fixed in the regulations no person shall be employed by a local board or a county board as an inspector for the purposes of this Act or the Food and Drugs Act, 1908-1954, who does not hold such a certificate which is in force: Provided that no such regulation shall apply to or affect the status of any health inspector who holds such office at the time the regulation comes into operation:

Enactment of s. 171 of principal Act—

3. The following section is enacted and inserted in the principal Act after section 170 thereof:—

Provision as to sale and manufacture of bacteriolytic or septic tanks.

171. (1) Any person who—

(*a*) sells;

(*b*) exposes for sale;

(*c*) manufactures or constructs for the purpose of sale; or

(*d*) has in his possession for the purpose of sale,

any bacteriolytic or septic tank, which is not of a size, or is not constructed of such material and in such manner, as is approved by the Central Board shall be guilty of an offence and liable to a penalty not exceeding fifty pounds.

(2) Any such approval of the Central Board may be given by way of a specific or a general approval.

(3) In any proceedings for an offence against this section, a certificate purporting to be signed by the chairman or secretary of the Central Board and stating that any bacteriolytic or septic tank is not of the size or is not constructed of such materials or in such manner as is approved by the Central Board shall be *prima facie* evidence of the statement in the certificate.

(4) A complaint in respect of any offence against this section or against any regulation made in pursuance of paragraph (*h*) of subsection (1) of section 147 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 QUARTO

ELIZABETHAE II REGINAE

A.D. 1955

****

No. 28 of 1955

An Act to amend the Inter-State Destitute Persons Relief Act, 1910-1943.

[*Assented to 1st December*, 1955.]

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 " Inter-State Destitute Persons Relief Act Amendment Act, 1955 ".

(2) The Inter-State Destitute Persons Relief Act, 1910-1943, as amended by this Act, may be cited as the " Inter-State Destitute Persons Relief Act, 1910-1955 ".

(2) The Inter-State Destitute Persons Relief Act, 1910-1943, 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 inserting after the word " maintenance " in the eighth line of the definition of " order " therein the words " registered or " ;

(*b*) by striking out the word " mandate " in the fourth and tenth lines of the definition of " State " therein, and inserting in its place in each case the words " trusteeship agreement, trust, mandate, or other like arrangement " ;

(c) by inserting at the end thereof the following subsection (the preceding portion of section 4 being read as subsection (1) thereof):

(2) References in this Act to orders registered under the provisions of any Act reciprocal to the Imperial Act intituled the Maintenance Orders (Facilities for Enforcement) Act, 1920, shall be deemed to refer to orders registered under any such Act whether before or after the commencement of the Inter-State Destitute Persons Relief Act Amendment Act, 1955.

Amendment of principal Act, s. 6—Summons for relief issued in another State may be served in this State.

4. Section 6 of the principal Act is amended—

(*a*) by inserting after the word "made" in the first line of subparagraph v. of paragraph (*a*) therein the word "registered";

(*b*) by striking out the word "confirmed" in the twenty-fourth line thereof.

Amendment of principal Act, s. 7—Summons for relief against defaulter in another State.

5. Section 7 of the principal Act is amended—

(*a*) by inserting after the word "made" in the first line of subparagraph v. of paragraph (*a*) therein the word "registered";

(*b*) by inserting after the word "made" in the twenty-fifth line thereof the word "registered".

Amendment of principal Act, s. 14—Application for making order for relief enforceable in this State.

6. Section 14 of the principal Act is amended by inserting after the word "made" in the sixth line of paragraph 1. of subsection (1) thereof the word "registered".

Amendment of principal Act, s. 15—To be endorsed if defaulter resident in this State.

7. Section 15 of the principal Act is amended by inserting after the word "made" in the fifth line thereof the word "registered".

Amendment of principal Act, s. 16—Collector to serve copy of endorsed order.

8. Section 16 of the principal Act is amended by inserting after the word "made" in the fifth line of subsection (1) thereof the word "registered".

Amendment of principal Act, s. 19—Collector to forward orders for relief for service in other States.

9. Section 19 of the principal Act is amended—

(*a*) by inserting after the word "been" in the fourth line thereof the words "registered or";

(*b*) by inserting after the words " elsewhere is " in the seventh line thereof the words " registered or " ;

(*c*) by inserting after the word " been " in the twelfth line thereof the words " registered or " ;

(*d*) by inserting after the word " made " in the sixth line of paragraph 1. therein the words " or registered ".

Amendment of principal Act, s. 20— Affidavit or certificate of collector sufficient proof of payment.

10. Section 20 of the principal Act is amended by inserting after the word " made " in the second line of subsection (2) thereof the word " registered ".

Amendment of principal Act, s. 27a— Application of Act to orders confirmed under Acts reciprocal to Imperial Maintenance Orders (Facilities for Enforcement) Act, 1920.

11. Section 27a of the principal Act is amended by inserting after the word " order " in the second line thereof the words " registered or ".

Amendment of principal Act— First Schedule.

12. The first schedule to the principal Act is amended by striking out the word " confirmed " in the fifth line of paragraph 1 therein and inserting in its place the words " registered (*or* confirmed)".

Amendment of principal Act— Second Schedule.

13. The second schedule to the principal Act is amended by striking out the word " confirmed " in the fourth line of paragraph 2 therein and inserting in its place the words " registered (*or* confirmed)".

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

R. A. GEORGE, Governor.

ANNO QUARTO

ELIZABETHAE II REGINAE

A.D. 1955

****

No. 29 of 1955

An Act to amend the Maintenance Orders (Facilities for Enforcement) Act, 1922-1953.

[*Assented to 1st December,* 1955.]

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 " Maintenance Orders (Facilities for Enforcement) Act Amendment Act, 1955 ".

(2) The Maintenance Orders (Facilities for Enforcement) Act, 1922-1953, as amended by this Act, may be cited as the " Maintenance Orders (Facilities for Enforcement) Act, 1922-1955 ".

(3) The Maintenance Orders (Facilities for Enforcement) Act, 1922-1953, 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.

Commencement of ss. 4 (*a*), 5 (*a*) and 6 of Act.

3. Paragraph (*a*) of section 4, paragraph (*a*) of section 5, and section 6 of this Act shall come into operation on a day to be fixed by proclamation.

Amendment of principal Act, s. 5—

Power to make provisional orders of maintenance against person resident outside South Australia.

4. Section 5 of the principal Act is amended—

(*a*) by striking out the words " such reciprocating State as aforesaid " in the last line of subsection (1) thereof and inserting in their place the words " a reciprocating State";

(*b*) by striking out the words "and acting for" in the seventh line of sub-section (4) thereof, and inserting in their place the word "in";

(*c*) by inserting after subsection (4) thereof the following subsection :—

(4*a*) Where—

(*a*) a provisional order made in South Australia has been confirmed; and

(*b*) on an application for the variation or rescission of the order made in the place where the order was confirmed, the case has been remitted to the court of summary jurisdiction which made the order for the purpose of taking further evidence,

that court or any other court of summary jurisdiction sitting in the same place, shall, after giving the prescribed notice, proceed to take the evidence in like manner and subject to the same conditions as the evidence in support of an original application under this section.

The depositions of the evidence shall be sent to the Governor and dealt with in like manner as depositions taken on an original application under this section.

This subsection shall apply in respect of any case—

(*a*) remitted before the commencement of the Maintenance Orders (Facilities for Enforcement) Act Amendment Act, 1955, where the matter has not been finally disposed of by a court of summary jurisdiction in South Australia before the commencement of that Act; or

(*b*) remitted after the commencement of that Act.

Amendment of principal Act, s. 6—Power of court of summary jurisdiction to confirm maintenance orders made out of South Australia.

5. Section 6 of the principal Act is amended—

(*a*) by striking out the words "by a court of summary jurisdiction in South Australia" in the fourth and fifth lines of subsection (1) thereof;

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

(8) This section shall apply to a provisional order for the variation of an order confirmed by a court in South Australia in the same way as to an original provisional maintenance order.

The provisional order for variation may be confirmed by any court of summary jurisdiction in South Australia.

This subsection shall apply in respect of any provisional order for variation—

(*a*) made before the commencement of the Maintenance Orders (Facilities for Enforcement) Act Amendment Act, 1955, where the matter has not been finally disposed of by a court of summary jurisdiction in South Australia before the commencement of that Act; or

(*b*) made after the commencement of that Act.

Enactment of s. 6a of principal Act—

6. The following section is enacted and inserted in the principal Act after section 6 thereof:—

Transmission of provisional orders.

6a. Where a provisional maintenance order has been made, and documents have been transmitted to the Governor, as mentioned in section 6 of this Act, and the Governor is satisfied that the person against whom the order was made is not resident in South Australia, the Governor may transmit the documents to the Governor of any part of His Majesty's dominions if the Governor has reasonable cause to believe that—

(*a*) that person is resident or is likely to be resident in that part; and

(*b*) the law of that part permits the confirmation in that part of a provisional maintenance order made in the place where the order was made and transmitted in the manner provided by this section; and

(*c*) the law of the place where the order was made permits a provisional maintenance order made in that place and transmitted in the manner provided by this section to be confirmed in that part.

Amendment of principal Act, s. 12—Reciprocal arrangements.

7. Section 12 of the principal Act is amended by striking out the words "is under the protection of His Majesty or territory which is" in the fourth, fifth and sixth lines of

subsection (4) thereof and inserting in their place the words " at the time of the making of the proclamation was under the protection of His Majesty or was ".

Amendment of principal Act, s. 13— Proclamations regarding transmission of orders.

8. Section 13 of the principal Act is amended—

(*a*) by striking out the words "maintenance orders or by whom maintenance orders may be transmitted to him" at the end of subsection (1) thereof and inserting in their place the words "documents under this Act or by whom documents may be transmitted to him under this Act" ;

(*b*) by striking out the words "maintenance order" in the first line of subsection (3) thereof and inserting in their place the word "documents" ;

(*c*) by striking out subsection (4) thereof.

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

R. A. GEORGE, Governor.

ANNO QUARTO

ELIZABETHAE II REGINAE

A.D. 1955

****

No. 30 of 1955

An Act to amend the Coal Act, 1947-1950.

[*Assented to 1st December,* 1955.]

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 "Coal Act Amendment Act, 1955".

(2) The Coal Act, 1947-1950, as amended by this Act, may be cited as the "Coal Act, 1947-1955".

(3) The Coal Act, 1947-1950, 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. 19—Duration of Act.

3. Section 19 of the principal Act is amended by striking out the words "fifty-five" in the second line thereof and inserting in their place the word "sixty".

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

R. A. GEORGE, Governor.

ANNO QUARTO

ELIZABETHAE II REGINAE

A.D. 1955

****

No. 31 of 1955

An Act to amend the Dangerous Drugs Act, 1934.

[*Assented to 1st December,* 1955.]

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 " Dangerous Drugs Act Amendment Act, 1955 ".

(2) The Dangerous Drugs Act, 1934, as amended by this Act, may be cited as the " Dangerous Drugs Act, 1934-1955 ".

(3) The Dangerous Drugs Act, 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 principal Act, s. 4—
Drugs to which Act applies.

3. (1) Section 4 of the principal Act is amended—

(*a*) by striking out subsection (3) thereof and inserting the following subsection in its place :—

(3) If it appears to the Governor that—

(*a*) any derivative of morphine or cocaine or of any salts of morphine or cocaine ; or

(*b*) any other alkaloid of opium ; or

(*c*) any other drug or substance of whatever kind,

to which this Act does not apply, is or is likely to be productive, if improperly used, or is capable

of being converted into a substance which is, or is likely to be, productive, if improperly used, of ill-effects substantially of the same character or nature as or analagous to those produced by morphine, cocaine or Indian hemp, the Governor may by proclamation declare that this Act shall apply to that derivative, alkaloid, or other drug or substance—

(i) in the same manner as it applies to the drugs mentioned in subsection (1) of this section; or

(ii) with such modifications as may be specified in the proclamation.

(*b*) by striking out subsection (5) thereof.

(2) Any proclamation made pursuant to subsection (3) or subsection (5) of section 4 of the principal Act before the commencement of this Act shall be deemed to have been made under subsection (3) of section 4 of the principal Act as enacted by subsection (1) of this section.

Amendment of principal Act, s. 5—Penalties.

4. Section 5 of the principal Act is amended—

(*a*) by inserting after the word "supplied" in the first line of paragraph (*c*) of subsection (2) thereof the words "in compliance with the regulations";

(*b*) by inserting at the end of paragraph (*c*) of subsection (2) thereof the words "and was obtained by him in compliance with the regulations";

(*c*) by striking out subsection (3) thereof and inserting in its place the following subsection:—

(3) Any person who grows or cultivates

(*a*) the opium poppy (*papaver somniferum L.*); or

(*b*) any plant of any genus of the erythroxylaceae, from the leaves of which cocaine can be extracted either directly or by chemical transformation; or

(*c*) the pistillate plant known as *cannabis sativa L.*,

shall be guilty of an offence against this Act: Provided that this subsection shall not apply to any plant grown or cultivated or caused to be grown or cultivated by The Governors of the Botanic Garden.

Enactment of s. 6a of principal Act—

Prohibition of drugs.

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

6a (1) The Governor may by proclamation declare any drug to which this Act applies to be a prohibited drug.

(2) Notwithstanding any other provision of this Act, a person who sells, trades in, manufactures, conveys in any manner, or has in his possession any prohibited drug except in compliance with such conditions (if any) as are mentioned in the proclamation declaring the drug to be a prohibited drug shall be guilty of an offence against this Act.

Amendment of principal Act, s. 7—Regulations.

6. Section 7 of the principal Act is amended by inserting after the word "board" at the end of the fourth paragraph in subsection (2) thereof the words "and may provide that any licence or authority so withdrawn may be re-issued or re-granted by the Minister on the recommendation of the board".

Amendment of principal Act, s. 10—Obtaining drugs by false pretences.

7. Section 10 of the principal Act is amended by inserting after the word "any" in the second line thereof the words "legally qualified medical practitioner, veterinary surgeon qualified in accordance with the regulations".

Amendment of principal Act, s. 12—Power to enter.

8. Section 12 of the principal Act is amended by adding at the end thereof the following subsection (the preceding portion of section 12 being read as subsection (1) thereof) :—

(2) The member of the police force or the person employed in the public service may do any one or more of the following things :—

(*a*) seize and carry away any such books or documents or stocks ;

(*b*) seize and carry away any substance found on the premises which he has reasonable cause to believe to be or to contain any drug to which this Act applies ;

(*c*) take and carry away samples of any such substance.

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

R. A. GEORGE, Governor.

ANNO QUARTO

ELIZABETHAE II REGINAE

A.D. 1955

****

No. 32 of 1955

An Act to amend the Land Settlement Act, 1944-1952.

[*Assented to 1st December,* 1955.]

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 "Land Settlement Act Amendment Act, 1955".

(2) The Land Settlement Act, 1944-1952, as amended by this Act, may be cited as the "Land Settlement Act, 1944-1955".

(3) The Land Settlement Act, 1944-1952, 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.

Repeal of s. 5 (1) and (1a) and enactment of other provisions.

3. Subsections (1) and (1a) of section 5 of the principal Act are repealed and the following subsection is inserted in lieu thereof :

Term of office.

(1) Subject to section 6 of this Act, every member of the Committee holding office at the time of the passing of the Land Settlement Act Amendment Act, 1955, and any person appointed to a casual vacancy occurring on the Committee before the thirty-first day of December, 1956, shall hold office until the thirty-first day of December, 1956.

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

R. A. GEORGE, Governor.

ANNO QUARTO

ELIZABETHAE II REGINAE

A.D. 1955

****

No. 33 of 1955

An Act to amend the Highways Act, 1926-1954.

[*Assented to 1st December,* 1955.]

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, 1955".

(2) The Highways Act, 1926-1954, as amended by this Act, may be cited as the "Highways Act, 1926-1955".

(3) The Highways Act, 1926-1954, 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.

Amendment of s. 31 of principal Act—Highways Fund.

3. (1) Section 31 of the principal Act is amended by striking out paragraph (iii) of subsection (3) thereof.

(2) The amendment made by this section shall be deemed to have come into force on the first day of July, nineteen hundred and fifty-five.

Enactment of s. 31a of principal Act—

4. The following section is enacted and inserted in the principal Act after section 31 thereof :—

Adjustments of Highways Fund.

31a. (1) The Treasurer may out of the Loan Fund pay into the Highways Fund any sum or sums not exceeding in the aggregate six hundred and twenty thousand pounds.

(2) Every such sum shall be deemed to be an advance to the Highways Fund and shall be repaid to the Loan Fund out of moneys in the Highways Fund in such instalments and at such times as the Treasurer directs.

(3) The Treasurer may transfer from the Highways Fund to the credit of the Consolidated Revenue Account any sum or sums not exceeding in the aggregate six hundred and twenty thousand pounds.

(4) This section without further appropriation shall be sufficient authority for every payment and transfer mentioned in this section.

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

R. A. GEORGE, Governor.

ANNO QUARTO

ELIZABETHAE II REGINAE

A.D. 1955

****

No. 34 of 1955

An Act to amend the Road Traffic Act, 1934-1954.

[*Assented to 1st December,* 1955.]

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, 1955".

(2) The Road Traffic Act, 1934-1954, as amended by this Act, may be cited as the "Road Traffic Act, 1934-1955".

(3) The Road Traffic Act, 1934-1954, 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.

Enactment of s. 8d of principal Act—

3. The following section is enacted and inserted in the principal Act after section 8c thereof :—

Fees payable on vehicles owned by Crown.

8d. Vehicles owned by the Crown shall not be exempt from registration under this Act and registration fees shall be payable in respect of those vehicles. The amount of such fees, and the circumstances in which they are payable, shall be the same as in the case of vehicles owned by subjects. Any question as to the amount of the fee payable on any vehicle owned by the Crown shall be decided by the Treasurer, whose decision shall be final.

4. Paragraph (13) of section 9 of the principal Act is amended by striking out subparagraph (*d*) thereof.

Consequential amendment of s. 9 (13) of principal Act.

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

R. A. GEORGE, Governor.

ANNO QUARTO

ELIZABETHAE II REGINAE

A.D. 1955

****

No. 35 of 1955

An Act to amend the National Park Act, 1891-1935.

[*Assented to 1st December,* 1955.]

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 "National Park Act Amendment Act, 1955".

(2) The National Park Act, 1891-1935, as amended by this Act, may be cited as the "National Park and Wild Life Reserves Act, 1891-1955".

(3) The National Park Act, 1891-1935, 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 long title of principal Act.

3. The long title to the principal Act is amended by adding at the end thereof the words "and to enact certain provisions respecting wild-life reserves".

Amendment of preamble of the principal Act.

4. The preamble to the principal Act is amended by adding after the word "Australia" in the fourth line the following words:—"And Whereas it is desirable that the authority controlling the said national recreation and pleasure ground should have power to control and maintain suitable portions of the State as wild-life reserves".

5. Section 2 of the principal Act is amended— Amendment of s. 2 of principal Act—

(*a*) by striking out the words "The Commissioner of Crown Lands" in the sixth line thereof and inserting in lieu thereof the words "The Minister of Lands and an officer of the Department of Lands nominated by him"; and Commissioners.

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

(3) On and after the passing of the National Park Act Amendment Act, 1955, the name of "The Commissioners of the National Park" shall be changed to "The Commissioners of the National Park and Wild-life Reserves".

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

4a. (1) The Governor by proclamation made on the recommendation of the Commissioners may declare that any land vested in the Commissioners or of which the Commissioners are lessees or which is under the care, control and management of the Commissioners shall be a wild-life reserve within the meaning of this Act, and may, if he considers just cause exists for so doing, revoke any such proclamation. National reserves.

(2) The expression "wild-life reserve" where used in this Act means a wild-life reserve proclaimed under this section.

7. Section 5 of the principal Act is amended by inserting after the words "said park" in the second line and after the word "park" in the tenth line the words "and of every wild-life reserve". Amendment of s. 5 of principal Act— Powers of Commissioners.

8. Section 7 of the principal Act is amended by inserting after the word "park" in the third, fifth and eleventh lines the words "or any wild-life reserve". Amendment of s. 7 of principal Act— By-laws.

9. Section 8 of the principal Act is amended by inserting after the word "penalty" in the first line the words "for an offence relating to the said park or any property therein". Amendment of s. 8 of principal Act— By-laws to be exhibited.

10. Section 9 of the principal Act is amended by adding at the end thereof the words "or in any wild-life reserve". Amendment of s. 9 of principal Act— Liquor licences.

11. Section 12 of the principal Act is amended by inserting after the word "Park" in the third line the words "and Wild-life Reserves". Amendment of s. 12 of principal Act.

Amendment of s. 13 of principal Act—Gifts.

12. Section 13 of the principal Act is amended by adding at the end thereof the words "or of any wild-life reserve".

Enactment of s. 13a of principal Act—

13. The following section is enacted and inserted in the principal Act after section 13 thereof:—

Gifts and grants.

13a. (1) It shall be lawful for the Commissioners to accept—

(*a*) grants, conveyances, transfers and leases of land, whether from the Crown or any authority representing the Crown, or any other person;

(*b*) rights to the use, control, management or occupation of any land;

(*c*) gifts of personal property of any kind.

(2) The Commissioners may sell any land or interest in land or personal property belonging to them which is not required for the purposes of this Act.

(3) No stamp duty shall be payable on any instrument by which land or any interest in or right over land is granted or assured to or vested in the Commissioners, or on any contract or instrument executed by the Commissioners for the purpose of selling any property pursuant to subsection (2) of this section.

(4) No succession duty shall be payable on any property or interest passing to the Commissioners on or by reason of the death of any person.

Amendment of s. 14 of principal Act—Exemption from rates and taxes.

14. Section 14 of the principal Act is amended by striking out the words "vested in the Commissioners" and inserting in lieu thereof "or on any wild-life reserve or other land vested in or leased to the Commissioners or under their control and management".

Amendment of s. 15a of principal Act—Power to borrow.

15. Section 15a of the principal Act is amended by adding at the end thereof the words "or any wild-life reserve".

Amendment of s. 15b of principal Act—Expenditure of money.

16. Section 15b of the principal Act is amended by inserting after the word "Park" in the third line the words "or any wild-life reserve".

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

R. A. GEORGE, Governor.

ANNO QUARTO

ELIZABETHAE II REGINAE

A.D. 1955

****

No. 36 of 1955

An Act to amend the Police Regulation Act, 1952.

[*Assented to 8th December,* 1955.]

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 Regulation Act Amendment Act, 1955".

(2) The Police Regulation Act, 1952, as amended by this Act, may be cited as the "Police Regulation Act, 1952-1955".

(3) The Police Regulation Act, 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.

Commencement.

3. This Act shall come into operation on a day to be fixed by the Governor by proclamation.

Repeal of s. 9 and enactment of other provisions—

4. Section 9 of the principal Act is repealed and the following sections are enacted in lieu thereof :—

Deputy Commissioner.

9. (1) The Governor may from time to time appoint a Deputy Commissioner of Police who shall assist the Commissioner generally in the superintendence of the police force.

(2) The Deputy Commissioner shall exercise and perform such of the powers, authorities, duties and functions of the Commissioner as the Commissioner may direct, either generally or in any special case.

(3) When the Commissioner is absent from duty by reason of illness or of any other cause, or during any vacancy in the office of the Commissioner, the Deputy Commissioner may exercise and perform all the powers, authorities, duties, and functions conferred or imposed upon the Commissioner by this or any other Act, or by the common law.

Retirement of Deputy Commissioner and contribution to Police Pensions Fund.

9a. (1) The Deputy Commissioner shall retire on the thirtieth day of June next after he attains the age of sixty-five years.

(2) The Deputy Commissioner shall cease to contribute to the Police Pensions Fund on the thirtieth day of June next after he attains the age of sixty years : Provided that this subsection shall not affect the operation of any enactment exempting a Deputy Commissioner from the obligation to contribute to the Police Pensions Fund.

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

R. A. GEORGE, Governor.

ANNO QUARTO

ELIZABETHAE II REGINAE

A.D. 1955

****

No. 37 of 1955

An Act to amend the Registration of Business Names Act, 1928-1950.

[*Assented to 8th December,* 1955.]

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 " Registration of Business Names Act Amendment Act, 1955 ".

(2) The Registration of Business Names Act, 1928-1950, as amended by this Act, may be cited as the " Registration of Business Names Act, 1928-1955 ".

(3) The Registration of Business Names Act, 1928-1950, 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. 8—

Particulars for registration.

3. Section 8 of the principal Act is amended by striking out subsection (4) thereof and inserting in its place the following subsection :—

(4) Every statement required for the purpose of registration shall be—

(*a*) signed or acknowledged in any place within the Commonwealth in the presence of a person enrolled as an elector of the Commonwealth Parliament or in any place outside the Commonwealth in the presence of any such elector, a notary public, a British or Australian

consul, a person having authority to administer an oath in that place, or any other person before whom a document may be signed or acknowledged under sections 66, 66a and 67 of the Evidence Act, 1929-1949 ; and

(*b*) attested by the person in whose presence it is signed or acknowledged.

Amendment of principal Act, s. 21—Removal of name from register on business name ceasing to be used.

4. Section 21 of the principal Act is amended by adding at the end thereof the following subsection :—

(4) Where the failure to give notice begins after the commencement of the Registration of Business Names Act Amendment Act, 1955, a complaint may be made for an offence against this section at any time during the continuance of the failure to give notice or at any time within six months following the cessation of the failure to give notice.

Amendment of principal Act, s. 22—Powers of registrar.

5. Section 22 of the principal Act is amended—

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

(3) Where the registrar receives an answer from the firm, individual or corporation to the effect that the firm, individual or corporation is so carrying on business, he may nevertheless, if he is not satisfied that the firm, individual or corporation is so carrying on business, send by registered post to the firm, individual or corporation a notice that at the expiration of one month from the receipt of the notice by the firm, individual or corporation, he will, unless cause is shown to the contrary, strike the business name off the register.

At the expiration of one month from the receipt of the notice by the firm, individual or corporation, the registrar may, unless cause to the contrary is previously shown by the firm, individual or corporation, strike the business name off the register.

This subsection shall apply in respect of an answer received by the registrar after the commencement of the Registration of Business Names Act Amendment Act, 1955, to a letter sent whether before or after the commencement of that Act.

(*b*) by inserting after the word "letter" in the first line of subsection (6) thereof, the words "or notice".

Amendment of principal Act, s. 23—Registrar may refuse to register certain names.

6. Section 23 of the principal Act is amended by inserting after paragraph (*c*1) in subsection (1) thereof the following paragraph :—

(*c*2) which contains the word "corporation" or "incorporated" or any contraction thereof: Provided that the provisions of this paragraph shall not apply to the renewal of the registration of a business name which was registered before the commencement of the Registration of Business Names Act Amendment Act, 1955, and which contains any such word or contraction:

Amendment of principal Act, s. 25—Regulations.

7. Section 25 of the principal Act is amended by adding at the end thereof the following subsection (the preceding portion of section 25 being read as subsection (1) thereof) :—

(2) In the exercise of the power to prescribe fees contained in subsection (1) of this section, and without limiting the generality thereof, the Governor may make regulations—

(*a*) prescribing an increased fee to be paid where a statement under section 6 or section 11 of this Act required to be furnished within a time specified by this Act or allowed by the registrar under section 13 of this Act, is not so furnished, but is furnished within a time specified in the regulations (hereinafter called "the specified time") following the expiration of—

(i) the time so specified or allowed; and

(ii) where a new registration is required to be effected pursuant to section 7 of this Act, such additional period as may be mentioned in the regulations;

(*b*) prescribing a further increased fee to be paid where the statement is furnished after the expiration of the specified time;

(*c*) empowering the registrar if he is satisfied that just cause exists for so doing to reduce any such increased fee payable by any firm, individual or corporation 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 QUARTO

ELIZABETHAE II REGINAE

A.D. 1955

****

No. 38 of 1955

An Act to amend the Noxious Trades Act, 1943.

[*Assented to 8th December,* 1955.]

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 "Noxious Trades Act Amendment Act, 1955".

(2) The Noxious Trades Act, 1943, as amended by this Act, may be cited as the "Noxious Trades Act, 1943-1955".

(3) The Noxious Trades Act, 1943, is hereinafter referred to as "the principal Act".

Amendment of principal Act, s. 9— Licence to carry on existing noxious trade.

2. Section 9 of the principal Act is amended by adding at the end of subsection (2) thereof the words "or of any other premises erected on the land occupied with the premises in which the noxious trade is carried on at the time aforesaid".

Amendment of principal Act, s. 10— Compensation.

3. Section 10 of the principal Act is amended by inserting therein after subsection (3) thereof the following subsection :—

(3a) In making an order for the payment of the said expenses, the Supreme Court shall not have regard to any building or other structure erected after the time this Act is applied to the part of the State in which the building or structure is erected.

4. The following section is enacted and inserted in the principal Act after section 12 thereof :— Enactment of s. 12a of principal Act—

12a. If— Provision as to continuance of licences.

(*a*) a licence issued to any person in respect of any premises ; and

(*b*) at the expiration of the licence an application accompanied with the prescribed fee is made for the issue of a further licence for those premises but the application is refused ; and

(*c*) the applicant pursuant to section 12 appeals to the Central Board,

the following provisions shall apply :—

(i.) If the Central Board allows the appeal and directs the local board to issue a licence, the premises shall be deemed to be licensed until such time as a licence is so issued :

(ii.) If the Central Board by its decision does not allow the appeal, the premises shall be deemed to be licensed until such time as the Central Board makes its decision :

(iii.) If the Central Board is satisfied that the premises do not comply with the regulations under this Act but that if the premises did so comply that the premises should be licensed and if the Central Board is satisfied that the applicant will do such things as are necessary to make the premises comply with the regulations under this Act and that it is desirable so to do, the Central Board may order that the premises shall be deemed to be licensed for such time as the Central Board orders and the premises shall be deemed to be licensed accordingly.

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

R. A. GEORGE, Governor.

ANNO QUARTO

ELIZABETHAE II REGINAE

A.D. 1955

****

No. 39 of 1955

An Act to amend the Mining Act, 1930-1953.

[*Assented to 8th December,* 1955.]

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 "Mining Act Amendment Act, 1955".

(2) The Mining Act, 1930-1953, as amended by this Act, may be cited as the "Mining Act, 1930-1955".

(3) The Mining Act, 1930-1953, 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.

Enactment of s. 110a of the principal Act—

3. The following section is enacted and inserted in the principal Act after section 110 thereof:—

Research and investigation.

110a. The Minister may—

(*a*) at the request of any person within or outside the State or of his own motion conduct research and investigation into problems relating to mining or minerals or other substances obtained from mines:

(*b*) stipulate for and recover charges for any such research or investigation conducted at the request of any person:

(*c*) pay the cost of any such research and investigation out of money voted by Parliament for the purpose.

Amendment of s. 111a of the principal Act—Title of Crown to uranium and thorium.

4. Section 111a of the principal Act is amended—

(*a*) by inserting after the word "lease" in the third line of subsection (2) the words "or mineral lease".

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

(3) Subject to subsection (5) of section 62 of this Act, the grant of a mineral lease authorising the lessee to mine for uranium or thorium shall be at the discretion of the Governor and no person shall have a right to such a lease by virtue only of holding a mineral claim.

(4) The Governor may grant a mineral lease authorising the lessee to mine for uranium or thorium or both, to any person approved by the Governor, whether he does or does not hold a mineral claim or a special mining lease comprising the land to be included in the mineral lease.

Repeal of s. 111b of principal Act and enactment of other provisions—Uranium and thorium leases.

5. Section 111b of the principal Act is repealed and the following section is enacted in lieu thereof:—

111b. (1) In this section—

"uranium lease" means a special mining lease or a mineral lease which authorises the lessee to mine for uranium with or without other substances:

"thorium lease" means a special mining lease or a mineral lease which authorises the lessee to mine for thorium with or without other substances.

(2) A uranium lease or a thorium lease may contain such terms, covenants and conditions as the Governor approves—

(*a*) providing for the ownership by the Crown of any uranium and thorium won by the lessee or for the acquisition by the Minister on behalf of the Crown of any such uranium and thorium on such terms and conditions as are specified in the lease;

(*b*) controlling and regulating the use or disposal by the lessee of any such uranium and thorium;

(*c*) requiring that the lessee will perform such developmental and other mining work on the land

included in the lease as the lease specifies, and will perform that work within the time specified in the lease and with reasonable skill and efficiency;

(*d*) stipulating what rents and other sums are reserved by the lease and payable by the lessee and providing for the payment of such rents and sums.

(3) Subsection (3) of section 52 of this Act (which deals with the rents and other sums to be reserved by a mineral lease) shall not apply to a uranium lease or a thorium lease unless it is expressly provided in the lease that the said subsection shall so apply.

(4) If the lessee under a uranium lease or a thorium lease does not within the time specified in the lease carry out the developmental or other mining work which the lease requires him to carry out, and the Minister is satisfied that the default has occurred by reason of circumstances for which the lessee ought not to be held responsible, the Minister may grant such extensions of time for carrying out such work as he thinks fit.

(5) Except as provided in subsection (3) of this section this section shall not take away or restrict—

(*a*) the power of the Governor of including in any uranium lease or thorium lease any terms, covenants and conditions permitted or required by any other provision of this Act or the regulations to be included in a special mining lease or a mineral lease (as the case may be); or

(*b*) any other power which the Governor or the Minister may exercise in relation to a special mining lease or mineral lease (as the case may be) or the lessee thereof; or

(*c*) the application to a uranium lease or a thorium lease of any other provision of this Act relating to mineral leases or special mining leases (as the case may be).

Enactment of s. 111ba of the principal Act—

6. The following section is enacted and inserted in the principal Act after section 111b thereof:—

Power of Minister to purchase uranium or thorium.

111ba. (1) The Minister may purchase, sell, dispose of or use any uranium or thorium obtained from mining operations conducted within the State.

(2) The money required to pay for any uranium or thorium so purchased by the Minister shall be paid out of money provided by Parliament for the purpose.

7. Section 111f of the principal Act is amended by striking out the words "the last preceding five sections" and inserting in lieu thereof the words "this Part". Amendment of s. 111f—Consequential amendment.

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

R. A. GEORGE, Governor.

ANNO QUARTO

ELIZABETHAE II REGINAE

A.D. 1955

****

No. 40 of 1955

An Act to amend the Places of Public Entertainment Act, 1913-1954.

[*Assented to 8th December,* 1955.]

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, 1955".

(2) The Places of Public Entertainment Act, 1913-1954, as amended by this Act, may be cited as the "Places of Public Entertainment Act, 1913-1955".

(3) The Places of Public Entertainment Act, 1913-1954, 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.

Amendment of s. 28 of the principal Act—General regulations.

3. Section 28 of the principal Act is amended by inserting after paragraph (*c*) of subsection (1) the following paragraph :—

(*c*1) controlling and regulating advertisements of moving and talking picture entertainments, and, in particular, prescribing any information or matters which shall or shall not be included in such advertisements.

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

R. A. GEORGE, Governor.

ANNO QUARTO

ELIZABETHAE II REGINAE

A.D. 1955

****

No. 41 of 1955

An Act to amend the Medical Practitioners Act, 1919-1954.

[*Assented to 8th December,* 1955.]

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, 1955".

(2) The Medical Practitioners Act, 1919-1954, as amended by this Act, may be cited as the "Medical Practitioners Act, 1919-1955".

(3) The Medical Practitioners Act, 1919-1954, 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. 19 of principal Act—

3. Section 19 of the principal Act is amended as follows :—

Qualifications for registration.

(1) Paragraph (*b*) of subsection (1) is struck out and the following paragraph inserted in lieu thereof :—

(*b*) is the holder of a degree or diploma in medicine or surgery, which entitles him to be registered under the Medical Acts of the Parliament of the United Kingdom and which a University or other body of the United Kingdom legally authorized to grant such a degree or diploma

has granted to him upon his passing examinations held in the United Kingdom for that degree or diploma.

(2) Paragraph (*c*) of subsection (1) is amended by striking out the words "some part of the British Empire or some other country" and inserting in lieu thereof the words "a country other than the Commonwealth of Australia, New Zealand or the United Kingdom".

(3) Subsection (2) is amended by striking out in the fourth and fifth lines thereof the words "not being part of the British Empire" and inserting in lieu thereof "other than the United Kingdom or a British Dominion".

(4) Subsection (3) is amended by striking out at the end thereof the words "which is not part of the British Empire" and inserting in lieu thereof the words "other than the Commonwealth of Australia, New Zealand or the United Kingdom".

Enactment of s. 30a of principal Act—

4. The following section is enacted and inserted in the principal Act after section 30 :—

Duty to serve in public institutions.

30a. (1) In this section "approved institution" means—

(*a*) a public hospital within the meaning of the Hospitals Act, 1934-1952 ;

(*b*) any other hospital or institution (either in South Australia or any other State or country) which pursuant to any proclamation for the time being in force under subsection (8) of this section is an approved institution under this section.

(2) Where a person is registered under this Act by virtue of a degree or diploma granted (either in South Australia or any other country) after the thirtieth day of June, nineteen hundred and fifty-six he shall not practise medicine or surgery unless—

(*a*) after passing the examination and fulfilling the conditions for admission to the degree he has for a period of twelve months or for periods amounting in the aggregate to twelve months served in a position as resident medical officer in one or more approved institutions ; or

(*b*) the board has exempted him from the requirement set out in paragraph (*a*) of this subsection, and he has complied with the conditions, if any, of the exemption.

(3) A person who practises medicine or surgery in contravention of subsection (2) of this section shall be guilty of an offence and liable to a penalty not exceeding one hundred pounds.

(4) The board may, subject to any conditions which it deems proper, by writing under the hand of the Registrar, exempt any person from the requirement set out in subsection (2) of this section.

(5) Where it appears to the Governor that by reason of any epidemic or any emergency or other circumstances it is desirable in the public interest to suspend the operation of subsection (2) of this section he may by proclamation suspend the operation of that subsection for a period specified in the proclamation.

(6) If at any time it appears to the Governor desirable to do so he may by proclamation terminate any suspension imposed under the preceding subsection although the period thereof has not expired.

(7) While the operation of subsection (2) of this section is suspended any registered person may practise medicine or surgery without compliance with that subsection and any period during which he so practises may be accepted by the board as the equivalent of a corresponding period of service as a medical officer in an approved institution.

(8) The Governor may by proclamation—

(*a*) declare any hospital or institution (either in South Australia or any other State or country) to be an approved institution ;

(*b*) revoke or vary any proclamation made and in force under paragraph (*a*) of this subsection.

(9) This section shall not render it unlawful for a person serving as a resident medical officer to sign any certificate of the cause of death, or other medical certificate, or to perform any of the duties of a resident medical officer, or to practise medicine in accordance with the conditions of any exemption granted to him by the board under subsection (2) of this section.

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

R. A. GEORGE, Governor.

ANNO QUARTO

ELIZABETHAE II REGINAE

A.D. 1955

****

No. 42 of 1955

An Act to amend the Lottery and Gaming Act, 1936-1954.

[*Assented to 8th December,* 1955.]

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, 1955".

(2) The Lottery and Gaming Act, 1936-1954, as amended by this Act, may be cited as the "Lottery and Gaming Act, 1936-1955".

(3) The Lottery and Gaming Act, 1936-1954, 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.

Amendment of s. 19 of principal Act—Number of times totalizator may be used.

3. Section 19 of the principal Act is amended as follows :—

(1) The word "any" in the first line of paragraph (*a*) is struck out and the following words are inserted in lieu thereof, namely :—"the Morphettville Racecourse for more than seventeen days in any one year or on any other" ;

(2) The following paragraphs are inserted after paragraph (*a*) :—

(*a*1) on racecourses south of the thirty-sixth parallel of south latitude for more than forty-eight days in the aggregate in any one year.

(*a*2) on racecourses which are situated within fifty miles of the Post Office at Barmera for more days in the aggregate in any one year than a number calculated at the rate of eight days for each such club.

Amendment of s. 40 of principal Act—Payment of commission on bets and returns.

4. Section 40 of the principal Act is amended by striking out the words "noon on Saturday" in the first and second lines of subsection (1) and in the first line of subsection (3) and inserting in lieu thereof in each case the words "three o'clock p.m. on Thursday".

Amendment of s. 44a of principal Act—Taxes on winning bets.

5. Section 44a of the principal Act is amended by striking out the words "noon on Friday" in the third line of subsection (5) and inserting in lieu thereof the words "three o'clock p.m. on Thursday".

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

R. A. GEORGE, Governor.

ANNO QUARTO

ELIZABETHAE II REGINAE

A.D. 1955

****

No. 43 of 1955

An Act to constitute and incorporate a body to be known as The National Trust of South Australia, to prescribe the powers of the said body, and to provide for the preservation and maintenance of places and of chattels of any description of national historical artistic or scientific interest or natural beauty, and for purposes incidental thereto.

[*Assented to 8th December,* 1955.]

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 National Trust of South Australia Act, 1955".

Interpretation.

2. In this Act, unless the context otherwise requires or some other meaning is clearly intended—

"The National Trust" means The National Trust of South Australia constituted and incorporated by this Act :

"the Council" means the Council of the National Trust :

"councillor" means member of the Council.

Constitution of National Trust.

3. (1) There shall be constituted a body to be called "The National Trust of South Australia".

(2) The National Trust shall be a body corporate with perpetual succession and a common seal and may, in its corporate name, sue and be sued, purchase, hold and dispose of

land and any estate or interest therein and all other property both real and personal of whatsoever kind and wheresoever situate for the purposes of this Act, and may exercise all powers and functions whatsoever of an incorporated body subject at all times and in all things to the rules of the National Trust for the time being in force.

Membership of National Trust.

4. The National Trust shall consist of—

(*a*) the persons and bodies corporate who are for the time being members of the National Trust in accordance with the rules of the National Trust;

(*b*) the persons, for the time being, holding office as nominated councillors of the National Trust.

Objects of Trust.

5. (1) The National Trust is established for the purposes of promoting—

(*a*) the preservation and maintenance for the benefit of the people of South Australia of lands and buildings of beauty or historic, scientific, artistic, or architectural interest and, as regards lands, the preservation (so far as practicable) of their natural aspect features and animal and plant life;

(*b*) the protection and augmentation of the amenities of such lands and buildings and their surroundings;

(*c*) the preservation of furniture and pictures and chattels of national, historic, artistic, or scientific interest;

(*d*) the access to and enjoyment of such lands, buildings, and chattels by the public.

The Council.

6. The affairs of the National Trust and the business and management thereof shall be administered, managed, and conducted by a council to be called "The Council of the National Trust", which shall be constituted in manner prescribed in the rules set out in the schedule to this Act, and shall have the powers and duties therein set forth.

Exemption from rates and taxes.

7. (1) No taxes, rates (except water rates) or other imposts shall be payable under any law of the State on or in respect of any real estate or leasehold property belonging to the National Trust.

(2) Succession duty shall not be payable in respect of any property derived by, or accruing to the National Trust.

(3) An instrument or agreement by which any real or personal property is assured to or vested in the National Trust for purposes of this Act or agreed to be so assured or vested shall be exempt from stamp duty.

Power of Council to make regulations.

8. (1) The Council may make regulations for all or any of the following purposes :—

(*a*) for ensuring the safety and the preservation of and preventing damage to or destruction of any real or personal property vested in or under the control and management of the National Trust ;

(*b*) for regulating traffic and for ensuring orderly conduct on the part of visitors on any property of the National Trust ;

(*c*) for fixing the hours during which any property of the National Trust or any building or structure on any property shall be open to the public ;

(*d*) for fixing the payment to be made for entrance to any property of the National Trust or any building or structure on any property and for providing for the exclusion or removal from any property of the National Trust or on any part thereof or building or structure thereon of persons who have not made the prescribed payment, or who behave in a disorderly manner ;

(*e*) for preventing trespassing on any property of the National Trust ;

(*f*) for preventing persons from injuring, destroying, taking, removing, or in any way interfering with animals, birds, trees, and plants on any property of the National Trust ;

(*g*) prescribing any other matter which it is necessary or convenient to prescribe for the purpose of the administration and enforcement of this Act ;

(*h*) declaring that any breach or non-observance of a regulation shall be an offence and prescribing fines recoverable summarily, but not exceeding twenty pounds for any such offence.

(2) All regulations made under this section shall be submitted to the Governor for confirmation before being published in the

Gazette or laid before Parliament and shall not be so published or laid before Parliament or have any effect unless confirmed by the Governor.

(3) Section 38 of the Acts Interpretation Act, 1915-1949, shall apply to regulations made under this section.

Rules.

9. (1) The rules set forth in the schedule to this Act with such modifications thereof as shall hereafter be made under and pursuant to the powers in that behalf in such rules shall be the rules providing for and regulating the membership affairs business and management of the National Trust.

(2) Section 38 of the Acts Interpretation Act, 1915-1949, shall apply to any rules made by the Council repealing, amending or adding to the rules in the said schedule; but nothing in that section shall affect any right of the Trust to disallow any such rules at an annual general meeting.

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

R. A. GEORGE, Governor.

THE SCHEDULE.

RULES OF THE NATIONAL TRUST OF SOUTH AUSTRALIA.

Interpretation.

1. In these rules "the Act" means the National Trust of South Australia Act, 1955, including any amendments thereof and additions thereto.

Classes of members.

2. (1) The members of the National Trust shall be divided into (*a*) ordinary members; (*b*) life members; (*c*) sustaining members; (*d*) corporate members; and (*e*) local corresponding members.

(2) An ordinary member shall be a person who, in any year, subscribes to the funds of the National Trust one guinea or more or such other sum as the Council may, from time to time, specify in that behalf: Provided that where one member of a family is an ordinary member any other member or members of such family who reside at the same address as such subscribing member may become ordinary members on each subscribing to the funds of the National Trust the sum of ten shillings and sixpence per annum, or such other sum as the Council may, from time to time, specify in that behalf.

(3) A life member shall be a person who pays to the funds of the National Trust the sum of twenty guineas or such other sum as the Council may, from time to time, specify in that behalf.

(4) A sustaining member who shall be entitled to all the privileges of life membership of the National Trust shall be any person who gives to the National Trust any real estate or leasehold property which, or any part of which, in the opinion of the Council is proper to be preserved for the benefit of the nation or who shall give to the National Trust such sum of money (being not less than one hundred pounds) or other property, whether real or personal, as shall appear to the Council to entitle such person to be distinguished as a sustaining member.

(5) A corporate member shall be any corporation which pays to the funds of the National Trust the sum of one hundred guineas or such other sum as the Council may, from time to time specify. A corporate member shall be entitled to such membership for the period of thirty years and thereafter may again apply for membership, and during the continuance of its membership shall be entitled to nominate five persons in its employ for the privileges of ordinary subscribing members without further subscription.

(6) A local corresponding member shall be any person who without pecuniary contribution undertakes to further the objects of the National Trust in any city, town, district, or place in such manner as to the Council may seem meet.

(7) A person shall not be a member of the National Trust unless he has signified in writing to the Trust his desire to be one.

Subscription of ordinary members.

3. Every ordinary member shall be liable for the amount of his subscription and such subscription shall be payable on the first day of January in each year: Provided that any such member may, at any time previously to the thirty-first day of December in any year resign his membership and cease to be a member by sending his resignation in writing to the secretary of the National Trust, but subject to such resignation in writing every such member shall be liable for the amount of his subscription in respect of the ensuing year.

Liability of members.

4. No member of the National Trust shall be liable for or to contribute towards the payment of the debts and liabilities of the National Trust beyond the amount of the annual subscription of such member or of any contribution agreed to be given and remaining unpaid.

First general meeting.

5. The first general meeting of the National Trust shall be held within six months after the passing of the Act and shall be called by the sponsors of the Act and thereafter general meetings shall be held once at least every year at such time and place as the Council appoints and the general meetings shall be called and held in accordance with the rules set out hereunder.

General meetings.

6. (1) The annual general meetings shall be called ordinary meetings, and all other general meetings shall be called extraordinary meetings.

(2) The Council, at each ordinary meeting, shall lay before the meeting a report of the work done in the preceding year.

(3) The Council or the Executive Committee may whenever they think fit, and the Executive Committee (or in their default the Council) shall, upon a requisition made in writing and signed by any thirty or more members convene an extraordinary meeting.

(4) Any requisition made by the members shall express the object of the meeting proposed to be called and shall be left with the secretary of the National Trust.

(5) Upon the receipt of such requisition the Executive Committee (or in their default the Council) shall forthwith proceed to convene a general meeting, and if the Executive Committee or the Council do not convene the same within fourteen days from the date of the receipt of such requisition the requisitionists may themselves convene a meeting.

(6) A notice of every general meeting and of the agenda shall be given to the members at such time and in such form and manner as the Council may from time to time prescribe.

(7) Notice of any motion proposed to be made at a general meeting by any person not being a member of the Council shall be sent to the secretary of the National Trust twenty-one days before the general meeting. Such notice shall be signed by the proposer and two seconders being members of the National Trust and no motion made by any member other than a member of the Council shall be entertained by a general meeting unless notice thereof has been given as aforesaid.

(8) The non-receipt of a notice by any member shall not invalidate the proceedings of any general meeting.

(9) Twenty members shall form a quorum for a general meeting.

(10) If within an hour from the time appointed for a meeting convened upon the requisition of members a quorum be not present the meeting shall be dissolved. In any other case the meeting may transact such business as they think necessary, notwithstanding the absence of a quorum.

(11) At every general meeting all matters which come up for the decision of such meeting shall be decided by a majority of votes of the members personally present and voting by show of hands unless a poll be demanded as hereinafter mentioned.

(12) The President of the Council or, in his absence, a Chairman elected by the Executive Committee shall take the chair at a general meeting.

(13) If neither the President nor a Chairman elected by the Executive Committee be present the meeting shall elect a chairman. The chairman shall, in case the votes at any general meeting or in the case of a poll are equally divided have, as well as his own vote, a second or casting vote. The chairman may, with the consent of the meeting, adjourn any meeting from time to time and from place to place, but no business shall be transacted at any adjourned meeting other than the business left undisposed of at a meeting at which the adjournment took place unless, in pursuance of a notice and agenda given to the members as hereinbefore prescribed.

(14) At a general meeting one-third of the members of the Executive Committee, or any twenty members of the National Trust, may demand a poll in respect of any resolution, and on such demand being made a poll of the National Trust shall be taken accordingly by voting papers in such manner as the chairman may direct, and the result of the poll shall be deemed to be the decision of the general meeting on the resolution.

(15) Every member shall have one vote only with the exception of the chairman's casting vote.

Constitution of The Council.

7. (1) The affairs of the National Trust shall be administed by a council to be called "The Council of the National Trust", consisting of a president of the council and twenty-four members.

(2) The president and twelve members shall be elected from among the members at the first general meeting and thereafter four elected members shall retire and four members shall be elected from among the members at each annual general meeting of the National Trust. The four elected members to retire each year shall be determined by the Council who shall secure, as far as possible, that the elected members shall retire in rotation. The retiring members shall be eligible for re-election.

(3) Each of the bodies or persons hereinafter named may appoint one member to the Council of the National Trust as follows (that is to say):—

The Council of Royal Society of South Australia:

The Council of Royal Geographical Society of Australasia (S.A. Branch) Inc.:

The Council of the University of Adelaide:

The Committee of the Institute of Architects in South Australia:

The Committee of the Youth Hostels Association in South Australia:

The Committee of the Adelaide Bushwalkers:

The Committee of the Country Women's Association:

The Board of the South Australian Museum:

The Board of Governors of the National Gallery of South Australia:

The Trades and Labour Council in South Australia:

The Council of the Pioneers Association of South Australia:

The Council of the Royal Zoological Society:

Such appointed members shall hold office for such term as the bodies or persons appointing them shall respectively determine, provided however, that such term shall not exceed three years without re-appointment.

(4) Any annual general meeting of the National Trust may determine that a member or members of the council shall be appointed by or on behalf of some body or persons other than those hereinbefore mentioned, either in addition to or in substitution for any one or more of the bodies or persons so mentioned or by way of increase of the number of members appointed by or on behalf of any of the bodies or persons so mentioned, but so that the number of appointed members shall not exceed twelve.

(5) The Council shall be deemed fully constituted and all acts and proceedings of the Council shall be deemed valid in all respects if and so long as a President and twelve members shall have been elected to the Council as by this section provided.

Vacancies on the Council.

8. If any elected member of the Council dies or resigns the Council may appoint in his place another member to be a member of the Council and any member appointed under this section shall continue a member of the Council

until the next annual general meeting after his appointment, and the acts of the Council shall not be deemed invalid by reason of the death or resignation of any member, or members, thereof.

Powers of Council.

9. (1) The entire business of the National Trust shall be arranged and managed by the Council who may exercise all such powers of the National Trust (including its power to borrow and give security) as are not exercisable only by the National Trust in general meeting, and no rule or bylaw made, or resolution passed by the National Trust in general meeting shall invalidate any prior act of the Council which would have been valid if such rule, bylaw or resolution had not been made or passed.

(2) The Council shall have power to make such bylaws as to the procedure of the Council (including the quorum required at its meetings) and for the conduct of the business and affairs of the National Trust and for the dispatch of business at meetings as the Council may deem necessary provided that such bylaws do not contravene any of the provisions of the Act.

Chairman of Council.

10. The President shall be chairman of the Council and when present shall preside at its meetings. If the President is unable to attend at a meeting of the Council the Council shall elect from among those present a chairman to preside at such meetings.

Officers and servants.

11. The Council may appoint such officers and servants as they may from time to time think desirable and (subject to any law, award, or determination fixing rates of pay) fix their salaries and wages and the conditions of service, including the provision of pension on retirement and determine their respective duties and the tenure of their offices. The Council may appoint from among its members such honorary officers of the National Trust, including an honorary secretary and honorary treasurer as it may, from time to time, think fit and may determine any such appointment from time to time.

Vice-patrons.

12. The Council may also elect any number of vice-patrons, but the persons so elected shall not by reason of such election be members of the Council.

Committees and sub-committees.

13. (1) The Council shall appoint from their own number an executive committee of the President and six members and may add to any such committee for such length of time and with such powers of voting or otherwise as the Council may think fit any member of the National Trust or other person whose aid they judge useful to forward the objects of the National Trust, and such committee shall exercise and enjoy all the powers conferred upon the Council by the Act except any power which the Council expressly withholds from the committee, but the Council may impose conditions and limitations as to the exercise of any of the powers enjoyed by the Committee.

(2) The Council may also appoint from their own number any committee for any special purpose and may add to any such committee for such length of time and with such powers of voting or otherwise as the Council may think fit, any member of the National Trust or other person whose aid they judge useful to forward the objects of the National Trust.

(3) The Executive Committee shall have power of appointing sub-committees for special purposes similar in all respects to the powers hereby conferred upon the Council of appointing committees for special purposes.

(4) The President shall be the chairman of the Executive Committee, and if the President shall be unable to attend at a meeting of the Executive Committee the Executive Committee shall elect from among those present a chairman to preside at such meeting. The Executive Committee may make

such bylaws as to its procedure as the Council is hereby empowered to make as to the procedure of the Council except that a quorum of the Executive Committee shall be five.

Vacancies and defects not to invalidate proceedings.

14. (1) No act or proceeding of the Council, the Executive Committee, or of any committee or sub-committee shall be questioned on account of there being, at the time of such act or proceeding any vacancy or vacancies in the Council Executive Committee or in any committee or sub-committee.

(2) No defect in the qualification or election of any person or persons acting as member or members of the Council the Executive Committee or of any committee or sub-committee shall be deemed to invalidate any proceedings of such council, excecutive committee, committee or sub-committee in which he or they has or have taken part in cases where the majority of members of parties to such proceedings are duly entitled to act.

Minutes.

15. (1) The Council, the Executive Committee, and every committee and sub-committee appointed as aforesaid shall cause minutes to be made of all proceedings at each of its meetings, and the Council shall, at all times, cause to be kept minutes of the meetings of the National Trust, and a register of the members of the National Trust with their respective last-known places of abode.

(2) Any minutes made of proceedings at a meeting of the National Trust, the Council, the Executive Committee, or of any committee or sub-committee respectively, if signed, either at the meeting at which such proceedings took place, or at the next ensuing meeting by any person purporting for the time being to be the President of the Council or the Chairman or Acting Chairman of the Executive Committee, committee or sub-committee, as the case may be, shall be receivable as evidence of such proceedings in all legal proceedings without further proof and until the contrary is proved, every meeting of the Council, the Executive Committee, or of any committee or sub-committee shall be deemed to have been duly convened and held, and all the members thereof to have been duly qualified.

Mode of executing instruments and notices.

16. (1) Any instrument which, if made by private persons, would be required to be under seal shall be under the seal of the National Trust.

(2) Any notice issued by or on behalf of the National Trust shall be deemed to be duly executed if signed by the President or the Secretary.

(3) Subject as aforesaid any appointment made by the National Trust and any contract, order, or other document made by or proceeding from the National Trust shall be deemed to be duly executed, either if sealed with the seal of the National Trust or signed by two or more members of the Council authorized to sign by a resolution of the Council or Executive Committee, but it shall not be necessary in any legal proceedings to prove that the members signing any such order or other document were authorized to sign and such authority shall be presumed until the contrary is proved.

Arrangements with local authorities and persons

17. (1) The National Trust may act in concert with and make any arrangements and agreements with any Local Government authority now or hereafter constituted or with any residents or committee of residents in the neighbourhood of any land or property of the National Trust, or with any other persons for giving effect to the objects of the Act.

(2) Where any person is willing to agree with the National Trust that any land, or any part thereof shall, so far as his interest in the land enables him to bind it be made subject either permanently or for a specified period to conditions restricting the planning, development, or use thereof, in any manner, the National Trust may, if it thinks fit, enter into an agreement with him or accept a covenant from him to that effect.

Power to borrow.

18. For the purpose of carrying out any work or undertaking which it is authorized by the Act to carry out the National Trust may borrow money and give security for repayment thereof by a mortgage, charge, or any other form of security over any property of the National Trust. All moneys received by the National Trust on capital account shall, subject to the conditions attached to any gift, be applicable in or towards the repayment of moneys borrowed, or otherwise, in furthering the objects for which the National Trust is established.

Gifts.

19. The National Trust may accept any gift (whether by will or *inter vivos*) of any property, whether real or personal, of whatsoever kind and wheresoever situate, and whether in possession, reversion or remainder.

Investment, retention and sale.

20. (1) The National Trust may invest any money which has been received by it under, or for the purposes of the Act, and is not required to meet the current expenditure.

(2) The National Trust may (subject to the provisions of any trust, instrument, or to the conditions attached to any gift under which it receives or is entitled to any property) hold and retain in the same state of investment so long as it thinks fit, any property of any kind as an investment for the purpose of providing income to be applied in defraying the expenditure of the National Trust under the Act.

(3) The National Trust may (subject to the provisions of any trust, instrument, or to the conditions attached to any gift under which it receives or is entitled to any property) sell any property belonging to it which is not required for purposes of the Act. The money received on any such sale shall be applied for purposes of the Act or invested. If the money is invested the income shall be applied for the said purpose.

Accounts and audit.

21. (1) The National Trust shall keep proper accounts of all the income and expenditure of the National Trust and shall prepare a statement of such income and expenditure and a balance-sheet at least once a year.

(2) The accounts of the National Trust shall be annually audited by a member of the Institute of Chartered Accountants in Australia.

(3) The Council, and every employee of the National Trust shall give to its auditor any information which he requires for the purpose of the audit and shall produce to him all books, accounts, vouchers, and documents which he requires for that purpose.

Repeal and alteration of these rules.

22. (1) The Council may repeal or amend any of these rules and may make and pass any new rules with a view to the more efficient management and conduct of the National Trust provided that no rules shall be repealed, amended, or made, except with the concurrence of two-thirds of the whole number of members of the Council.

(2) All new rules and the repeal and amendment of any rules shall be submitted to the annual general meeting of the National Trust held next after the making thereof and the National Trust at such annual general meeting may, by resolution, disallow any such rule or any such repeal or amendment.

ANNO QUARTO

ELIZABETHAE II REGINAE

A.D. 1955

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No. 44 of 1955

An Act to amend the Superannuation Act, 1926-1954.

[*Assented to 8th December,* 1955.]

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, 1955".

(2) The Superannuation Act, 1926-1954, as amended by this Act, may be cited as the "Superannuation Act, 1926-1955".

(3) The Superannuation Act, 1926-1954, 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.

Amendment of s. 12 of principal Act—Removal of members of board.

3. Section 12 of the principal Act is amended by adding after the word "incompetence" at the end of subsection (1) the words "or neglect of his duties as a member or mental or physical incapacity to perform those duties".

Amendment of s. 13 of principal Act—Vacation of office.

4. Section 13 of the principal Act is amended by striking out paragraphs (*b*) and (*c*) thereof and inserting in lieu thereof the following paragraph :—

(*b*) is removed from office pursuant to section 12 of this Act.

Amendment of s. 16 of principal Act—Quorum.

5. Section 16 of the principal Act is amended by adding at the end thereof the following subsection (the previous part of section 16 being read as subsection (1) thereof) :—

(2) A notice shall be deemed to have been given personally or by post to a member if it is addressed to him and is delivered by post or otherwise at the office where the member usually works, or at his usual or last known place of residence, or at any place where he is residing at the time of such delivery.

Amendment of s. 24 of principal Act—Scale of units of pension.

6. Section 24 of the principal Act is amended by striking out the words "two hundred and sixty" in the first and second lines of subsection (2) and inserting in lieu thereof "three hundred and fifty".

Amendment of s. 24a of principal Act—Rights of contributors.

7. Section 24a of the principal Act is amended by adding at the end of subsection (3) the following proviso :—

Provided that a professional or salaried railways officer who was awarded an increase of salary operative as from the thirteenth day of February, 1955, by the order made under the Conciliation and Arbitration Act, 1902-1952, of the Commonwealth on the nineteenth day of May, 1955, or the order made under that Act, on the second day of June, 1955, may make an election under this section at any time before the first day of February, 1956.

Amendment o s. 24ba—Election on increase of salary.

8. Section 24ba of the principal Act is amended—

(*a*) by inserting the word "additional" before the word "units" in the last line of subsection (2) ;

(*b*) by striking out subsection (4) thereof and inserting in its place the following subsection :—

(4) In this section the expression "additional units appropriate to his increased salary" means the number of units equal to the difference between the number of units appropriate to his salary before the increase and the number appropriate to his increased salary.

Repeal of s. 24bd of principal Act and enactment of other provisions—Effect of election not to take units or on failure to take.

9. Section 24bd of the principal Act is repealed and the following section is enacted and inserted in its place :—

24bd. (1) An employee or contributor who has before or after the enactment of this section—

(*a*) elected not to contribute ; or

(*b*) been exempted by the board from contributing ; or

(*c*) been refused permission by the board to contribute,

for any units for which he had an option to contribute shall not thereafter be entitled to contribute for those units except as provided in subsection (3) of section 24b and in section 24be of this Act, and in subsection (2) of this section.

(2) If an employee is not contributing for any units or a contributor is contributing for a number of units less than the number appropriate to his salary, the board may, subject to any conditions which it deems just, permit him to contribute for units or additional units, but so that the total number of units contributed for by him is not greater than the number appropriate to his salary.

(3) Where permission is so given, the contributions for the units for which permission is given shall, unless the board otherwise directs, be payable as from the first day of the next month after the month in which the permission is given, and be at the rate appropriate to the age of the employee or contributor on his next birthday after that day.

Amendment of s. 28c of principal Act—Transfer of reserve contributions.

10. Section 28c of the principal Act is amended by adding at the end of paragraph (2) the following proviso :—

Provided that a refund in respect of reserve units shall not be made under paragraph (*b*) of this subsection unless contributions for those units have been paid for at least five years.

Amendment of s. 42 of principal Act—Pension to widow of contributor.

11. (1) Section 42 of the principal Act is amended—

(*a*) by striking out the proviso at the end of subsection (1) ; and

(*b*) by striking out the words "and no other pension shall be payable to her pursuant to the said paragraph" at the end of subsection (2) and inserting in lieu thereof the following proviso :—

Provided that if the widow of a deceased contributor marries another contributor and again becomes a widow on the death of the second husband either before or after his retirement, and if the second husband was immediately before his death contributing for a pension greater than that of the first husband, her pension shall be based upon that for which the second husband was so contributing ; and

(*c*) by striking out subsection (3).

(2) A pension payable to a widow under section 42 of the principal Act at the time of the commencement of this Act

shall on and after the first day of the month following the said commencement not be subject to any reduction by reason of the fact that the widow was not the first wife of the contributor.

Amendment of s. 43 of principal Act—Pension to widow of pensioner.

12. (1) Section 43 of the principal Act is amended—

(*a*) by striking out the last proviso to subsection (1); and

(*b*) by striking out the words "and no other pension shall be payable to her pursuant to the said paragraph" at the end of subsection (2) and inserting in lieu thereof the following proviso :—

> Provided that if the widow of a deceased pensioner marries a contributor and again becomes a widow on the death of the second husband either before or after his retirement, and if the second husband was immediately before his death contributing for a pension greater than that of the first husband her pension shall be based upon that for which the second husband was so contributing; and

(*c*) by striking out subsection (3).

(2) Section 43 is further amended by adding at the end thereof the following subsection :—

> (4) Where a male pensioner dies leaving a widow the board may pay to her any balance of her husband's pension accrued in respect of any period before his death.

(3) A pension payable to a widow under section 43 of the principal Act at the time of the commencement of this Act shall on and after the first day of the month following the said commencement not be subject to any reduction by reason of the fact that the widow was not the first wife of the contributor.

Amendment of s. 44 of principal Act—Pension to orphans.

13. Section 44 of the principal Act is amended by adding at the end of subsection (2) thereof the following passage :—

> The board may if it thinks fit pay the said sum to the Public Trustee upon trust to use it as aforesaid and the Public Trustee shall have power to accept the said sum and carry out the said trust.

Amendment of s. 49 of principal Act—Pension to orphans.

14. Section 49 of the principal Act is amended by adding at the end of subsection (2) thereof the following passage :—

The board may if it thinks fit pay the said sum to the Public Trustee upon trust to use it as aforesaid and the Public Trustee shall have power to accept the said sum and carry out the said trust.

Amendment of s. 61 of principal Act—Employee restored to health.

15. Section 61 of the principal Act is amended—

(*a*) by striking out the words "his duties" in the fourth line of subsection (1) and inserting in lieu thereof the words "duties in the service" :

(*b*) by inserting after the word "him" in the first line of subsection (2) the words "or if he is employed in any such employment" ;

(*c*) by striking out the words "two-thirds" in the second line of subsection (2) and inserting in lieu thereof "three-quarters" ;

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

(4) In this section "suitable employment" means employment in the service suitable for the pensioner having regard to the state of his health and his abilities.

Enactment of s. 82a of principal Act—Deduction of contributions from pensions.

16. The following section is enacted and inserted in the principal Act after section 82 thereof :—

82a. Where a contributor retires or dies without having paid all contributions due by him under this Act the board may deduct, either in one sum or by periodical instalments determined by the board, the arrears of contributions from any pension or other money payable under this Act on or by reason of the retirement or death of the contributor.

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

R. A. GEORGE, Governor.

ANNO QUARTO

ELIZABETHAE II REGINAE

A.D. 1955

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No. 45 of 1955

An Act to amend the Brands Act, 1933-1948.

[*Assented to 8th December,* 1955.]

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 "Brands Act Amendment Act, 1955".

(2) The Brands Act, 1935-1948, as amended by this Act, may be cited as the "Brands Act, 1933-1955".

(3) The Brands Act, 1933-1948, is hereinafter referred to as "the principal Act".

Amendment of principal Act, s. 4—Interpretation.

2. The definition of "tag" in section 4 of the principal Act is amended so as to read as follows :—

"tag" means a piece of metal or plastic or of any other material prescribed by regulation on or in which numerals, letters, or signs are impressed or otherwise marked.

Amendment of principal Act, s. 14—Age numerals.

3. Section 14 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 to the placing of numerals upon any horse which is registered in any register of racehorses for the time being approved by the Minister. The Minister may, by notice published in the *Government Gazette* approve any such register of racehorses for the purposes of this section and may, by notice published as aforesaid, revoke or vary any such notice.

Amendment of principal Act, s. 18—
Position of distinctive numerals.

4. Section 18 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 to the placing of a distinctive numeral upon any horse which is registered in any register of racehorses for the time being approved by the Minister. The Minister may, by notice in the *Government Gazette*, approve of any such register of racehorses for the purposes of this section and may, by notice published as aforesaid, revoke or vary any such notice.

Amendment of principal Act, s. 28—
Requisites of paint brands.

5. (1) Section 28 of the principal Act is amended so as to read as follows:—

28. A paint brand shall be made with a substance prescribed by regulation, and shall be of a colour prescribed by regulation.

(2) The amendments made by this section shall take effect from a day to be fixed by proclamation made by the Governor.

Consequential amendment of s. 68 of principal Act—
Regulations.

6. Section 68 of the principal Act is amended by inserting therein after paragraph 1 thereof the following paragraphs:—

1*a*. Prescribing any material for the purpose of being used as a tag:

1*b*. Prescribing any substance with which a paint brand may be made, and prescribing the colours which may be used for paint brands:

Transitional provisions.

7. (1) If—

(*a*) any regulations are made pursuant to paragraph 1*b* of section 68 of the principal Act under which the colours which may be used for paint brands are prescribed; and

(*b*) at the time the regulations are made any paint brand is registered to be made in a colour other than a colour so prescribed,

the regulations shall provide that every such paint brand shall be of another colour which shall be specified in the regulations. The registration of every such paint brand shall, as from the day fixed by proclamation pursuant to subsection (2) of section 5 of this Act, be deemed to be altered so that instead of being of the colour for which the registration was originally made it shall be of the colour specified as aforesaid.

(2) If the colours of any paint brands are altered as aforesaid the Minister shall before the day fixed by proclamation pursuant to subsection (2) of section 5 of this Act, by notice published in the *Government Gazette* and at least twice in each of three newspapers circulating throughout the State, give public notice stating that as from the said day all paint brands registered in the colour specified in the notice will be deemed to be registered in the other colour specified in the notice.

(3) If the colour of any paint brand is altered as aforesaid and if in any stock mortgage or preferable lien on wool within the meaning of the Stock Mortgages and Wool Liens Act, 1924-1935, or in any bill of sale within the meaning of The Bills of Sale Act, 1886-1940, or in any other instrument whatsoever any reference is made to the paint brand which is so altered, the stock mortgage or preferable lien on wool, or bill of sale or instrument, as the case may be, shall be construed as if the reference therein to the paint brand were a reference to the paint brand as altered as aforesaid.

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

R. A. GEORGE, Governor.

ANNO QUARTO

ELIZABETHAE II REGINAE

A.D. 1955

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No. 46 of 1955

An Act to empower the Treasurer to subsidize the cost of certain libraries, and for incidental purposes.

[*Assented to 8th December,* 1955.]

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 " Libraries (Subsidies) Act, 1955".

Power of Treasurer to subsidize libraries.

2. (1) If satisfied that any municipal council or district council or other body recommended by the municipal or district council and approved by the Treasurer will, in premises under the care, control or management of the council, or approved body, maintain and manage a library and that the council or approved body has provided or will provide, the furniture and fittings necessary for the library, the Treasurer, subject to this Act, may in any financial year pay to the council or approved body towards the cost of maintaining and managing the library an amount not exceeding the amount paid by the council or approved body during that financial year towards the said cost. Provided that a subsidy shall not be paid to an approved body unless a council also contributes to the cost of the library, and the subsidy shall not exceed the amount so contributed by the council.

(2) No amount shall be paid by the Treasurer under this section except after consideration of a report upon the matter by The Libraries Board of South Australia.

(3) The payment by the Treasurer may be made subject to such, if any, conditions and restrictions as are recommended by the Libraries Board of South Australia and are thought fit by the Treasurer.

(4) No payment shall be made by the Treasurer unless he is satisfied—

(*a*) that a substantial proportion of the books to be provided in the library will be of an educational or literary nature ; and

(*b*) that the library will be available to the public.

Power of Libraries Board to establish lending service for libraries.

3. (1) The Libraries Board of South Australia may establish and carry on a service for lending books to libraries subsidized under this Act, and may with the approval of the Treasurer determine the conditions on which books will be so lent.

(2) The cost of such service shall be paid out of money provided by Parliament for that purpose.

Financial provision.

4. Any amounts required for the purpose of this Act shall be paid out of moneys voted by Parliament for the purpose.

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

R. A. GEORGE, Governor.

ANNO QUARTO

ELIZABETHAE II REGINAE

A.D. 1955

****

No. 47 of 1955

An Act to provide for the construction of a railway from Woodlands Park to Tonsley.

[*Assented to 8th December,* 1955.]

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 "Woodlands Park to Tonsley Railway Act, 1955".

Incorporation.

2. The Compulsory Acquisition of Land Act, 1925, is incorporated with this Act.

Power to construct railway.

3. (1) The South Australian Railways Commissioner (hereinafter called "the Commissioner") may—

(*a*) construct a railway from a point near the Woodlands Park railway station on the Adelaide-Marino railway to a point near a proposed railway station to be situated in section 79, Hundred of Adelaide and to be known as Tonsley, which points are indicated on the plan prepared by the Chief Engineer of Railways numbered $\frac{53}{120}$ and dated the seventeenth day of November, 1955 ;

(*b*) construct all proper works, buildings and structures connected with or required for the purposes of the said railway.

(2) The said railway shall be constructed on the route indicated in the said plan, or on some variation of that route within the limits of deviation indicated on the said plan.

(3) The gauge of the said railway shall be five feet three inches.

(4) The Commissioner, if he thinks proper, may enter into contracts with any persons for all or any of the following purposes namely, the construction of the whole or any part of the said railway, works, buildings and structures, and the execution of any works and the provision of any materials, equipment and services required in connection with such construction.

Financial provision.

4. (1) The money required for the purposes of constructing the railway, works, buildings and structures mentioned in this Act shall be paid out of money standing to the credit of the loan fund account in the Treasury.

(2) This Act without further appropriation shall be sufficient authority for the Treasurer to make any such payments.

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

R. A. GEORGE, Governor.

ANNO QUARTO

ELIZABETHAE II REGINAE

A.D. 1955

****

No. 48 of 1955

An Act to amend the Metropolitan and Export Abattoirs Act, 1936-1954, so as to provide that prescribed quotas of meat from country abattoirs existing at the time of the passing of this Act or thereafter established, may be brought into and sold within the metropolitan abattoirs area, and to enact other provisions respecting the sale of meat within the said area.

[*Assented to 8th December,* 1955.]

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, 1955".

(2) The Metropolitan and Export Abattoirs Act, 1936-1954, as amended by this Act, may be cited as the "Metropolitan and Export Abattoirs Act, 1936-1955".

(3) The Metropolitan and Export Abattoirs Act, 1936-1954, 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.

Amendment of s.78 of principal Act—Carcasses from Port Lincoln.

3. Section 78 of the principal Act is amended by striking out the word "board" in the second, eighth, and ninth lines and inserting in lieu thereof the word "Minister" in each case.

4. The following sections are enacted and inserted in the principal Act after section 78a :— Enactment of ss. 78b and 78c of principal Act—

Permits as to carcasses and meat from country abattoirs.

78b. (1) In this section "country abattoirs" means any abattoirs which are situated more than fifty miles from the Abattoirs established under this Act, and at which stock are slaughtered for export. The distance between the abattoirs established under this Act and any other abattoirs shall be measured along the shortest route by roads usually used in travelling.

(2) The Governor may by proclamation declare that a specified proportion of the carcasses or meat or both derived from stock slaughtered at any specified country abattoirs during any specified period may be brought into and sold within the metropolitan abattoirs area pursuant to permits granted by the Minister of Agriculture.

Proclamations under this section may fix different proportions for different abattoirs and any proportion may be fixed by reference to weight, number or otherwise, according as the Governor may deem fit.

(3) For the purpose of giving effect to any such proclamation the Minister of Agriculture may grant permits to such persons as he deems proper authorizing them to bring into the metropolitan abattoirs area carcasses or meat or both derived from country abattoirs specified in the proclamation, but not exceeding the quantity allowed pursuant to the proclamation.

(4) Any such permit may contain conditions as to all or any of the following matters, namely :—the inspection, counting and weighing of the carcasses and meat to which the permit applies, the place at which such carcasses and meat may enter the metropolitan area, and any other matters which, in the Minister's opinion, are required for the purpose of ensuring compliance with law, or in the interests of the public.

(5) If the Minister is of opinion that an inspection of any carcasses or meat additional to the inspection provided for in the permit relating to such carcasses or meat is necessary for the purpose of safeguarding the health of the public, he may give such directions to the owner of the meat as he considers necessary to ensure that an additional inspection is made before the meat is sold, and the owner of the meat shall comply with such directions.

A person who fails to comply with a direction given to him under this section shall be guilty of an offence.

(6) Meat which is brought into the metropolitan abattoirs area in accordance with the terms of a permit and inspected pursuant to the directions (if any) given under this section may be sold within that area.

(7) If a person to whom a permit is granted under this section contravenes or fails to observe any condition of the permit he shall be guilty of an offence.

Penalty : One hundred pounds.

(8) If a person is convicted of an offence under subsection (7) of this section the Minister of Agriculture may revoke the permit granted to such person.

Permits to sell rejected carcasses and meat.

78c. (1) This section shall apply only to carcasses and meat derived from stock which—

(*a*) was slaughtered at a slaughter house or abattoirs situated in the metropolitan abattoirs area and licensed by a council as permitted by section 79 or 109 of this Act ; and

(*b*) was slaughtered for meat to be tinned or canned for export, or for curing bacon and hams, or for export otherwise than as fresh meat in a chilled or frozen condition, or in the case of swine, for export as fresh meat in a chilled or frozen condition pursuant to a permit issued under section 50a of this Act ; and

(*c*) was after slaughter rejected by an inspector of the Commonwealth as not being suitable for export.

(2) The Minister may in his discretion grant to any person a permit to sell within the metropolitan abattoirs area such amounts of carcasses and meat to which this section applies as are specified in the permit.

(3) Any such permit may contain terms and conditions as to all or any of the following things, namely :—the duration of the permit, the quality, kinds and number or amount of carcasses and meat to be sold thereunder, the inspection and counting or weighing of such carcasses and meat, and any other matters which, in the Minister's opinion, are required for the purpose of ensuring compliance with law or in the interests of the public.

(4) Carcasses and meat may be sold in accordance with the terms of a permit granted under this section notwithstanding the other provisions of this Act.

(5) If a person to whom a permit is granted under this section contravenes or fails to observe any condition of the permit he shall be guilty of an offence.

Penalty: One hundred pounds.

(6) If a person is convicted of an offence under subsection (5) of this section the Minister may revoke the permit granted to such person.

(7) The fact that carcasses or meat sold under a permit granted pursuant to this section are not exported shall not affect any power of a constituent council or board of health to licence the slaughterhouse or abattoirs at which the stock from which such carcasses or meat was derived was slaughtered.

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

R. A. GEORGE, Governor.

ANNO QUARTO

ELIZABETHAE II REGINAE

A.D. 1955

****

No. 49 of 1955

An Act to amend the Workmen's Compensation Act, 1932-1954.

[*Assented to 8th December,* 1955.]

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, 1955".

(2) The Workmen's Compensation Act, 1932-1954, as amended by this Act, may be cited as the "Workmen's Compensation Act, 1932-1955".

(3) The Workmen's Compensation Act, 1932-1954, 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.

Amendment of s. 5 of principal Act—Circumstances where liability does not exist.

3. Section 5 of the principal Act is amended by striking out the whole of paragraph (*a*) thereof and the letter "(*b*)" at the commencement of paragraph (*b*).

Amendment of s. 7 of principal Act—Meaning of workman.

4. Section 7 of the principal Act is amended by striking out the word "thirty-three" in the ninth line of the definition of "workman" therein and inserting in lieu thereof the word "thirty-five".

5. Section 16 of the principal Act is amended— Amendment of s. 16 of principal Act—

(*a*) by striking out the word "two" occurring before the word "hundred" in paragraph (*b*) of subsection (1) and inserting in lieu thereof "three" ; and Compensation where workman dies leaving dependants.

(*b*) by inserting therein after subsection (4) thereof the the following subsection :—

(4a) In addition to the compensation provided for by the other provisions of this section the dependants of the workman who have paid or are liable to pay the expenses of his burial shall be entitled to the amount so paid or payable, not exceeding sixty pounds.

6. Section 17 of the principal Act is amended by striking out "fifty" in the last line thereof and inserting in lieu thereof "sixty". Amendment of s. 17 of principal Act— Compensation where workman leaves no dependants.

7. Section 18 of the principal Act is amended by striking out the word "five" before the word "hundred" in subsection (3) thereof and inserting in lieu thereof the word "six". Amendment of s. 18 of principal Act— Compensation for incapacity.

8. Section 26 of the principal Act is amended— Amendment of s. 26 of principal Act— Fixed rates of compensation for certain injuries.

(*a*) by inserting at the end of subsection (1) the words "unless the workman by notice in writing given to the employer or his insurer before the amount of the compensation is settled by agreement or arbitration states that he does not desire to have the compensation assessed under this section. If the workman duly gives such a notice, the compensation shall be assessed as if this section had not been enacted";

(*b*) by striking out the word "five" before the word "hundred" in the last line of subsection (5) and inserting in lieu thereof the word "six" ;

(*c*) by striking out the word "five" in the heading to the table at the end of the said section and inserting in lieu thereof the word "six".

9. Section 69 of the principal Act is amended by adding at the end of paragraph (*b*) of subsection (2) the following proviso :— Amendment of s. 69 of principal Act— Liability independently of Act.

Provided that failure to give notice within the said period shall not be a bar to the maintenance of the action

if the court finds that the failure was occasioned by mistake, absence from the State, or other reasonable cause.

Application of Act.

10. Sections 3 to 8 (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.

ANNO QUARTO

ELIZABETHAE II REGINAE

A.D. 1955

****

No. 50 of 1955

An Act to amend the Harbors Act, 1936-1953.

[*Assented to 8th December,* 1955.]

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 "Harbors Act Amendment Act, 1955". Short titles.

(2) The Harbors Act, 1936-1953, as amended by this Act, may be cited as the "Harbors Act, 1936-1955".

(3) The Harbors Act, 1936-1953, 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 section is enacted and inserted in the principal Act after section 71a thereof :— Enactment of s. 71b of the principal Act—

71b. (1) The board with the approval of the Governor may make an arrangement with the Commonwealth providing for— Arrangements for exchange of certain land.

(*a*) the transfer to the board by the Commonwealth of the land at Port Adelaide known as the Dean Rifle Range and other land of the Commonwealth adjacent thereto ;

(*b*) the purchase or acquisition by the board and the transfer by the board to the Commonwealth of land to be used by the Commonwealth as a rifle range and the establishment of such a rifle range ;

(*c*) any other matters connected with or incidental to those mentioned in paragraphs (*a*) and (*b*).

(2) The board may carry any such arrangement into effect and for that purpose may acquire land by agreement or compulsory process.

(3) In this section "Commonwealth" includes any person or body of persons representing the Commonwealth, and "transfer" includes convey, grant or vest in by statute or otherwise.

(4) The money required for carrying into effect any arrangement made under this section shall be paid out of 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 QUARTO

ELIZABETHAE II REGINAE

A.D. 1955

****

No. 51 of 1955

An Act to amend the Industrial Code, 1920-1951.

[*Assented to 8th December,* 1955.]

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 Code Amendment Act (No. 2), 1955".

(2) The Industrial Code, 1920-1951, as amended by this Act, may be cited as the "Industrial Code, 1920-1955".

(3) The Industrial Code, 1920-1951, 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.

Section 167 of principal Act amended.

3. Section 167 of the principal Act is amended by striking out the word "twenty" in paragraph (*a*) thereof and inserting in lieu thereof the word "twenty-five".

Section 186 of principal Act amended.

4. Section 186 of the principal Act is amended by inserting at the end of paragraph (*c*) of subsection (1) thereof the words "Provided that the Board may order that the determination

shall be deemed to have come into force on any day which, not being prior to the day on which the board commenced the hearing of the matter in question, the board may consider equitable".

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

R. A. GEORGE, Governor.

ANNO QUARTO

ELIZABETHAE II REGINAE

A.D. 1955

****

No. 52 of 1955

An Act to amend the Electoral Act, 1929-1950.

[*Assented to 8th December,* 1955.]

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 "Electoral Act Amendment Act, 1955".

(2) The Electoral Act, 1929-1950, as amended by this Act, may be cited as the "Electoral Act, 1929-1955".

(3) The Electoral Act, 1929-1950, is hereinafter called "the principal Act".

Incorporation with principal Act.

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—

3. Section 8 of the principal Act is amended by striking out subsections (1) and (2) and inserting in lieu thereof the following subsections:—

Assistant returning officers and temporary assistants.

8. (1) The Minister may, on the recommendation of the Returning Officer for the State, appoint assistant returning officers—

(*a*) for any portion of a district; or

(*b*) at a place outside the State.

(2) A person appointed to be an assistant returning officer for a portion of a district may, subject to the control of the returning officer, perform the functions and exercise

the powers of the returning officer (except those relating to postal voting) in, or in relation to, that portion of the district.

(2a) A person appointed to be an assistant returning officer at a place outside the State may, subject to the control of the Returning Officer for the State, perform such functions and exercise such powers as are conferred on him by this Act.

Amendment of s. 73 of principal Act—Application for postal vote certificate and postal ballot paper.

4. Section 73 of the principal Act is amended—

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

(*d*) must be made and sent after the tenth day preceding the issue of the writ for the election and before the polling day for the election to the returning officer for the Assembly district or deputy returning officer for the Council division, as the case may be, for which the applicant is enrolled : Provided that if the applicant is temporarily outside the State the application may be made within the times abovementioned to an assistant returning officer at a place outside the State ;

(*b*) by inserting after the words " returning officer " in the third line of the proviso to subsection (2) the words " or assistant returning officer ".

Amendment of s. 75 of principal Act—Issue of certificate and ballot papers.

5. Section 75 of the principal Act is amended as follows :—

(*a*) The following subsection is inserted after subsection (1) :—

(1a) An assistant returning officer at a place outside the State who receives an application appearing to be properly signed and witnessed shall deliver or post to the applicant a postal vote certificate printed on an envelope addressed to the returning officer for the district for which the applicant declares that he is enrolled, and a postal ballot paper for the election at which the applicant desires to vote : Provided that where the application is received after six o'clock in the afternoon of the day preceding polling day the assistant returning officer shall not deliver or post to the elector a postal vote certificate or postal ballot paper ;

(*b*) Subsection (3) is amended by inserting after the words "deputy returning officer" in the first line the words "or assistant returning officer".

Amendment of s. 76 of principal Act—Inspection of applications.

6. Section 76 of the principal Act is amended by inserting therein after subsection (1) the following subsection :—

(1a) Every application for a postal vote certificate and a postal ballot-paper received by an assistant returning officer at a place outside the State, shall, after being endorsed by him with the date of the issue of the postal vote certificate and postal ballot-paper, forthwith be sent by him to the returning officer for the district to which the ballot-paper relates.

Amendment of s. 80 of principal Act—Authorized witness.

7. Section 80 of the principal Act is amended by adding after the words " returning officer " in the fourth line of paragraph (*a*) the words " and all assistant returning officers ".

Amendment of s. 81 of principal Act—Postal voting.

8. Section 81 of the principal Act is amended by striking out the word " three " in the sixth line of subsection (2) thereof and inserting in lieu thereof the word " seven ".

Amendment of s. 86 of principal Act—Preliminary scrutiny of postal ballot papers.

9. Section 86 of the principal Act is amended by striking out the word " three " in the passage inserted in the fourth line thereof by paragraph (*a*) of section 4 of the Electoral Act Amendment Act, 1941, and inserting in lieu thereof the word "seven".

Amendment of s. 123 of principal Act—Informal ballot papers.

10. Section 123 of the principal Act is amended—

(*a*) by adding at the end of paragraph (*b*) of subsection (1) the following proviso :—

Provided that where there are not more than the prescribed number of candidates, and the voter has indicated his preference for all the candidates except one, and the square opposite the name of that one candidate has been left blank, it shall be deemed that the voter's preference for that candidate is his last and that accordingly he has indicated his preferences for the prescribed number of candidates ;

(*b*) by striking out paragraph (*c*) of subsection (1) thereof and inserting in lieu thereof the following paragraph :—

(*c*) in an election for a district for which one candidate only is required to be elected it has no vote indicated on it, or does

not indicate the voter's first preference for one candidate and consecutive preferences for all the remaining candidates: Provided that where the voter has indicated preferences for all the candidates except one and the square opposite the name of that one candidate has been left blank, it shall be deemed that the voter's preference for that candidate is his last and that accordingly he has indicated his preferences for all the candidates.

Amendment of s. 136 of principal Act—
Electoral expenditure.

11. Section 136 of the principal Act is amended—

(*a*) by striking out the word "fifty" in the second line and inserting in lieu thereof "one hundred"; and

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

Amendment of s. 137 of the principal Act—
Expenses allowed.

12. Section 137 of the principal Act is amended—

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

II. advertising and broadcasting;

IIa. publishing, issuing, distributing, and displaying addresses, notices, posters, pamphlets, handbills, and cards;

(*b*) by adding after the word "postages" in paragraph III the word "telephones".

Repeal of s. 138 of principal Act—
Payment of money for election expenses to candidate.

13. Section 138 of the principal Act is repealed.

Enactment of s. 155a of principal Act—

14. The following sections are enacted and inserted in the principal Act after section 155 thereof:—

Publication of matter.

155a. (1) If any association, or any member of the controlling or executive body of an association, or any officer of an association, or any person acting on behalf of an association, publishes or announces without the written authority of the candidate any matter in which it is claimed or suggested that a candidate in an election is associated with, or supports the policy or activities of that association,

that association, member, officer, or person, shall be guilty of an offence.

Penalty : One hundred pounds.

(2) Nothing in the foregoing provisions of this section shall apply to or in relation to any announcement or publication made or authorized by any political party or by any branch thereof respecting a candidate who, by public announcement, has declared or indicated that he is a member of or a candidate on behalf of or in the interests of that party.

(3) In this section " association " includes any association, league, organization or other body of persons corporate or unincorporate by whatever name called, and includes any branch of an association.

Prohibition of certain electoral posters.

155b. (1) A person shall not post up or exhibit, or permit to be posted up or exhibited, on any building, vehicle, vessel, hoarding or structure of any kind an electoral poster the area of which is more than one hundred and twenty square inches.

Penalty : One hundred pounds.

For the purposes of this section, every electoral poster any part of which is within three feet of another electoral poster shall be regarded as forming part of that other poster and the combined area of all such electoral posters shall be deemed to be the area of one electoral poster.

(2) A person shall not write, draw, or depict any electoral matter directly on any roadway, footpath, building, vehicle, vessel, fence, hoarding or structure of any kind.

Penalty : One hundred pounds.

(3) Nothing in this section shall prohibit the posting up, exhibiting, writing, drawing or depicting of a sign on or at the office or committee room of a candidate or political party indicating only that the office or room is the office or committee room of the candidate or party, and specifying the name of the candidate, or the names of the candidates, or the names of the party, concerned.

(4) In this section—

"electoral matter" means any matter intended or calculated to affect the result of an election or referendum under any law of the State :

"electoral poster" means any material whatsoever on which any electoral matter is written, drawn, or depicted.

Removal of prohibited electoral posters.

155c. For the purpose of ensuring compliance with the last preceding section, any member of the police force may, and, if so directed by the Returning Officer for the State, shall—

(*a*) remove an electoral poster which appears to have been posted up or to be exhibited in contravention of subsection (1) of the last preceding section ; or

(*b*) obliterate electoral matter which appears to have been written, drawn, or depicted in contravention of subsection (2) of the last preceding section.

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

R. A. GEORGE, Governor.

ANNO QUARTO

ELIZABETHAE II REGINAE

A.D. 1955

****

No. 53 of 1955

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-six, for the destruction of grasshoppers, and for other purposes.

[*Assented to 8th December,* 1955.]

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 (Grasshopper Destruction) Act, 1955".

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 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-six, any further sum or sums not exceeding in the whole one hundred and fifty thousand pounds.

Appropriation of General Revenue issued under this Act.

3. All moneys issued under this Act, not exceeding the sum hereinbefore mentioned, shall be applied and appropriated for the following purpose :—

Minister of Agriculture—Destruction of grasshoppers—£150,000.

Payments by Treasurer.

4. (1) The Treasurer may, out of the amount appropriated by this Act, make payments of such amounts as he thinks fit of either or both of the following kinds, namely :—

(*a*) payments to any council to meet expenditure incurred by the council—

(i) on the purchase of insecticides distributed among occupiers of land within the area of the council and to be used by such occupiers for the purpose of the destruction of grasshoppers ; and

(ii) on the delivery of the insecticides to the council ;

(*b*) payments for the purpose of meeting expenditure incurred by the Minister of Agriculture on measures taken by him for the destruction of grasshoppers.

(2) In this section—

"area" means municipality or district council district ;
"council" means a municipal or district council.

Recoupment of Governor's Appropriation Fund.

5. The Treasurer may recoup to the Governor's Appropriation Fund from the amount appropriated by this Act any amount appropriated out of that fund before the passing of this Act for the purpose of making payments of either of the kinds mentioned in section 4.

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

R. A. GEORGE, Governor.

ANNO QUARTO

ELIZABETHAE II REGINAE

A.D. 1955

****

No. 54 of 1955

An Act to regulate the sale of agricultural chemicals, to repeal the Fertilisers Act, 1918, and the Pest Destroyers Act, 1919-1935, to amend the Stock Medicines Act, 1939, and for other purposes.

[*Assented to 8th December,* 1955.]

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 "Agricultural Chemicals Act, 1955 ". Short title.

2. This Act shall come into operation on a day to be fixed by proclamation. Operation.

3. The following Acts are repealed :— Repeals.

Fertilisers Act, 1918—No. 1355 of 1918 ;

Pest Destroyers Act, 1919—No. 1377 of 1919 ;

Pest Destroyers Act, 1934—No. 2175 of 1934.

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

" active constituent " means—

(*a*) any constituent substance of a substance which is effective for any of the purposes mentioned

in the definition of "agricultural chemical" in this subsection of this section; or

(*b*) any constituent substance of a substance which materially influences the effectiveness for any such purpose of any constituent substance mentioned in paragraph (*a*) of this definition;

"affixed" includes branded, stamped or printed;

"agricultural chemical" means—

I. any substance—

(*a*) commonly used; or

(*b*) represented expressly or impliedly by a person selling, offering for sale, exposing for sale or having in his possession for the purpose of sale, the substance, as capable of being used,

for any one or more of the following purposes—

(i) for preventing, regulating or promoting the growth of any vegetation or any part of any vegetation;

(ii) for improving the fertility or structure of soil in any way;

(iii) for protecting vegetation or the fruit or other product of any vegetation from attack by insects, animals, fungi, parasitic plants, bacteria or virus;

(iv) for destroying rabbits, vermin, rodents or other noxious animals or noxious birds;

II. any substance declared by the Governor by proclamation to be an agricultural chemical;

"analyst" means the Government Analyst or any analyst appointed or deemed to have been appointed under this Act;

"inspector" means an inspector appointed or deemed to have been appointed under this Act;

"label" includes brand;

"Minister" means the Minister of Agriculture;

"package" includes sack, bag, box, case, barrel, bottle, can, drum or other container;

"specimen copy" includes, in the case of a brand, a description.

(2) The Governor may by proclamation from time to time declare any substance to be an agricultural chemical.

(3) The Governor may by proclamation declare that any specified provisions of this Act shall not apply to any substance, or shall apply to a substance only when sold, offered for sale, exposed for sale or kept for the purpose of sale in any specified circumstances or quantities or in any part of the State.

(4) The Governor may by proclamation revoke or vary any proclamation made under subsection (2) or subsection (3) of this section.

Inspectors and analysts.

5. (1) The Governor may, for the purposes of this Act, appoint any fit and proper person to be an inspector or analyst under this Act.

(2) Every person holding office at the commencement of this Act as an inspector or analyst under the Fertilisers Act, 1918, or the Pest Destroyers Act, 1919-1935, shall be deemed to have been appointed as an inspector or analyst, as the case may be, under this Act.

Copy of registered label.

6. For the purposes of this Act, a label shall be deemed to be a copy of a registered label if it states particulars identical in all material respects with those stated in a label registered under this Act.

When a substance deemed not to comply with particulars.

7. For the purposes of this Act, a substance shall be deemed not to comply with particulars only where—

(*a*) the quantity of any claimed active constituent contained in the substance is greater or less than the quantity indicated in the particulars by more than the prescribed proportion applicable in the particular case ; or

(*b*) the constituent substances are not properly mixed ; or

(*c*) the substance is deemed not to comply with the particulars by virtue of regulations.

Agricultural chemical to be sold in labelled packages.

8. A person shall not sell, offer for sale, expose for sale or have in his possession for the purpose of sale any agricultural chemical except in a package having affixed thereto a copy of a registered label.

Penalty : One hundred pounds.

Substance not complying with particulars.

9. (1) A person shall not sell, offer for sale, expose for sale or have in his possession for the purpose of sale any substance in a package having affixed thereto a copy of a registered label if in any respect the substance does not comply with the particulars stated in such copy or the registered additional particulars.

Penalty : One hundred pounds.

(2) In proceedings for an offence against subsection (1) of this section, it shall be a defence that—

(*a*) the substance was contained in the package and the copy of the registered label was affixed thereto at the time the defendant acquired the substance ; and

(*b*) the defendant believed on reasonable grounds that the substance complied in every respect with the particulars.

False or misleading description, etc.

10. (1) A person who in the course of his business—

(*a*) sells an agricultural chemical ; and

(*b*) directly or indirectly by any means whatsoever gives any description of, or makes any statement with respect to, the agricultural chemical which is false or misleading in a material particular,

shall be guilty of an offence.

Penalty : Fifty pounds.

(2) In proceedings for an offence against subsection (1) of this section, it shall be a defence that the defendant believed on reasonable grounds that the description or statement was not so false or misleading.

Standards.

11. (1) A person shall not sell, offer for sale, expose for sale or have in his possession for the purpose of sale an agricultural chemical which does not comply with the prescribed standard applicable to that agricultural chemical.

Penalty : Fifty pounds.

(2) In proceedings for an offence against subsection (1) of this section, it shall be a defence that—

(*a*) at the time the offence is alleged to have been committed, the agricultural chemical was contained in a package ; and

(*b*) the agricultural chemical was contained in the package at the time the defendant acquired the agricultural chemical; and

(*c*) the defendant believed on reasonable grounds that the agricultural chemical complied with the prescribed standard.

Application for registration of a label and additional particulars.

12. (1) An application for registration of a label and additional particulars under this Act shall be made to the Minister in the prescribed form and shall be accompanied by a specimen copy of the label.

(2) Subject to this section and section 13 of this Act, the specimen copy of the label shall state the following particulars:—

(*a*) the distinctive name of the substance intended to be sold under the label;

(*b*) the place of manufacture and the name of the manufacturer of the substance;

(*c*) the net weights or volumes of the substance intended to be contained in the packages to which the label is intended to be affixed;

(*d*) the constituent substances of the substance which the applicant claims to be active constituents of the substance, and the proportions thereof, described in compliance with the regulations and such directions as may be given either generally or specially by the Minister;

(*e*) subject to the regulations, the purposes for which the applicant claims or intends the substance may be used;

(*f*) subject to the regulations, directions for use of the substance; and

(*g*) such other particulars as may be prescribed.

(3) The proportion of any claimed active constituent shall not be expressed in the label as a variable quantity.

(4) The application shall state the following additional particulars:—

(*a*) the substances of which the substance is composed and the proportions thereof, described in compliance with the regulations and such directions as may be given either generally or specially by the Minister; and

(*b*) such other particulars as may be prescribed.

(5) Subject to this subsection, the label or additional particulars may indicate any particular by an abbreviation or symbol if—

(*a*) a definition of the abbreviation or symbol is given in the application ; and

(*b*) the abbreviation or symbol complies with such directions as may be given either specially or generally by the Minister.

For the purposes of this Act, an abbreviation or symbol shall with respect to the label or additional particulars bear the meaning so ascribed to it.

A definition of an abbreviation or symbol shall not be required where the abbreviation or symbol is an abbreviation or symbol used in the ordinary course of chemistry.

(6) The application shall state the address of a place in the State where samples of the substance intended to be sold under the label may if the label and additional particulars are registered be purchased or otherwise obtained from the applicant.

(7) The application shall be accompanied in addition to the specimen copy of the label by—

(*a*) subject to subsection (8) of this section, a statutory declaration by the applicant or in the case of a corporation, an officer thereof, verifying the particulars contained in the application and in the specimen copy of the label ; and

(*b*) a fee of five shillings.

(8) The particulars of composition stated in the specimen copy of the label and in the additional particulars may be verified by a statutory declaration by the manufacturer or some person on behalf of the manufacturer.

Non-inclusion of active constituents in label.

13. (1) The applicant may insert in the specimen copy of a label the words "Particulars of active constituents registered pursuant to section 13 of the Agricultural Chemicals Act, 1955", with or without particulars of any constituent substance which he claims to be an active constituent of the substance, in place of the particulars required under paragraph (*d*) of subsection (2) of section 12 of this Act, and state those particulars in the application as additional particulars.

(2) The Minister shall not deal with such an application unless he is first satisfied that, if the applicant were compelled to disclose those particulars in the label, a secret process or formula used or intended to be used by any person might be disclosed and that some person would thereby suffer loss.

(3) Before refusing to deal with the application, the Minister shall give the applicant an opportunity to be heard in support of his application.

Registration.

14. (1) Subject to the provisions of this Act, on the making of an application for the registration of a label and additional particulars in accordance with the provisions of this Act, the Minister shall register the label together with the additional particulars unless he is satisfied that—

(*a*) the substance intended to be sold under the label is substantially ineffective for any purpose mentioned therein or in the additional particulars as a purpose for which the applicant claims or intends the substance may be used ;

(*b*) if the substance is used for any such purpose, there may be a substantial risk of injury to the health of members of the public ;

(*c*) the distinctive name of the substance is misleading ;

(*d*) any statement in the application or in the label is false or misleading in a material particular ;

(*e*) in any respect the substance does not comply with the particulars stated in the label or the additional particulars ;

(*f*) a standard having been prescribed which applies to the substance, the substance does not comply with the standard ; or

(*g*) a constituent substance which is not claimed as an active constituent ought to be so claimed.

(2) The Minister shall not register a label unless he is satisfied that, if the substance were sold under the label, it would not be sold in contravention of The Poison Regulations.

(3) Before refusing to register a label and additional particulars pursuant to subsection (1) or subsection (2) of this section, the Minister shall give the applicant an opportunity to be heard in support of his application.

Registration of one label for various sized packages.

15. Where more than one net weight or volume is mentioned in the label pursuant to paragraph (*c*) of subsection (2) of section 12 of this Act, and the label is registered, a separate label shall be deemed to be registered in respect of each net weight or volume.

Certificate of registration.

16. The Minister shall on registering a label and additional particulars issue a certificate of registration to the applicant.

Duration of registration.

17. The registration of a label and additional particulars shall unless sooner cancelled continue in force until the thirtieth day of June following the day of the registration of the label and additional particulars, but may be renewed for a further period expiring on the thirtieth day of June next following the day upon which the registration is renewed and so on from time to time.

Renewal of registration.

18. (1) Subject to subsection (2) of this section, an application for renewal of registration shall be made and dealt with in the same manner as an application for registration.

(2) Where the applicant for renewal of registration does not desire to alter the registered label or the registered additional particulars—

(*a*) it shall not be necessary for a specimen copy of the label to accompany the application; and

(*b*) if the application is made before the thirty-first day of May preceding the day of expiry of the registration, a fee of one shilling only need accompany the application.

Alteration of registered label or registered additional particulars.

19. (1) A person who has obtained the registration of a label and additional particulars may apply to the Minister to alter the registered label or the registered additional particulars.

(2) The application shall be accompanied by a fee of five shillings.

(3) The Minister shall deal with the application in the same way as if the application were for registration of the registered label and registered additional particulars so altered.

Sample and analysis.

20. The Minister may before deciding any application under this Act request the applicant to supply—

(*a*) a sample of the substance intended to be sold under the label, of such size and taken in such manner as the Minister shall require ;

(*b*) such details of the composition or manufacture of the substance as the Minister shall require.

Reference of matters to Central Board of Health.

21. The Minister may before deciding any application under this Act refer any matter arising out of the application to the Central Board of Health for the report of the Central Board of Health.

Register.

22. (1) The Minister shall keep a register in the prescribed form of labels and additional particulars registered under this Act.

(2) Any member of the public shall be entitled to inspect any registered label.

(3) A member of the public shall not be entitled to inspect any registered additional particulars except with the consent of the Minister.

Cancellation of registration.

23. (1) Subject to this section, the Minister may cancel the registration of a label and additional particulars by notice in writing given to the person who obtained the registration of the label and additional particulars—

(*a*) if the Minister is satisfied that—

(i) the person has sold, offered for sale, or exposed for sale or had in his possession for the purpose of sale any substance contained in a package having a copy of the registered label affixed thereto ; and

(ii) in any respect the substance did not comply with the particulars stated in the copy of registered label or the registered additional particulars ; or

(*b*) if the person is convicted of an offence against this Act with respect to or in connection with the registered label or registered additional particulars or the substance intended to be sold under the registered label.

(2) The Minister shall publish notice of the cancellation in the *Gazette*.

(3) Before cancelling the registration, the Minister shall give the person an opportunity to show cause why the registration should not be cancelled.

Entry of premises and taking of samples.

24. An inspector may at any time enter on any land where any agricultural chemical is or may reasonably be supposed to be manufactured, compounded, packed, sold, offered for sale, exposed for sale or kept for the purpose of sale and may do any one or more of the following things, namely :—

(*a*) examine and purchase or take without payment therefor as a sample for analysis, a quantity of any agricultural chemical or any constituent substance of an agricultural chemical found on the land or substance found thereon which appears to him to be an agricultural chemical or a constituent substance of an agricultural chemical ;

(*b*) examine any process of manufacture or compounding which is being carried out on the land ;

(*c*) do any act or thing required or permitted by regulation to be done in connection with or for the purpose of anything authorized by this section or the analysis of samples taken under this section.

The inspector may be accompanied by any person authorized in writing in that behalf either generally or specially by the Minister.

Procedure on taking samples.

25. (1) The inspector purchasing or taking a sample of any substance under section 24 of this Act shall—

(*a*) thoroughly mix the sample and divide it into three approximately equal parts ;

(*b*) place each part in a separate package and fasten or seal each such package ;

(*c*) attach a label to each such package—

(i) stating his name ;

(ii) stating so far as is known to him the name of the seller or person who appears to him to have the custody of the substance ;

(iii) stating so far as is known to him, the name of the substance ;

(iv) stating the time and place of purchasing or taking the sample ; and

(v) if possible signed by the seller or person who appears to him to have the custody of the substance ;

(*d*) deliver one of the labelled packages to the seller or person who appears to him to have the custody of the substance ; and

(*e*) retain another labelled package for future comparison, and, if he thinks fit, send or deliver the remaining labelled package to an analyst for analysis of the contents.

(2) Where the substance is found on the land entered in packages containing not more than two pounds avoirdupois net weight thereof, it shall be sufficient compliance with subsection (1) of this section if three unopened packages are dealt with in the manner provided in paragraphs (*c*) (*d*) and (*e*) of subsection (1) of this section.

Right of buyer to analysis.

26. (1) Any person who has bought any agricultural chemical shall, subject to this section, be entitled to have a sample of the agricultural chemical so bought analysed by an analyst.

(2) Any person intending to submit a sample for analysis under this section shall within three months after delivery of the agricultural chemical to him give notice in writing by post to the seller or his agent of his intention and of the day (not being earlier than fourteen days from the day the notice is posted), time and place when the sample will be taken.

(3) The buyer shall on the day and at the place and time mentioned in the notice in the presence of a justice of the peace or member of the police force and of the seller or the agent or other representative of the seller, if the seller or his agent or other representative desires to be present—

(*a*) take a sample of the agricultural chemical in the prescribed manner (if any) ;

(*b*) thoroughly mix the sample and divide it into three approximately equal parts ;

(*c*) place each such part in a separate package and fasten or seal each such package ;

(*d*) attach a label to each such package—

(i) stating the name of the buyer ;

(ii) stating so far as is known to the buyer, the name of the seller ;

(iii) stating so far as is known to the buyer, the name of the agricultural chemical ;

(iv) stating the time and the place of the taking of the sample ; and

(v) if possible signed by the seller, or his agent or representative ;

and

(*e*) if requested to do so by the seller or his agent or representative, deliver one of the labelled packages to the seller or his agent or representative.

(4) The buyer shall send or deliver two of the labelled packages to the Minister together with the prescribed fee for analysis.

(5) The Minister shall retain one of the packages delivered to him for future comparison and shall send or deliver the other package to an analyst who shall, with all convenient speed, analyse the contents thereof and deliver a certificate in duplicate to the Minister stating the result of his analysis.

(6) Subject to subsection (7) of this section, the Minister shall forthwith forward one of the certificates to the buyer.

(7) Where the agricultural chemical was at the time it was purchased contained in a package having affixed thereto a copy of a label registered pursuant to an application made under section 13 of this Act, the Minister shall forward, in lieu of the certificate, a statement indicating the result of the analysis, but not containing any matter which might disclose, or lead to the disclosure of, the secret process or formula.

Publication of result of analysis.

27. (1) The Minister may, subject to subsection (2) of this section, publish in the *Journal of the Department of Agriculture of South Australia*, or in any newspaper, or in such other manner as he thinks fit, the result of the analysis by an analyst of any sample or part thereof of any substance purchased or taken under this Act, together with—

(*a*) the name and address of the place of business of the seller or person who appeared to have the custody of the substance when the sample was taken ;

(*b*) if the sample or any part thereof was contained at the time it was purchased or taken in a package having a copy of a registered label affixed thereto, the name and address of the place of business of the person who obtained the registration of the label; and

(*c*) such explanations and comments on the result of the analysis as the Minister thinks fit.

(2) Where the substance was at the time the sample was purchased or taken contained, or, in the opinion of the Minister, proposed to be placed, in a package having affixed thereto a copy of a label registered pursuant to an application made under section 13 of this Act, the Minister shall not publish any matter pursuant to subsection (1) of this section with respect to that substance which might disclose, or lead to the disclosure of, the secret process or formula.

Evidence of analysis.

28. In proceedings for an offence against this Act, evidence of the analysis of any substance shall not be admissible on behalf of the complainant unless the complainant proves that the analysis was of a sample or part of a sample purchased or taken and dealt with substantially in accordance with this Act.

Payment of costs of analysis.

29. On the conviction of any person for an offence against this Act by means of evidence of the analysis of any sample or part of any sample purchased or taken under this Act, the court may order that the person pay to the complainant such amount as the court thinks fit as the costs of and incidental to the obtaining of the analysis.

Obstructing Minister, inspector or analyst.

30. Any person who prevents, delays, obstructs or hinders the Minister or any inspector or analyst from or in the execution of his powers and duties under this Act shall be guilty of an offence.

Penalty: Twenty pounds.

Information not to be disclosed.

31. The Minister shall take all reasonable steps to ensure that information as to the composition of any substance supplied to him under this Act is not unnecessarily disclosed to members of the public.

Regulations.

32. (1) The Governor may make regulations prescribing any matter or thing required or permitted to be prescribed or necessary or expedient to be prescribed for carrying this Act into effect and without limiting the generality of the foregoing, for or with respect to—

(*a*) prescribing forms to be used in connection with anything done under this Act;

(*b*) prescribing fees to be paid for anything done under this Act, either in addition to or in substitution for any fees fixed by this Act;

(*c*) regulating and fixing standards for agricultural chemicals and the composition thereof;

(*d*) prescribing methods of analysis and taking of samples, including grab samples, for the purposes of this Act, and the method of dealing with grab samples;

(*e*) regulating the labelling of packages containing agricultural chemicals, and, in particular, requiring packages containing agricultural chemicals to be labelled with brands in specified circumstances;

(*f*) providing that the particulars required to be stated in a specimen copy of a label under paragraphs (*e*) and (*f*) of subsection (2) of section 12 of this Act may be stated in the application as additional particulars;

(*g*) prescribing penalties for offences against regulations, not exceeding in any case the sum of fifty pounds.

(2) Regulations may be made under subsection (1) of this section with respect to agricultural chemicals generally, or specified agricultural chemicals or specified classes of agricultural chemicals.

(3) Regulations made under subsection (1) of this section for the purposes of paragraph (*a*) of section 7 of this Act may prescribe varying proportions for different substances and circumstances, and, in particular and without limiting the generality of the foregoing, may prescribe varying proportions where grab samples are taken.

Who may prosecute.

33. A complaint for an offence against this Act may be made by the person aggrieved, by an inspector, or by any person authorized in that behalf by the Minister.

Limitation of time for laying complaints.

34. A complaint for an offence against this Act shall be made within twelve months of the time when the matter of the complaint arises.

Summary proceedings.

35. All proceedings in respect of offences against this Act shall be disposed of summarily.

Temporary provisions.

36. In proceedings for an offence against section 8 of this Act, it shall be a defence—

(1) that—

(*a*) at the time the offence is alleged to have been committed the agricultural chemical, being a pest destroyer registered under the Pest Destroyers Act, 1919-1935, at the commencement of this Act, was contained in a package labelled in a manner complying with the provisions of that Act ; and

(*b*) the agricultural chemical was placed in the package and the label affixed thereto on or before the thirtieth day of June next following the commencement of this Act ; and

(*c*) the defendant had otherwise with respect to the agricultural chemical complied with the provisions of the Pest Destroyers Act, 1919-1935 ;

(2) that—

(*a*) at the time the offence is alleged to have been committed the agricultural chemical, being a fertiliser licensed under the Fertilisers Act, 1918, at the commencement of this Act, was contained in a package branded, stamped, or marked in a manner complying with the provisions of that Act ; and

(*b*) the agricultural chemical was placed in the package and the package branded, stamped or marked on or before the thirty-first day of January next following the commencement of this Act ; and

(*c*) the defendant had otherwise with respect to the agricultural chemical complied with the provisions of the Fertilisers Act, 1918 ;

(3) that—

(*a*) at the time the offence is alleged to have been committed the agricultural chemical, not being a pest destroyer or fertiliser as mentioned in paragraph (1) or (2) of this section, was contained in a package ; and

(*b*) the agricultural chemical was placed in the package before the expiration of three months after the commencement of this Act.

Amendment of Stock Medicines Act, 1939, s. 3—Interpretation.

37. Section 3 of the Stock Medicines Act, 1939, is amended—

(*a*) by inserting at the end of paragraph (*b*) in the definition of "stock medicine" therein the words "or (*c*) preventing insects or other pests from attacking such stock;"

(*b*) by striking out paragraph (ii) in the definition of "stock medicine" therein and inserting in its place the following paragraph:—

(ii) any agricultural chemical within the meaning of the Agricultural Chemicals Act, 1955.

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

R. A. GEORGE, Governor.

ANNO QUARTO

ELIZABETHAE II REGINAE

A.D. 1955

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No. 55 of 1955

An Act to amend the Town Planning Act, 1929.

[*Assented to 8th December,* 1955.]

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 " Town Planning Act Amendment Act, 1955 ".

(2) The Town Planning Act, 1929, as amended by this Act, may be cited as the " Town Planning Act, 1929-1955 ".

(3) The Town Planning Act, 1929, is hereinafter referred to as " the principal Act ".

Commencement of Act.

2. This Act shall come into operation on a day to be fixed by proclamation.

Amendment of principal Act, s. 2—Interpretation.

3. Section 2 of the principal Act is amended—

(*a*) by inserting therein after the definition of " area " the following definition :—

" committee " means the Town Planning Committee constituted by this Act ;

(*b*) by inserting therein after the definition of " Crown lands " the following definitions:—

"metropolitan area" means the area comprised within 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, the District Council District of Salisbury, and the area comprised within the Garden Suburb ;

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

(*c*) by striking out the words " Town Planner " in paragraph (*b*) of the definition of " plan of subdivision " and by inserting in lieu thereof the word " committee ".

Repeal of s. 8 of principal Act and enactment of new provisions—

4. (1) Section 8 of the principal Act is repealed and the following sections are enacted and inserted in the principal Act in lieu thereof :—

Town Planning Committee.

8. (1) There shall be a committee called the " Town Planning Committee " which shall consist of—

(*a*) the Town Planner, who shall be chairman of the committee ; and

(*b*) four members appointed by the Governor.

(2) Any members appointed by the Governor may be persons who, at the time of their appointment, are members or officers of councils.

(3) Any member of the committee appointed by the Governor shall not, as such, be subject to the Public Service Act, 1936-1954.

(4) Every member of the committee appointed by the Governor shall hold office for four years : Provided that a member appointed to fill a casual vacancy shall hold office only for the balance of the term of office of the member in whose place he was appointed.

(5) On the expiration of his term of office a member of the committee appointed by the Governor shall be eligible for re-appointment.

(6) The members of the committee shall be paid such salary or other remuneration as is from time to time fixed by the Governor and shall be entitled to receive such travelling and similar expenses as are from time to time approved by the Minister.

Removal from office.

8a. (1) The Governor may remove from office for misconduct or incapacity any member of the committee appointed by the Governor.

(2) The office of a member of the committee appointed by the Governor shall become vacant if he—

(*a*) dies ;

(*b*) resigns by written notice to the Minister ;

(*c*) without leave of the Minister absents himself from four consecutive meetings of the committee ;

(*d*) 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 ;

(*e*) is convicted of any offence triable on information in the Supreme Court ; or

(*f*) is convicted of any other offence and receives a notice in writing from the Minister discharging him from office on the ground of that conviction.

Quorum.

8b. Any three members of the committee, one of whom is the chairman or the deputy chairman, shall constitute a quorum thereof.

Deputy Chairman.

8c. The Governor may appoint one of the members of the committee to be the deputy chairman of the committee.

Chairman.

8d. The chairman shall preside at all meetings of the committee at which he is present. In his absence the deputy chairman shall preside.

Validity acts of committee.

8e. No act or proceeding of the committee shall be invalid on the ground only of any vacancy in the office of any member or of any defect in the appointment of any member.

(2) The heading appearing before section 6 of the principal Act is amended by striking out the words "*Appeal Board*" therein and by inserting in lieu thereof the word "*Committee*".

Amendment of principal Act, s. 11—

5. Section 11 of the principal Act is amended—

Approval to subdivisions, etc.

(*a*) by striking out the words ", and no plan of re-subdivision shall be lodged," in the second and third lines thereof ;

(*b*) by striking out the words "Town Planner" in the fifth line thereof and by inserting in lieu thereof the word "committee" :

(*c*) by inserting after the word "situated" in the sixth line thereof "and, except as allowed by this Act, no plan of re-subdivision shall be lodged in the Lands Titles Registration Office or in the General Registry Office unless it has been approved by the Town Planner and the council of the area in which the land shown in the plan is situated";

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

(2) If any plan of subdivision was, before the passing of the Town Planning Act Amendment Act, 1955, approved by the Town Planner and the council of the area in which the land shown in the plan is situated but the plan of subdivision was not before the said passing or is not within two months thereafter deposited in the Lands Titles Registration Office or the General Registry Office, as the case may be, it shall not be so deposited unless it is further approved by the committee and the committee may withhold approval to the plan of subdivision unless it conforms with the provisions of section 12a.

Amendment of principal Act, s. 12—Preparation and approval of plans.

6. Section 12 of the principal Act is amended—

(*a*) by inserting before the words "Town Planner" occurring in the fifth, seventh and ninth lines thereof in every case the words "committee or the";

(*b*) by inserting after the word "grounds" in the ninth line thereof the words ", apart from those set out in section 12a,".

Enactment of s. 12a of principal Act—

7. The following section is enacted and inserted in the principal Act after section 12 thereof:—

Grounds upon which approval may be withheld.

12a. (1) The committee may withhold approval to any plan of subdivision unless the committee is satisfied—

(*a*) that the area to be subdivided or any part thereof, is not liable to inundation by drainage waters or flood waters;

(*b*) that all allotments, reserves, or parcels of land contained in the plan can be satisfactorily drained;

(*c*) that the plan provides for such reserves or easements as are necessary for the purpose of coping with drainage problems ;

(*d*) that the land and every portion thereof, is suitable for the purpose for which it is to be subdivided ;

(*e*) that there is sufficient provision for shopping sites ;

(*f*) that the proposed mode of subdivision would not destroy any natural beauty spot on the subdivided land : Provided that approval shall not be withheld pursuant to this paragraph if the committee is satisfied that the land upon which the natural beauty spot is situated has been offered by the owner of the land for sale to the Government and the council of the area in which the land is situated at a price which in the opinion of the Land Board is reasonable and the offer has been refused by both the Government and the council ;

(*g*) that any proposed road, street, or thoroughfare is so graded as to be capable of being conveniently connected with any existing street, road or thoroughfare ;

(*h*) that any proposed road, street, or thoroughfare is not inconvenient for traffic and that sufficient provision is made for convenient intercommunication with neighbouring localities ;

(*i*) if the land is situated within a municipality that the council of that municipality has notified the committee that the roadway of every proposed street or road has to a width of at least twenty-four feet been adequately formed and paved and all necessary bridges and culverts to carry every such roadway have been constructed or that the applicant for approval to the plan has made binding arrangements satisfactory to the council under which every such roadway will, at the cost of the applicant, be formed to a width of twenty-four feet and paved with consolidated metal to a depth of four inches and sealed with bitumen, tar or asphalt or will be paved in any other manner agreed between the applicant and the council and every such bridge or culvert will, at the cost of the applicant, be constructed ;

(*j*) that the plan provides for reasonably adequate reserves for public gardens and public reserves having regard to the existing reserves which will be available for the use of persons residing on the land subdivided by the plan.

(2) If the land is situated in the metropolitan area, and if the Engineer-in-Chief does not certify to the committee that the land can be advantageously and economically sewered and reticulated with water, the committee shall not approve of the plan unless the Minister consents to the giving of the approval.

Enactment of ss. 13 and 13a of principal Act—

8. Section 13 of the principal Act is repealed and the following sections are enacted in lieu thereof :—

Appeal from decision of council or Town Planner.

13. There shall be an appeal in accordance with the regulations to the committee against any refusal of a council to approve of any plan or against any refusal of the Town Planner to approve of any plan of re-subdivision.

Appeal from decision of committee.

13a (1) If the committee refuses to approve of a plan of subdivision (whether on appeal as provided by section 13 or otherwise) the person submitting the plan may, within thirty days after receiving notice of the refusal, by notice of appeal in writing, request the committee to re-consider the matter. The committee shall thereupon reconsider the matter and the appellant may appear before the committee or may submit any representations in writing to the committee.

(2) If after re-consideration of any plan under subsection (1) the committee refuses to approve the plan, the committee shall make a report to the Minister setting out its reasons for its refusal.

(3) Every such report shall be laid before both Houses of Parliament and may be considered by a joint committee appointed for the purpose by both Houses of Parliament in pursuance of the Joint Standing Orders. The joint committee shall consider the plan of subdivision and the report of the committee and any other matters deemed relevant by the joint committee and may after consideration thereof approve the plan, in which case the plan shall be deemed to be approved for the purposes of this Act, or may uphold the decision of the committee.

Amendment of principal Act, s. 20—

Power to enter land.

9. Section 20 of the principal Act is amended by inserting after the word " Minister " in the second line thereof the words " or any member of the committee ".

10. The following headings and sections are enacted and inserted in the principal Act after section 25 thereof :— Enactment of ss. 26 to 29 of principal Act—

Developmental Plan for Metropolitan Area of Adelaide.

26. (1) The committee shall, as soon as may be, make an examination of the metropolitan area and an assessment of its probable development and for that purpose shall have regard to the following matters :— Duty of committee to prepare plan for metropolitan area.

(*a*) Whether, after taking into consideration the probable development of the metropolitan area and the provision made or likely to be made for public transport in the metropolitan area, the existing principal highways are adequate to provide for the needs of the metropolitan area and what provision should be made for principal highways in that area :

(*b*) Whether the open spaces, such as parks, playgrounds, sports grounds, public gardens and other public reserves, in the metropolitan area are adequate or will be adequate to meet the probable needs of the metropolitan area and what provision should be made for such open spaces :

(*c*) The classification and zoning of districts for industrial purposes and for the proper segregation of noxious trades and, in order to meet the probable development of the metropolitan area, what areas should be set aside for industrial development and for noxious trades within the metropolitan area :

(*d*) Whether in the interests of the community, the subdivision of any land within the metropolitan area should be prohibited or permitted only subject to conditions having regard, in particular, to the provision of public services such as sewers, water supplies, electricity supplies, gas supplies, public transport services and the like and whether the cost of providing any of such services to the land would be other than advantageous or economical :

(*e*) Any other general matters which in the opinion of the board are necessary to be provided for in order to secure that the metropolitan area will develop in a manner in the best interests of the community.

(2) After making its examination and assessment the committee shall prepare a plan indicating, so far as can be done, the measures deemed necessary or desirable for providing for the proper development of the metropolitan area. For the purpose of preparing the plan the committee may consult with any council the area of which is within the metropolitan area, any public authority and any body corporate by which any of the public services referred to in paragraph (*d*) of subsection (1) is provided.

(3) The plan shall be submitted by the committee to the Minister together with a report in explanation of the plan including, among other things, any recommendation of the committee as to any regulations which, in the opinion of the committee, are necessary to be made for carrying into effect the measures recommended by the committee in its plan and report.

Submission of plan to Parliament.

27. (1) The plan shall thereupon be laid before both Houses of Parliament. The report of the committee shall, at the same time, be laid before both Houses of Parliament.

(2) Either House of Parliament may, by resolution notice of which has been given at any time within twenty-eight sitting days of that House after the plan was laid before it, refer the plan back to the committee for reconsideration either generally or as regards any matter referred to in the resolution. The committee shall thereupon reconsider the plan and make such alterations thereto as the committee deems requisite and shall make a further report upon the plan as so altered.

(3) The altered plan and report shall, after being submitted to the Minister, be laid before both Houses of Parliament and subsection (2) shall apply in respect of every plan to the intent that either House of Parliament may, as provided by subsection (2), from time to time refer back to the committee the plan for further reconsideration.

Supply of copy of plan and report to councils.

28. As soon as may be after the plan or any alteration or variation thereof is laid before Parliament, the Minister shall supply a copy thereof together with a copy of the committee's report thereon to every council the area of which is within the metropolitan area.

Power to Prohibit Subdivisions in Public Interest.

Power to prohibit subdivision.

29. (1) This section shall apply within the metropolitan area and any other part of the State to which the Governor by proclamation declares that this section shall apply.

(2) If satisfied that for the purpose of preserving any area as an open space or that for any reason whatsoever in the public interests it is desirable so to do, the Governor, on the application of the owner of the land, may by proclamation declare that any land in any part of the State to which this section applies shall not be sub-divided into allotments for sites for residences, shops, factories or other like premises.

(3) Any such proclamation may be varied or revoked by a subsequent proclamation.

(4) No plan of subdivision with respect to any land to which any such proclamation applies shall be approved under this Act.

(5) During such time as any such proclamation applies to any land, the land shall, for the purposes of the Land Tax Act, 1936-1952, the Waterworks Act, 1932-1954, the Sewerage Act, 1929-1953, and the Local Government Act, 1934-1954, be assessed having regard to the value of the land resulting from the use to which it is put at the relevant time and no regard shall be had to the value the land would have if it were subdivided or were capable of being subdivided into allotments for sites for residences, shops, factories or other like premises.

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

R. A. GEORGE, Governor.

ANNO QUARTO

ELIZABETHAE II REGINAE

A.D. 1955

****

No. 56 of 1955

An Act to amend the Road Traffic Act, 1934-1954.

[*Assented to 8th December,* 1955.]

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

hort titles.

1. (1) This Act may be cited as the "Road Traffic Act Amendment Act (No. 2), 1955".

(2) The Road Traffic Act, 1934-1954, as amended by this Act, may be cited as the "Road Traffic Act, 1934-1955".

(3) The Road Traffic Act, 1934-1954, 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. (1) Sections 1, 2 and 3 of this Act shall come into operation on the day on which this Act is assented to.

(2) The Governor may by proclamation fix a day or days on which all or any of the provisions of this Act, other than sections 1, 2 and 3, shall come into operation, and those provisions shall come into operation on the day or days so fixed.

Amendment of s. 4 of principal Act—Interpretation.

4. Section 4 of the principal Act is amended by striking out the word "buckboard" in the fourth line of the definition of "commercial motor vehicle" and inserting in lieu thereof the word "utility".

5. Subsection (5) of section 7 of the principal Act is amended— Amendment of s. 7 of principal Act—Duty to register.

(*a*) by striking out the word "fifteen" in the third line and inserting in lieu thereof the word "twenty-five";

(*b*) by inserting after the word "implements" occurring in the eighteenth line thereof the following passage :—

> If there is no workshop where repairs can be efficiently carried out to a tractor within twenty-five miles of the farm occupied by the owner of the tractor, the tractor may be driven as aforesaid on roads more than twenty-five miles from the said farm for the purpose of proceeding to the nearest workshop where such repairs can be efficiently carried out and returning to the said farm from such workshop ;

(*c*) by striking out the words "a tractor as mentioned in this subsection" in the twenty-first and twenty-second lines and inserting in their place the words "a tractor or other motor vehicle on any road within twenty-five miles of a farm occupied by the owner of such tractor or motor vehicle".

6. Section 7b of the principal Act is amended by striking out in the second and third lines of subsection (3) the words "the windscreen of". Amendment of s. 7b of principal Act—Permits to drive vehicles pending registration.

7. Section 27 of the principal Act is amended as follows :— Amendment of s. 27 of principal Act—Traders' plates.

(*a*) After subsection (1) thereof the following subsection is inserted :

> (1a) The registrar may also issue as aforesaid to any manufacturer of agricultural machinery such number of limited traders' plates as the registrar in his discretion considers necessary for attachment to agricultural machines driven or drawn on roads in the course of the business of such manufacturer.

(*b*) At the end of subsection (5) thereof the following proviso is inserted :—

> Provided that the Registrar may, in accordance with this section, issue limited traders' plates to a manufacturer of agricultural machinery whether such manufacturer does or does not hold general traders' plates.

Amendment of s. 38a of principal Act—Disqualification of drivers.

8. (1) Section 38a of the principal Act is amended by striking out the word "ten" in paragraph (*b*) in subsection (1*a*) and inserting in lieu thereof the word "three".

(2) The amendment made by subsection (1) of this section shall apply in every case where, after the commencement of this section, a person is convicted of a second or subsequent offence as mentioned in subsection (1a) of section 38a of the principal Act.

Amendment of s. 42 of principal Act—Lights on motor vehicles.

9. Section 42 of the principal Act is amended as follows :—

(*a*) Paragraph (*b*) of subsection (1) is struck out and the following paragraphs are inserted in lieu thereof :—

(*b*) a lighted lamp on the rear of such motor vehicle either in the centre thereof or on the right hand side of such centre, showing a red light to the rear clearly visible under normal atmospheric conditions at a distance of two hundred yards ;

(*c*) a lighted lamp (which may be the lamp provided under paragraph (*b*) of this subsection, or a different lamp) illuminating and rendering easily distinguishable from a distance of at least sixty feet each figure and letter on the number plate attached to the rear of such motor vehicle :

(*b*) The expression "light provided for by subdivision (*b*)" in the second line of paragraph (*a*) of the proviso to subsection (1) is struck out and the expression "lights mentioned in the foregoing paragraphs (*b*) and (*c*)" is inserted in lieu thereof.

(*c*) Paragraph (*a*) of subsection (2) is amended by striking out the words "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."

Amendment of s. 42c of principal Act—Reflecting mirrors.

10. Section 42c of the principal Act is amended—

(*a*) by striking out the words "motor cycle" in the first line of subsection (1) and inserting in lieu thereof the word "trailer" ; and

(*b*) by striking out the proviso to subsection (1) ; and

(*c*) by striking out subsection (3).

11. Section 85 of the principal Act is amended as follows :— Amendment of s. 85 of principal Act—Interpretation.

(*a*) The following definition is inserted therein before the definition of "council":—

"axle" means that part of a vehicle consisting of one or more shafts, spindles or bearings in the same transverse vertical plane or between two transverse vertical planes not more than forty inches apart, by means of which, in conjunction with wheels mounted on such shafts, spindles or bearings, the whole or portion of the weight of the vehicle and its load is continually transmitted to the road surface :

(*b*) In the definitions of "council" and "local government area" or "area", the expression "No. 1" is struck out :

(*c*) In the definition of "motor vehicle" the whole of paragraph (*a*), and the letter "(*b*)" and the word "semi-trailer" in the last line are struck out :

(*d*) In the definition of "non-mechanical vehicle" the word "semi-trailer" in the third and fourth lines is struck out.

12. Section 88 of the principal Act is amended by adding after paragraph (*c*) thereof the following passage :— Amendment of s. 88 of principal Act—Maximum axle load.

or (*d*) any motor vehicle having rubber tires and carrying on any two axles thereof a greater weight than sixteen tons.

13. Section 90 of the principal Act is amended by striking out the proviso in paragraph (*b*) thereof and inserting in lieu thereof the following proviso :— Amendment of s. 90 of principal Act—Exemptions.

Provided that the consent of the Commissioner of Highways has been obtained to the conveyance of such machinery or merchandise, and that the conditions (if any) on which the consent is given are complied with. Before giving any such consent the Commissioner shall consult with any other authorities which have the duty to maintain the roads over which the load is to be conveyed.

14. Section 96 of the principal Act is amended by striking out the words "one mile" in the second line of subsection (2) and inserting in lieu thereof the words "five miles". Amendment of s. 96 of principal Act—Weighing of vehicles.

Repeal of s. 99 of principal Act and re-enactment with amendments—
Power to stop vehicles and ask questions.

15. Section 99 of the principal Act is repealed and the following section is enacted and inserted in lieu thereof:—

99. (1) Any member of the police force, any inspector, or any authorized officer may—

(*a*) direct the driver of any vehicle on a road to stop such vehicle;

(*b*) request the driver or the person apparently in charge of a vehicle on any road to answer any question put to him for the purpose of ascertaining the name and address of the owner of the vehicle.

(2) Any person who—

(*a*) does not obey any direction given to him under this section; or

(*b*) does not answer any question put to him under this section; or

(*c*) gives any untrue information in answer to a question put to him under this section,

shall be guilty of an offence.

Amendment of s. 101 of principal Act—
Duty to weigh vehicle if required.

16. Section 101 of the principal Act is amended by striking out the word "two" in the last line of paragraph (*a*) of subsection (3) and inserting in lieu thereof the word "five".

Amendment of s. 102 of principal Act—
Penalty in regulations.

17. Section 102 of the principal Act is amended by striking out the word "ten" in the second line of subsection (2) and inserting in lieu thereof the word "fifty".

Amendment of s. 105 of principal Act—
General penalty.

18. Section 105 of the principal Act is amended—

(*a*) by striking out the word "ten" in the third line and inserting in lieu thereof the word "fifty"; and

(*b*) by striking out the word "twenty" in the last line and inserting in lieu thereof the words "one hundred".

Amendment of s. 122 of principal Act—
Crossing railways.

19. Section 122 of the principal Act is amended—

(*a*) by inserting after the word "operating" in the last line of paragraph (*d*) of subsection (2) the words "unless he is directed by an employee of the Railways Commissioner to proceed across the railway line";

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

(2a) If any person when approaching an authorized railway crossing place drives a vehicle at a speed exceeding twenty miles an hour within fifty yards of the railway line he shall be guilty of an offence.

(2b) A person driving an omnibus or driving a vehicle which is carrying inflammable gases, or explosive material, shall before driving across a railway line stop such omnibus or vehicle not less than ten feet and not more than forty feet from the railway line.

A person contravening this subsection shall be guilty of an offence.

In this subsection "omnibus" means—

(*a*) any vehicle which has seating accommodation for more than eight persons and is carrying any person other than the driver ; and

(*b*) any other vehicle which is carrying more than eight persons.

Amendment of s. 123 of principal Act—Traffic signs.

20. Section 123 of the principal Act is amended by adding at the end of subsection (2) thereof the following paragraph :—

(*d*) Notwithstanding the previous paragraphs of this subsection, where a green signal has a directional arrow thereon a person who has driven or ridden a vehicle or animal across the stop line during the showing of such a signal or upon the change of such a signal as allowed by paragraph (*c*) of this subsection, shall—

(i.) if the arrow pointed to the right or left, forthwith complete a turn in the direction so indicated and leave the intersection ;

(ii.) if the arrow pointed in a vertical direction, forthwith complete the crossing of the intersection without turning.

Amendment of s. 130b of principal Act—Stop signs at railway crossings.

21. Section 130b of the principal Act is amended by striking out subsections (2) and (2a) thereof and inserting in lieu thereof the following subsections :—

(2) When any such sign is erected at or near a level crossing the rider or driver of a vehicle or animal shall when

approaching that level crossing, stop his vehicle or animal not less than ten feet and not more than forty feet from the railway line.

(2a) When any such sign is erected at or near a level crossing a person on foot shall when approaching that level crossing stop not less than ten feet and not more than forty feet from the railway line.

Enactment of s. 130e of principal Act—

22. The following section is enacted and inserted in the principal Act after section 130d thereof:—

Pedestrian crossings.

130e. (1) In this section "pedestrian crossing" means a crossing marked on a road in accordance with this section.

(2) Subject to this section, a municipal or district council may mark pedestrian crossings across the carriage-way of any road.

(3) No pedestrian crossing shall be so marked except with the approval of the Commissioner of Highways, or with the approval of the Minister of Roads given on an appeal from the Commissioner of Highways.

If the Commissioner of Highways refuses to approve of a pedestrian crossing which a council desires to mark on any road the council may appeal against the refusal to the Minister of Roads.

When such an appeal is made the Minister of Roads shall consider any representations made by the council or the Commissioner of Highways and may obtain any other information and advice which he deems necessary and shall decide the appeal. The decision of the Minister shall be final.

(4) Every pedestrian crossing shall be marked on the surface of the carriage-way in accordance with the regulations.

(5) Where a vehicle or animal approaching a pedestrian crossing would, if it continued without changing speed, collide or run the risk of colliding with any pedestrian on such crossing the driver or rider of the vehicle or animal shall decrease the speed of his vehicle or animal to such an extent or stop his vehicle for such time as is necessary to allow the pedestrian to pass in front thereof.

(6) This section shall not apply to a pedestrian crossing at which traffic is being controlled by a member of the police force or other authorized person, or by a system of lights.

(7) A pedestrian shall not remain within the limits of a pedestrian crossing longer than is necessary for the purpose of passing over that crossing with reasonable despatch.

(8) A person who contravenes subsection (5) or subsection (7) of this section shall be guilty of an offence.

(9) Subsection (5) of this section shall be deemed to create a single offence and no objection shall be taken on the ground of duplicity or uncertainty to a complaint under that subsection alleging that in the circumstances mentioned in that subsection the defendant "did not decrease the speed of his vehicle (or animal) to such an extent or stop his vehicle (or animal) for such time" as is required by the subsection.

(10) The council of the municipality or district in which a pedestrian crossing is marked on a road shall cause to be published in the *Gazette* a notice stating that the pedestrian crossing has been so marked, and giving reasonable details of the width and situation thereof. A copy of the *Gazette* containing such a notice shall be *prima facie* evidence that the crossing is a pedestrian crossing duly marked on the road with the approval required by this section.

(11) The Governor may make regulations prescribing any matters necessary or convenient to be prescribed for giving effect to this section, and prescribing fines recoverable summarily and not exceeding twenty-five pounds for breach of any such regulation.

23. (1) Section 133 of the principal Act is amended by inserting therein after subsection (2) thereof the following subsection :— Amendment of s. 133 of principal Act—Speed in certain circumstances.

(2*a*) If any person rides or drives a vehicle or animal at a greater speed than fifteen miles per hour while passing a school omnibus which is stopped on any road for the purpose of permitting children to board it or alight from it he shall be guilty of an offence.

In this subsection "school omnibus" means a motor vehicle which—

(*a*) has seating accommodation for at least ten persons ; and

(*b*) is being used for the transport of children to and from a school ; and

(*c*) bears signs on the front and rear thereof respectively containing in clear letters at least four inches high the words "Caution—School Bus".

If it is proved that a vehicle bears signs complying with this subsection it shall be deemed to be a school omnibus unless the contrary is proved.

(2) Section 133 is further amended by striking out in subsection (3) thereof the words ' "school playground" or "children's playground" ' in the tenth and eleventh lines and inserting in lieu thereof the words ' or "playground" '.

Enactment of s. 136a of principal Act—

24. The following section is enacted and inserted in the principal Act after section 136 thereof :—

Opening doors and alighting so as to cause danger, etc.

136a. If any person—

(*a*) opens or leaves open a door of a vehicle on any road ; or

(*b*) alights from a vehicle on to the carriage-way of any road,

so as to cause danger to other persons using the road or so as to impede the passage of traffic on the road, he shall be guilty of an offence.

Repeal and re-enactment of s. 141 of principal Act—

25. Section 141 of the principal Act is repealed and the following section is enacted and inserted in its place :—

Loads on vehicles.

141. A person shall not drive on a road, or cause or permit to be driven on a road a vehicle carrying a load if any one or more of the following requirements are not complied with :—

(*a*) The load thereon shall be so secured that it will remain in or upon the vehicle while the vehicle is in motion :

(*b*) The load shall not project from the vehicle so as to be likely to cause injury or damage to other vehicles or persons :

(*c*) If the load consists of iron, timber, piping or other solid materials projecting beyond the front or rear of the vehicle the projecting ends shall be wrapped with bagging or other like material and securely tied so as to prevent noise, flapping and swaying, and covered with white material so as to indicate the presence of the projection.

Amendment of s. 161 of principal Act—

26. Section 161 of the principal Act is amended as follows :—

Interpretation.

(*a*) before the definition of "commissioner" the following definition is inserted :—

"commercial motor vehicle" means a motor vehicle constructed or adapted solely or mainly for

the carriage of goods and includes a motor vehicle of the type commonly called utility ;

(*b*) the definition of "motor lorry" is struck out ;

(*c*) the following definition is added at the end of the section :—

"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—

(*a*) it is constructed or adapted for attachment to a motor vehicle by means of a turntable and kingpin ; and

(*b*) a substantial part of its weight and of the weight of its load rests upon the motor vehicle by which it is drawn.

Amendment of s. 174 of principal Act—Speed limit of heavy vehicles.

27. Section 174 of the principal Act is amended—

(*a*) by striking out subsections (1) and (2) and inserting in lieu thereof the following subsections :—

(1) No person shall drive on any road outside a municipality, town or township any commercial vehicle whether with or without 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 does not exceed seven tons—forty miles an hour ;

(*b*) if the aggregate weight of the vehicle and of every trailer drawn thereby exceeds seven tons but does not exceed fifteen tons—thirty miles an hour ;

(*c*) if the aggregate weight of the vehicle and of every trailer drawn thereby exceeds fifteen tons—twenty-five miles an hour.

(2) No person shall drive on any road within a municipality, town or township any commercial motor vehicle whether drawing a trailer or not at any speed in excess of those hereinafter prescribed :—

(*a*) if the aggregate weight of the vehicle and of every trailer drawn thereby does not exceed seven tons—thirty miles an hour ;

(*b*) if the aggregate weight of the vehicle and of every trailer drawn thereby exceeds seven tons—twenty miles an hour.

(2a) This section does not apply to any vehicle the aggregate weight of which and of any trailer drawn thereby does not exceed three tons.

(*b*) by adding at the end of subsection (5) thereof the words "and, notwithstanding section 180 of this Act shall be liable on summary conviction to a penalty of not less than ten pounds and not more than fifty pounds".

Amendment of s. 177 of principal Act—Information to be painted on vehicles.

28. Section 177 of the principal Act is amended—

(*a*) by striking out the words "motor lorry (not being a buckboard)" in the first line and inserting in lieu thereof the words "commercial motor vehicle the weight of which unladen exceeds thirty-five hundredweights" :

(*b*) by striking out the words "motor lorry" in the first line of subsection (2) and inserting in lieu thereof the words "commercial motor vehicle" :

(*c*) by striking out the word "lorry" in the fifth and sixth lines of subsection (2) and inserting in lieu thereof in each case the words "commercial motor vehicle" :

(*d*) by striking out the definition of "buckboard" at the end of subsection (1).

Amendment of s. 180 of principal Act—Penalty.

29. Section 180 of the principal Act is amended by striking out the word "twenty" in the third line and inserting in lieu thereof the word "fifty".

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

R. A. GEORGE, Governor.

ANNO QUARTO

ELIZABETHAE II REGINAE

A.D. 1955

****

No. 57 of 1955

An Act to amend the Succession Duties Act, 1929-1954.

[*Assented to 8th December,* 1955.]

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, 1955".

(2) The Succession Duties Act, 1929-1954, as amended by this Act, may be cited as the "Succession Duties Act, 1929-1955".

(3) The Succession Duties Act, 1929-1954, 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.

Enactment of s. 9b of principal Act—

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

Relief from duty on successive deaths.

9b. (1) In this section—

"limited interest" includes every estate interest or benefit which terminated during the lifetime or on the death of the person in whom it was vested :

"predecessor" means a person on or by reason of whose death property has passed to a person :

"successor" means a person to whom property has passed on or by reason of the death of a predecessor.

(2) Where property has passed to a successor on or by reason of the death of a predecessor, and the successor dies not later than five years after the death of the predecessor, a rebate shall be allowed on the duty on all property derived by other persons from the successor.

(3) Subject to subsection (4) every such rebate shall be an amount equal to a percentage of the duty paid on the property (other than limited interests) which passed to the successor from his predecessor, and such percentage shall be determined in accordance with the following rules :—

(*a*) If the successor died in the first year after the predecessor, fifty per cent ;

(*b*) If the successor died in the second year after the predecessor, forty per cent ;

(*c*) If the successor died in the third year after the predecessor, thirty per cent ;

(*d*) If the successor died in the fourth year after the predecessor, twenty per cent ;

(*e*) If the successor died in the fifth year after the predecessor, ten per cent.

(4) Where the net present value of the whole estate of the successor is less than the net present value of the property (other than limited interests) which passed to him on or by reason of the death of his predecessor, the rebate shall be a part of the amount fixed by subsection (3), bearing the same ratio to the whole of that amount, as the net present value of the whole estate of the successor bears to the net present value of the said property (other than limited interests) which passed to him on or by reason of the death of his predecessor.

(5) Every rebate shall be apportioned between the several amounts of property derived by persons from the successor according to the respective amounts of duty chargeable on each such amount of property.

(6) Where a rebate of duty is claimed under this section the administrator or some person on his behalf shall furnish the Commissioner with a declaration in the prescribed form, but the Commissioner may require any further statement, declaration, or information which he may deem necessary.

(7) This section shall apply to cases where the successor dies after the passing of the Succession Duties Act Amendment Act, 1955, whether the predecessor died before or after such passing.

Amendment of s. 63a of principal Act—

Payments under policies of assurance.

4. Subsection (6) of section 63a of the principal Act is amended—

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

(*b*) by adding after the word "pounds" in the fourth line the words "or if the total surrender value of a policy or policies on the life of another person and owned by the deceased does not exceed five hundred pounds at the date of the death of such owner";

(*c*) by inserting after the word "policy" in the fifth line the words "or policies or may allow dealings with the policy or policies".

(*d*) by inserting before the word "five" in the tenth line the words "one thousand".

(*e*) by inserting after the word "policy" in the thirteenth line the words "or policies".

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

R. A. GEORGE, Governor.

ANNO QUARTO

ELIZABETHAE II REGINAE

A.D. 1955

****

No. 58 of 1955

An Act to amend the Bush Fires Act, 1933-1952.

[*Assented to 8th December,* 1955.]

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 "Bush Fires Act Amendment Act, 1955".

(2) The Bush Fires Act, 1933-1952, as amended by this Act, may be cited as the "Bush Fires Act, 1933-1955".

(3) The Bush Fires Act, 1933-1952, is hereinafter referred to as "the principal Act".

Amendment of principal Act, s. 4—Burning of stubble.

2. Section 4 of the principal Act is amended by inserting therein after subsection (4) thereof the following subsection:—

(4a) The council may by permit in writing given in any particular case, authorize the lighting of a fire without paragraphs II or V of subsection (2) or paragraphs I or III of subsection (4) being fully complied with but subject to such conditions as are specified by the council in the permit. Every such permit shall specify the conditions upon which the fire may be lighted.

It shall be a defence to any proceedings for a contravention of paragraph II or paragraph V of subsection (2) or of paragraph I or paragraph III of subsection (4) if

proof is given that the fire was lighted in accordance with a permit in writing given as aforesaid.

3. Section 5 of the principal Act is amended by inserting therein after subsection (1) thereof the following subsection :— Amendment of principal Act, s. 5— Burning of stubble.

(1a) The council may by permit in writing given in any particular case, authorize the lighting of a fire without paragraphs I, IV or V of subsection (1) being fully complied with but subject to such conditions as are specified by the council in the permit. Every such permit shall specify the conditions upon which the fire may be lighted.

It shall be a defence to any proceedings for a contravention of paragraph I, paragraph IV or paragraph V of subsection (1), if proof is given that the fire was lighted in accordance with a permit in writing given as aforesaid.

4. The following sections are enacted and inserted in the principal Act after section 5b thereof :— Enactment of ss. 5c. and 5d. of principal Act—

5c. (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 on any allotment of land situated within a municipality or township within a district council district if— Burning of stubble in township allotments.

(*a*) prior to the lighting of the fire, the council has issued to that person a permit in writing to light the fire ;

(*b*) all the conditions of the permit are fully complied with ; and

(*c*) at least six hours prior to lighting the fire the person has given notice of his intention to light the fire to the person in charge of the fire brigade nearest to the allotment or to the fire control officer resident nearest to the allotment.

(2) The council may issue any such permit subject to such conditions as are thought fit by the council.

5d. It shall not be a contravention of section 4 or section 5 if a person burns any stubble on any land or lights or maintains a fire for the purpose of burning any stubble on any land if— Burning of stubble by direction of Chief Officer of Fire Brigades.

(*a*) the fire is lighted in accordance with the direction of the Chief Officer of Fire Brigades or the Deputy Chief of Fire Brigades within the meaning of the Fire Brigades Act, 1936-1944; and

(*b*) any condition specified by the Chief Officer of Fire Brigades or, as the case may be, the Deputy Chief Officer of Fire Brigades when giving the direction aforesaid are fully complied with.

Amendment of principal Act, s. 7— Burning of scrub.

5. Section 7 of the principal Act is amended by striking out the words "for the purpose of providing a firebreak" in the second and third lines of subsection (2) thereof.

Amendment of principal Act, s. 8— Burning of scrub.

6. Section 8 of the principal Act is amended by adding at the end thereof the following subsection :—

(4) The council may by permit in writing given in any particular case, authorize the lighting of a fire without paragraphs I, V, or VII of subsection (1) being fully complied with but subject to such conditions as are specified by the council in the permit. Every such permit shall specify the conditions upon which the fire may be lighted.

It shall be a defence to any proceedings for a contravention of paragraph I or paragraph V or VII of subsection (1), if proof is given that the fire was lighted in accordance with a permit in writing given as aforesaid.

Amendment of principal Act, s. 11— Alteration of periods, etc.

7. Section 11 of the principal Act is amended by adding at the end thereof the following subsection :—

(6) In any case where the council is of opinion that the seasonal conditions warrant a variation of the periods mentioned in section 4, 5, 7, 8, 9, 13 or 20, or any of those sections, the council, after consulting with the Conservator of Forests (if any Government forest is situated within the area of the council), may by resolution—

(*a*) declare that the said periods or any of them shall, in respect of the area of the council or any part of the area, commence on a date not more than fourteen days earlier or not more than fourteen days later than the commencing date mentioned in the section to which the declaration relates;

(*b*) postpone for a period of up to fourteen days the final date of any such period in respect of the area of the council or any part thereof.

No such resolution shall have any force until notice thereof has been—

(i) published once in some newspaper circulating in the area ; and

(ii) displayed for at least seven days at the town office or district office of the council.

Notice of every such resolution shall forthwith after the passing thereof be forwarded by the council to the Minister.

Amendment of principal Act, s. 12—

Prohibition of fires on certain days.

8. Section 12 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 council may make by-laws prohibiting the lighting of fires at any time on any Saturday or public holiday for any of the purposes mentioned in sections 4, 5, 7, 8 or 9.

All by-laws made pursuant to this subsection shall be made in manner prescribed by and be subject to the provisions of Division I of Part XXXIX of the Local Government Act, 1934-1954.

Repeal and re-enactment of s. 13a of principal Act—

9. Section 13a of the principal Act is repealed and the following section is enacted and inserted in the principal Act in lieu thereof :—

Warning of day of extreme fire hazard.

13a. (1) Whenever the Minister or a person authorised by the Minister pursuant to this section is of opinion that it is desirable so to do, the Minister or person authorised as aforesaid 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 of the State and a prohibition of the lighting of fires in the open within the whole State or within any part of the State.

(2) Any person who on the day any such warning and prohibition is broadcast, lights any fire in the open contrary to the prohibition shall be guilty of an offence and liable to a penalty not exceeding one hundred pounds.

(3) The Minister may, in writing, authorize any person as aforesaid and may, in writing, withdraw any such authority.

(4) In any proceedings for an offence against this section, a certificate purporting to be signed by the Minister to the effect that a warning and prohibition were broadcast pursuant to this section from a broadcasting station in the State in respect of any specified day and in respect of the whole of the State or any specified part thereof shall be *prima facie* evidence of the facts set out therein.

Enactment of s. 17b of principal Act—

10. The following section is enacted and inserted in the principal Act after section 17a thereof :—

Use of aircraft for spraying.

17b. If any spraying or dusting operation is carried out from any aircraft and if in the course of that operation the aircraft is landed upon any land upon which there is any stubble, the owner of the aircraft shall be guilty of an offence and liable to a penalty not exceeding fifty pounds unless—

(*a*) at least one hand or power pump with adequate water and at least two effective water sprays of the knapsack pattern fully charged with water are at the place of landing ; or

(*b*) the land on which the aircraft lands is, throughout the whole length of every side of that land, either ploughed and cleared of all scrub, stubble, and other inflammable material to a width of at least six feet or cleared of all scrub, stubble, and other inflammable material to a width of at least twelve feet.

Amendment of principal Act, s. 19—Throwing cigarettes, etc., from vehicles.

11. Section 19 of the principal Act is amended by striking out the words "in any part of the State outside any municipality or town" in the first and second lines thereof.

Enactment of s. 21a of principal Act—

12. The following section is enacted and inserted in the principal Act after section 21 thereof :—

Power to require fire protection at sawmill, etc.

21a. (1) A council may, by notice in writing given to the owner of any sawmill or any other premises to which this section applies require the owner to provide at the sawmill or premises within the time specified in the notice all or any of the following, namely :—

I. A water supply adequate to deal with an outbreak of fire ;

II. Such fire-fighting appliances as are specified in the notice ;

III. Such telephonic communications as are specified in the notice.

(2) If the owner objects to any of the requirements of any such notice, he may appeal therefrom to the local court of full jurisdiction nearest to the sawmill or premises. Every such appeal shall be instituted by a notice of appeal in writing, which shall, within fourteen days after the service of the notice under subsection (1), be served upon the clerk of the council and the clerk of the local court.

(3) The local court shall hear and determine the appeal and shall make such order in the matter as the court deems fit.

(4) The powers conferred by section 28 of the Local Courts Act, 1926-1936, shall include power to make rules relating to appeals under this Act and for regulating the procedure to be followed in such appeals.

(5) If any owner of any sawmill or premises fails to comply with the requirements of any notice given under subsection (1) or of any order made under subsection (3), he shall be guilty of an offence and liable to a penalty not exceeding ten pounds for every day during which that default continues.

(6) The Governor may be proclamation declare that any class of premises shall be premises to which this section applies and may by proclamation revoke or vary any such proclamation.

Amendment of principal Act, s. 29—Fire control officers.

13. Section 29 of the principal Act is amended by inserting after the word "forest" in the third line of subsection (7) thereof the words "and the Director of Emergency Fire Services".

Enactment of s. 29f of principal Act—Power of fire control officers as to certain fires.

14. The following section is enacted and inserted in the principal Act after section 29e thereof :—

29f. (1) If any fire control officer is of opinion that a fire has been lighted on any land contrary to this Act or that a fire on any land (whether lighted in accordance with this Act or otherwise) is out of control, the fire control officer may give directions to the occupier of the land to take such measures to extinguish the fire as the fire control officer deems necessary.

(2) If any fire control officer finds any fire upon any land which in his opinion has been lighted contrary to this Act or which (whether lighted in accordance with this Act or otherwise) may reasonably be expected to get out of control, the fire control officer may direct any person apparently responsible for the fire to take such measures to extinguish the fire as the fire control officer deems necessary.

(3) If any occupier or person fails to comply forthwith with any directions given under this section he shall be guilty of an offence and liable for a first offence to a penalty not exceeding fifty pounds and for a second or subsequent offence to a penalty not exceeding one hundred pounds or imprisonment for a term not exceeding three months or to both such penalty and imprisonment.

Enactment of ss. 37 to 48 of principal Act—

15. The following sections are enacted and inserted in the principal Act after section 36 thereof:—

Interpretation.

37. In sections 37 to 48 (both inclusive) unless the context otherwise requires—

"committee" means the Bush Fires Fund Committee constituted pursuant to section 38;

"financial year" means the period of twelve months ending on the thirtieth day of June in any year;

"fund" means the Bush Fires Fund;

"insurer" means any corporate body, company, person or firm of persons required by the provisions of the Stamp Duties Act, 1923-1954, to take out an annual licence under that Act;

"member" means a member of the committee and includes the chairman.

Appointment of committee.

38. (1) There shall be a committee called "The Bush Fires Fund Committee".

(2) There shall be three members of the committee who shall be appointed by the Minister. One of the members shall be appointed from a panel nominated by the Fire and Accident Underwriters' Association of South Australia.

(3) The members of the committee shall hold office for such term as the Minister from time to time directs.

(4) Meetings of the committee shall be conducted in accordance with such procedure as the committee determines and the decision of any two members shall be binding.

(5) The members shall be entitled to such fees, to be paid from the fund, as are from time to time fixed by the Minister.

Chairman.

39. The Minister shall appoint one of the members to be the chairman of the committee.

Establishment of the fund.

40. (1) There shall be established a fund to be called "The Bush Fires Fund" which shall be held by the Treasurer.

(2) The fund shall consist of contributions paid by the Treasurer and insurers pursuant to this Act.

(3) The fund shall be managed by the committee.

Accounts and audit.

41. (1) The committee shall keep complete and proper accounts of all its financial transactions.

(2) The accounts of the committee for each financial year shall be audited by the Auditor-General and copies of the accounts shall be laid before both Houses of Parliament.

Officers to assist committee.

42. The Treasurer shall make available to the committee the services of any public officer for the purpose of assisting the committee in the administration of this Act.

Contributions to fund during 1955-1956.

43. At such time during the financial year ending on the thirtieth day of June, nineteen hundred and fifty-six, as is fixed by the Treasurer, the following contributions shall be paid into the fund :—

(*a*) A contribution of five thousand pounds to be paid by the Treasurer ;

(*b*) Contributions to be paid by each insurer so that the total of such contributions shall amount to five thousand pounds.

Contributions for subsequent financial years.

44. (1) For the purpose of every financial year subsequent to the financial year ending on the thirtieth day of June, nineteen hundred and fifty-six, the committee shall make a report to the Minister setting out what contributions are recommended by the committee to be made in respect of that financial year by the Treasurer and insurers respectively.

If the member of the committee appointed from the panel nominated by the Fire and Accident Underwriters' Association of South Australia does not agree with the recommendation of the committee, the said association may make representations to the Minister and the Treasurer as to the amount of contributions to be made. After consideration of the recommendation of the committee and the representations (if any) of the said association the Treasurer shall, after consultation with the Minister, fix the contributions to be made in respect of that financial year.

(2) In respect of every such financial year the following contributions shall, at such time in the financial year as is fixed by the Treasurer, be paid into the fund :—

(*a*) A contribution shall be paid by the Treasurer to the amount fixed as aforesaid to be paid by the Treasurer ;

(*b*) Contributions shall be paid by each insurer but so that the total of such contributions shall not exceed the amount fixed by the Treasurer as aforesaid to be paid by insurers.

The amount fixed by the Treasurer as the total contributions to be paid by insurers in any financial year shall not exceed the amount fixed to be paid by the Treasurer in that financial year.

Computation of contributions by insurers.

45. (1) The contributions to be made by insurers shall be calculated as follows :—

I. There shall be ascertained the amount payable by each insurer as stamp duty (other than stamp duty attributable to life assurance business of the insurer) in respect of the annual licence last taken out by the insurer under section 33 of the Stamp Duties Act, 1923-1954 ;

II. There shall be ascertained the total of all such stamp duty payable by all such insurers ;

III. The contribution payable by any insurer shall bear the same proportion to the total contributions payable by all insurers in that financial year as the stamp duty payable as aforesaid by that insurer bears to the total of the stamp duty payable as aforesaid by all such insurers.

(2) The Commissioner of Stamp Duties is hereby authorized to supply to the committee any information necessary to enable the amount of stamp duty payable as aforesaid to be ascertained.

(3) The committee shall determine the amount of the contribution of each insurer and any such determination shall be final and conclusive and binding on the insurer.

(4) Every insurer shall supply to the committee such information as the committee may require in order to assist the committee in determining the amount of the insurer's contribution.

Payments from fund to volunteer fire-fighting organizations.

46. (1) The committee may from the fund make payments to any organization formed for the purpose of fighting bush fires or other fires in parts of the State to which the Fire Brigades Act, 1936-1944, does not apply, for the purpose of providing up to two-thirds of the cost of providing any fire-fighting equipment.

(2) No such payments shall be made except with the approval of the Minister.

Financial provision.

47. (1) The money which the Treasurer is required or authorized by section 43 or section 44 to contribute to the committee shall be paid by him out of the general revenue of the State.

(2) The costs of the administration of the fund shall be paid out of the fund.

(3) This section, without further appropriation, shall be sufficient authority for making the payments mentioned in this section.

Protection of committee.

48. No act, matter, or thing *bona fide* done by the committee in the execution of this part shall subject the committee or any of the members personally to any action, liability, claim or demand whatsoever.

Amendment of principal Act—Penalties.

16. 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 BUSH FIRES ACT, 1933-1952.

Provision amended.	How amended.
Section 4 (5)	The words "less than five pounds nor more than twenty-five" in the third and fourth lines are struck out and the words "more than one hundred" are inserted in lieu thereof. The words "less than ten pounds nor more than fifty" in the fourth and fifth lines are struck out and the words "more than two hundred" are inserted in lieu thereof.
Section 5 (2)	The words "less than five pounds nor more than twenty-five" in the third and fourth lines are struck out and the words "more than fifty" are inserted in lieu thereof. The words "less than ten pounds nor more than fifty" in the last line are struck out and the words "more than one hundred" are inserted in lieu thereof.
Section 7 (1)	The words "less than five pounds nor more than twenty-five" in the sixth and seventh lines are struck out and the words "more than one hundred" are inserted in lieu thereof. The words "less than ten pounds nor more than fifty" in the eighth line are struck out and the words "more than two hundred" are inserted in lieu thereof.
Section 8 (2)	The words "less than five pounds nor more than twenty-five" in the third and fourth lines are struck out and the words "more than fifty" are inserted in lieu thereof. The words "less than ten pounds nor more than fifty" in the fifth line are struck out and the words "more than one hundred" are inserted in lieu thereof.
Section 9	The words "less than five pounds, nor more than twenty-five" in the fifteenth and sixteenth lines are struck out and the words "more than fifty" are inserted in lieu thereof. The words "less than ten pounds nor more than fifty" in the last line are struck out and the words "more than one hundred" are inserted in lieu thereof.
Section 12	The words "less than five pounds nor more than twenty-five" in the fifth and sixth lines are struck out and the words "more than fifty" are inserted in lieu thereof. The words "less than ten pounds nor more than fifty" in the last line are struck out and the words "more than one hundred" are inserted in lieu thereof.
Section 12a (2)	The words "of not less than two pounds nor more than twenty pounds" in the second and third lines are struck out and the words "for a first offence of not more than fifty pounds and for every subsequent offence shall be liable to a penalty of not more than one hundred pounds or to imprisonment for a term of not more than three months or to both such penalty and imprisonment" are inserted in lieu thereof.
Section 13 (1)	The words "less than two pounds nor more than twenty" in the fifteenth and sixteenth lines are struck out and the words "more than fifty" are inserted in lieu thereof. The words "less than five pounds nor more than fifty" in the sixteenth and seventeenth lines are struck out and the words "more than one hundred" are inserted in lieu thereof.
Section 13 (1a)	The words "less than two pounds nor" in the fourteenth line are struck out. The words "less than five pounds nor" in the fifteenth line are struck out.
Section 14 (1)	The words "less than two pounds nor more than ten" in the sixth and seventh lines are struck out and the words "more than twenty-five" are inserted in lieu thereof.
Section 14 (2)	The words "less than two pounds nor more than ten" in the last line are struck out and the words "more than twenty-five" are inserted in lieu thereof.
Section 15 (1)	The words "less than two pounds nor more than twenty" in the last line are struck out and the words "more than fifty" are inserted in lieu thereof.

AMENDMENTS TO THE BUSH FIRES ACT, 1933-1952—*continued.*

Provision amended.	How amended.
Section 15 (2)	The words "less than two pounds nor more than twenty" in the last line are struck out and the words "more than fifty" are inserted in lieu thereof.
Section 15a (5)	The words "less than two pounds nor more than twenty" in the second and third lines are struck out and the words "more than fifty" are inserted in lieu thereof. The words "less than five pounds nor more than fifty" in the fourth and fifth lines are struck out and the words "more than one hundred" are inserted in lieu thereof.
Section 15b (1)	The word "twenty" in the last line is struck out and the word "fifty" is inserted in lieu thereof.
Section 16	The words "less than two pounds nor more than twenty" in the sixth and seventh lines are struck out and the words "more than fifty" are inserted in lieu thereof.
Section 17 (1)	The words "less than two pounds nor more than twenty" in the fourth line are struck out and the words "more than fifty" are inserted in lieu thereof.
Section 17 (2)	The words "less than two pounds nor more than twenty" in the third and fourth lines are struck out and the words "more than fifty" are inserted in lieu thereof.
Section 17 (3)	The words "less than two pounds and not more than twenty" in the fourth and fifth lines are struck out and the words more than fifty" are inserted in lieu thereof.
Section 17 (4)	The words "less than two pounds nor more than twenty" in the sixth and seventh lines are struck out and the words more than fifty" are inserted in lieu thereof.
Section 17 (5)	The words "less than two pounds nor more than twenty" in the fifteenth and sixteenth lines are struck out and the words "more than fifty" are inserted in lieu thereof.
Section 17a	The word "ten" in the last line is struck out and the word "twenty-five" is inserted in lieu thereof.
Section 18	The words "less than two pounds nor more than twenty" in the last line are struck out and the words "more than fifty" are inserted in lieu thereof.
Section 19	The words "less than two pounds nor more than twenty" in the sixth and seventh lines are struck out and the words "more than fifty" are inserted in lieu thereof.
Section 20	The words "less than two pounds nor more than twenty" in the fifth and sixth lines are struck out and the words "more than fifty" are inserted in lieu thereof.
Section 21	The words "less than two pounds nor more than twenty" in the last line are struck out and the words "more than fifty" are inserted in lieu thereof.
Section 22 (4)	The words "less than one pound, nor more than five" in the sixth line are struck out and the words "more than ten" are inserted in lieu thereof. The words "less than two pounds nor more than twenty" in the seventh and eighth lines are struck out and the words "more than fifty" are inserted in lieu thereof.
Section 23 (4)	The words "less than one pound, or more than five" in the sixth line are struck out and the words "more than ten" are inserted in lieu thereof. The words "less than two pounds nor more than twenty" in the seventh and eighth lines are struck out and the words "more than fifty" are inserted in lieu thereof.
Section 23a	The word "five" in the last line is struck out and the word "twenty" is inserted in lieu thereof.
Section 28a (5)	The word "ten" in the last line is struck out and the word "fifty" is inserted in lieu thereof.
Section 29d (2)	The word "five" in the last line is struck out and the word "twenty" is inserted in lieu thereof.
Section 29e	The word "ten" in the fifth line is struck out and the word "fifty" is inserted in lieu thereof.

ANNO QUARTO

ELIZABETHAE II REGINAE

A.D. 1955

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No. 59 of 1955

An Act to amend the Constitution Act, 1934-1953.

[*Reserved 20th October*, 1955.
Royal Assent proclaimed, 8th December, 1955.]

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 "Constitution Act Amendment Act, 1955".

(2) The Constitution Act, 1934-1953, as amended by this Act, may be cited as the "Constitution Act, 1934-1955".

(3) The Constitution 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.

Alteration of electoral districts.

3. The second and third schedules to the principal Act are repealed and the second and third schedules set out in the appendix to this Act are substituted in lieu thereof.

Operation of this Act.

4. (1) The alterations in electoral districts made by this Act shall apply only to elections held after the first dissolution or expiration of the House of Assembly after the passing of this Act.

(2) A casual vacancy occurring in either House of Parliament between the thirty-first day of October, 1955, and the first day of March, 1956, other than a casual vacancy in the seat of a member of the Legislative Council whose term of office would normally have expired in the year 1959, shall not be filled.

Reserved for the signification of Her Majesty the Queen's pleasure thereon.

R. A. GEORGE, Governor.

THE APPENDIX.

THE SECOND SCHEDULE.

LEGISLATIVE COUNCIL ELECTORAL DISTRICTS.

CENTRAL DISTRICT No. 1 (Four Members).

Comprising the electoral divisions of Adelaide, West Torrens, Hindmarsh, Semaphore, Port Adelaide, Enfield, and Torrens.

CENTRAL DISTRICT No. 2 (Four Members).

Comprising the electoral divisions of Norwood, Burnside, Mitcham, Unley, Edwardstown, and Glenelg.

SOUTHERN DISTRICT (Four Members).

Comprising the electoral divisions of Murray, Alexandra, Onkaparinga, Stirling, Gumeracha, Albert, Millicent, Victoria, and Mount Gambier.

MIDLAND DISTRICT (Four Members).

Comprising the electoral divisions of Gouger, Wallaroo, Yorke Peninsula, Light, Barossa, Angas, Ridley, and Gawler.

NORTHERN DISTRICT (Four Members).

Comprising the electoral divisions of Flinders, Eyre, Whyalla, Stuart, Port Pirie, Frome, Rocky River, Burra, and Chaffey.

THE THIRD SCHEDULE.

HOUSE OF ASSEMBLY ELECTORAL DISTRICTS.

ELECTORAL DISTRICT OF NORWOOD.

Commencing at the intersection of Payneham Road with Wellington Road at the northern corner of preliminary section 279, Hundred of Adelaide; thence southerly along latter road; easterly along Cook and Marion Roads; southerly along Glynde Road to Kensington Road, Kensington Park; westerly along latter road to Dequetteville Terrace, Kent Town; north-westerly and northerly along said terrace and northerly along Hackney Road to the River Torrens; north-easterly along said river; south-easterly along Battams Road, Royston Park; thence north-easterly along Payneham Road to the point of commencement.

ELECTORAL DISTRICT OF BURNSIDE.

Commencing at the intersection of Kensington Road with the eastern boundary of City of Adelaide; thence easterly along Kensington Road to Burnside Road; northerly along Burnside and Glynde Roads; north-easterly along the Lower North-Eastern Main Road to the northern boundary of the Hundred of Adelaide; easterly and southerly along the northern and eastern boundaries of said hundred; south-westerly and easterly along the north-western and southern boundaries of section 997; southerly along the western boundaries of sections 827 and 826; south-westerly along the north-western boundary of section 991; easterly, south-westerly and north-westerly following the boundaries of section 855; southerly and westerly along the eastern and southern boundaries of section 1104; southerly along the western boundaries of sections 484 and 1107; westerly and southerly along the northern and western boundaries of section 1180; westerly along the southern boundaries of sections 919 and 906; southerly along the eastern boundaries of sections 1057, 1056 and 1054; westerly along the southern boundaries of sections 1054 and 1053; northerly, westerly and southerly following the boundaries of section 1001; south-easterly and south-westerly along the north-eastern and south-eastern boundaries of section 1284; generally westerly and north-westerly along the Main South-Eastern Road to the southern boundary of the City of Adelaide (Park Terrace); easterly and northerly along the southern and eastern boundaries of said city to the point of commencement.

ELECTORAL DISTRICT OF MITCHAM.

Commencing at a point being the intersection of the Adelaide and Nairne railway with Goodwood Road, Millswood; thence south-easterly along said railway to Northgate Street, Unley Park; easterly along said street to Unley Road; northerly along said road to Fisher Street, Malvern; easterly along said street to the Main South-Eastern Road; thence in a generally south-easterly direction along said main road, along the western and south-western boundaries of section 1286, Hundred of Adelaide, and along said Main South-Eastern Road to the eastern boundary of the hundred; generally southerly and westerly following the boundaries of said hundred to the eastern boundary of section 22, Hundreds of Adelaide and Noarlunga; northerly in Hundred of Adelaide along the eastern boundaries of sections 22 and 18 along the Adelaide and Nairne railway, the eastern boundaries of sections 14 and 12 and along Goodwood Road to the point of commencement.

ELECTORAL DISTRICT OF UNLEY.

Commencing at the south-western corner of City of Adelaide; thence easterly along Park Terrace to Glen Osmond Road; south-easterly along said road to Fisher Street, Fullarton; westerly along said street to Unley Road; southerly along said road to Northgate Street, Unley Park; westerly along said street to Adelaide and Nairne railway; north-westerly along said railway to Goodwood Road, Millswood; southerly along said road to Cross Road, Clarence Park; westerly along said road to Main South Road; northerly along said main road to Anzac Highway; thence north-easterly along said highway to the point of commencement.

ELECTORAL DISTRICT OF EDWARDSTOWN.

Commencing at the intersection of Main South Road with Anzac Highway; thence southerly along said main road to Cross Road; easterly along said road to Goodwood Road, Clarence Park; southerly along latter road, the eastern boundaries of sections 12 and 14, Hundred of Adelaide, the Adelaide and Nairne railway and along the eastern boundaries of section 18 and section 22, Hundreds of Adelaide and Noarlunga, to the River Sturt; north-westerly along said river to Anzac Highway; thence easterly and north-easterly along said highway to the point of commencement.

ELECTORAL DISTRICT OF GLENELG.

Commencing at a point on the sea coast opposite the south-western corner of section 569, Hundred of Noarlunga; thence easterly along the southern boundaries of said section 569 and sections 506 and 510 to the Main South Road; generally north-north-easterly along said main road to the south-western boundary of the Hundred of Adelaide (River Sturt); north-north-westerly along said River Sturt to Anzac Highway; westerly along said highway and production to the sea coast; thence southerly along said sea coast to the point of commencement, together with the jetties along the sea coast.

ELECTORAL DISTRICT OF ADELAIDE.

Commencing at the intersection of West Beach Road with Marion Road, Richmond; northerly along Marion Road; easterly along Henley Beach Road; northerly along Hardy's Road; easterly along River Torrens; southerly along Hackney Road; southerly and south-easterly along Dequetteville Terrace; southerly along Victoria Avenue; westerly along Park Terrace; northerly along the western boundary of City of Adelaide to intersect the production easterly of West Beach Road; westerly along said production and road to the point of commencement.

ELECTORAL DISTRICT OF WEST TORRENS.

Commencing at the intersection of the production westerly of Anzac Highway with the sea coast; northerly along sea coast to a point opposite the north-western corner of section 1006, Hundred of Yatala; easterly to said corner and along the northern boundary of section 1006; northerly along the western boundary of section 452; easterly along Routledge Road, North Terrace, and Trimmer Parade; southerly along Findon Road; easterly along River Torrens; southerly along Hardy's Road; westerly along Henley Beach Road; southerly along Marion Road; easterly along West Beach Road and production to the western boundary of City of Adelaide; southerly along latter boundary; thence south-westerly and westerly along Anzac Highway and production to point of commencement, together with the jetties along the sea coast.

ELECTORAL DISTRICT OF HINDMARSH.

Commencing at the intersection of Findon Road with River Torrens; northerly along Findon Road; westerly along Trimmer Parade; north-easterly along Woodville and Henley Beach Railway; to the north-eastern boundary of Port Road; south-easterly along said boundary; north-easterly along the north-western boundary of preliminary section 376, Hundred of Yatala; south-easterly along Torrens Road; northerly

along Days Road; easterly along the northern boundaries of section 394 and 377; southerly along Churchill Road; south-easterly along Torrens Road; south-westerly along Park Terrace; thence generally westerly along the River Torrens to the point of commencement.

ELECTORAL DISTRICT OF SEMAPHORE.

Commencing at a point on the sea coast opposite the north-western corner of section 1006, Hundred of Yatala; northerly along sea coast (including Block 30, Hundred of Port Adelaide) to Pelican Point and easterly to the north-eastern corner of Lefevre Peninsula (Snapper Point); southerly along the western sides of Lipson Reach and Hindmarsh Reach; westerly along the northern side of Gawler Reach; southerly along the western side of Old Port Reach to the south-eastern corner of section 78, Hundred of Yatala; south-easterly across Old Port Reach to the western corner of Harbor Allotment 13; south-easterly along the north-eastern boundaries of Old Port Road and Port Road to the Woodville and Henley Beach railway; south-westerly along said railway; westerly along North Terrace, Seaton, and Routledge Road; southerly along the western boundary of section 452, westerly along the northern boundary of section 1006 and production to the point of commencement, together with jetties along the sea coast.

ELECTORAL DISTRICT OF PORT ADELAIDE.

Commencing at the western corner of preliminary section 376, Hundred of Yatala; thence north-easterly along its north-western boundary; south-easterly along Torrens Road; northerly along Days Road; westerly along Chapman Road, Woodville Gardens; northerly along Hanson Road; north-westerly along North Arm Road; north-easterly and northerly following the south-eastern and eastern sides of creek east of Garden and Torrens Island to a point west of the north-western corner of section 328, Hundred of Port Adelaide; west to the eastern side of Torrens Island; north-westerly and westerly along the north-eastern and northern sides of said island to Point Grey; south to Snapper Point and along the western side of Lipson Reach and Hindmarsh Reach; westerly along the northern side of Gawler Reach; southerly along the western side of Old Port Reach to the south-eastern corner of section 78, Hundred of Yatala; south-easterly across Old Port Reach to the southern corner of Harbor Allotment 13; thence south-easterly along the north-eastern boundary of Old Port Road and Port Road to the point of commencement.

ELECTORAL DISTRICT OF ENFIELD.

Commencing at the intersection of Grand Junction Road with North Arm Road; thence north-westerly along latter road; generally easterly following Port Adelaide loop line, Adelaide and Gawler railway and Dry Creek and Northfield railway; north-easterly along Adelaide and Dry Creek Main Road and Main North Road; generally easterly along road north of sections 690, 685, 3028, 3033 and 1570, Hundred of Yatala; southerly along the eastern boundaries of section 1570 and part section 1566 to centre of Dry Creek; generally south-westerly following said creek to intersect the eastern boundary of section 313; southerly along the eastern boundary of section 313 and part preliminary section 504; easterly and southerly along the northern and eastern boundaries of part preliminary section 508 and production of latter boundary to River Torrens; easterly following said river; south-westerly along the Lower North-Eastern Main Road; southerly along Glynde Road; westerly along Marion Road and Cook Road; northerly along Wellington Road; south-westerly along Payneham Road; north-westerly along Battams Road; north-westerly along Lansdowne Terrace, Walkerville; south-westerly along Main North-East Road; northerly along Hampstead Road; westerly along McInnes and Third Avenues, Sefton Park; northerly along Main North Road; westerly along the northern boundaries of sections 354 and 367; southerly along Churchill Road; westerly along the northern boundaries of sections 377 and 394; northerly along Days Road; westerly along Chapman Road, Woodville Gardens, northerly along Hanson Road; thence easterly along Grand Junction Road to the point of commencement.

ELECTORAL DISTRICT OF TORRENS.

Commencing at the intersection of the River Torrens with the production south-westerly of Park Terrace, Bowden; thence north-easterly along said production and Terrace; north-westerly along Torrens Road; northerly along Churchill Road; easterly along the northern boundaries of sections 367 and 354, Hundred of Yatala; southerly along Main North Road; easterly along Third Avenue, Sefton Park, and McInnes Avenue; southerly along Hampstead Road; north-easterly along Main North East Road; south-easterly along Lansdowne Terrace; thence south-westerly and north-westerly following the River Torrens to the point of commencement.

ELECTORAL DISTRICT OF FLINDERS.

Comprising the whole of County Flinders, and the Hundreds of Butler and Dixson, and including Gambier Islands, Neptune Islands and all adjacent islands together with jetties along the sea coast.

ELECTORAL DISTRICT OF EYRE.

Commencing at the south-western corner of the State; thence north to the 31st Parallel of South Latitude; east by said parallel to the 133rd Meridian of East Longitude; south by said meridian; east along the north boundaries of Counties Kintore, Way and production to the western shore of Lake Everard; southerly along said shore to a point true north Nuckulla Hill; south to the north boundary of County Dufferin; east to its north-east corner; south along the east boundaries of Counties Dufferin and Robinson; east along the north boundaries of Counties Le Hunte and Buxton; south along the east boundary of latter county; east along the south boundary of County York to the sea coast; south-westerly along said sea coast; west along the north boundaries of Hundreds of Dixson and Butler; south along the west boundary of latter hundred; west along the north boundary of County Flinders to the sea coast; thence generally north-westerly and westerly following the said sea coast to the point of commencement, and including Flinders Island, St. Peters Island and all adjacent islands, together with jetties along the sea coast.

ELECTORAL DISTRICT OF WHYALLA.

Commencing at the intersection of the west boundary of the State with the 31st Parallel of South Latitude; thence east by said parallel to the 133rd Meridian of East Longitude; south by said meridian; east along the north boundaries of Counties Kintore, Way and production to the western shore of Lake Everard; southerly along said shore to a point true north of Nuckulla Hill; south to the north boundary of County Dufferin; east to its north-east corner; south along the east boundaries of Counties Dufferin and Robinson; east along the north boundaries of Counties Le Hunte and Buxton; south along the east boundary of latter county; east along the south boundary of County York to the sea coast; north-easterly and northerly following the said sea coast; west, north and east following the boundaries of the Hundred of Copley; northerly along the eastern boundary of County Manchester and the western boundaries of Counties Newcastle, Blachford and Taunton; north-westerly along the north-eastern shore of Lake Torrens; north by a true north and south line through Yarra Wurta Cliff Trig. Station to the 30th Parallel of South Latitude; west by said latitude to the 135th Meridian of East Longitude; north by said meridian to the north boundary of the State; west along said boundary; thence south along the west boundary of the State to the point of commencement, and including all wharves and jetties along the sea coast.

ELECTORAL DISTRICT OF STUART.

(1) Comprising the whole of the Hundreds of Copley, Davenport, Woolundunga, Winninowie, Baroota, Telowie, Napperby, Howe and the Hundred of Pirie, exclusive of an area bounded as follows:—

Commencing at the north-western corner of section 603, Hundred of Pirie; thence southerly along road west of sections 603, 533, 38, 80 and 87; easterly along road south of sections 87 and 88; southerly, easterly and northerly following the roads west, south and east of Recreation Grounds; easterly along road south of sections 119 and 136; north-easterly along the Wallaroo and Port Pirie Main Road and its production to Port Pirie Creek; generally westerly and northerly following the boundaries of said creek to intersect the production easterly of the northern boundary of section 647; westerly along said production; southerly along road east of sections 647 and 648 and the western boundaries of roads closed 10th December, 1953, and 13th May, 1897; westerly along the northern boundaries of sections 592, 595, 599 and 603 to the point of commencement.

(2) Together with the Port Pirie Creek and all wharves and jetties along the sea coast.

ELECTORAL DISTRICT OF PORT PIRIE.

Comprising that portion of the Hundred of Pirie bounded as follows:—Commencing at the north-western corner of section 603, Hundred of Pirie; thence southerly along road west of sections 603, 533, 38, 80 and 87; easterly along road south of sections 87 and 88; southerly, easterly and northerly following the roads west, south and east of Recreation Grounds; easterly along road south of sections 119 and 136; north-easterly along the Wallaroo and Port Pirie Main Road and its production to Port Pirie Creek; generally westerly and northerly following the boundaries of said creek to intersect the production easterly of the northern boundary of section 647; westerly along said production; southerly along road east of sections 647 and 648 and the western boundaries of roads closed 10th December, 1953, and 13th May, 1897; westerly along the northern boundaries of sections 592, 595, 599, and 603 to the point of commencement, and including all adjoining wharves.

ELECTORAL DISTRICT OF FROME.

Commencing at the north-east corner of the State; thence south along the east boundary of the State; west along the north boundaries of Counties Hamley, Young, Burra and the south boundary of the Hundred of Whyte; northerly in said hundred along road west of sections 2, 16, 23, 34, 124, 489 and 477; west along the south boundary of the Hundred of Yongala; northerly along the western boundaries of the Hundreds of Yongala and Morgan; east along the north boundary of latter hundred; north along the east boundary of Hundred of Erskine; west along the south boundaries of Hundreds of Yalpara, O'Laddie and Eurelia; south, west and north following the boundaries of the Hundred of Pinda; south-westerly and westerly in the Hundred of Willochra along road south-east of sections 126 and 93 and south of sections 93 and 85; north along the west boundary of said hundred; west along the south boundaries of the Hundreds of Pichi Richi and Crozier; northerly along the western boundaries of Counties Newcastle, Blachford and Taunton; north-westerly along the north-eastern shore of Lake Torrens; north by a true north and south line through Yarra Wurta Cliff Trig. Station to the 30th Parallel of South Latitude; west by said latitude to the 135th Meridian of East Longitude; north by said meridian to the north boundary of the State; thence east along said boundary to the point of commencement.

ELECTORAL DISTRICT OF ROCKY RIVER.

Comprising the whole of the Hundreds of Gregory, Willowie, Coomooroo, Walloway, Erskine, Black Rock Plain, Pekina, Booleroo, Wongyarra, Darling, Appila, Tarcowie, Caltowie, Booyoolie, Yangya, Bundaleer, Narridy, Crystal Brook, Wandearah, Koolunga, Yackamoorundie and that portion of the Hundred of Willochra south-east and south of road south-east of sections 126 and 93 and south of sections 93 and 85.

ELECTORAL DISTRICT OF BURRA.

Commencing at the north-western corner of the Hundred of Mannanarie; thence southerly along the western boundaries of the Hundreds of Mannanarie, Belalie, Reynolds, Andrews, Milne and Clare; easterly along southern boundary of latter hundred to the south-eastern corner of section 496; southerly in the Hundred of Upper Wakefield, along the western boundary of section 584 to the northern boundary of section 585; westerly along said boundary; southerly along the western boundaries of sections 585 and 587; easterly along the southern boundaries of sections 587 and 190; southerly along the western boundaries of sections 192 and 353; easterly along road south of sections 353 and 33; thence in the Hundred of Stanley along the northern boundaries of sections 305 and 307; southerly along road west of section 309; easterly along road north of sections 308 and 220; southerly along road to the northern boundary of the Hundred of Saddleworth; easterly along the northern boundaries of the Hundreds of Saddleworth, Waterloo; English and Bower; north and east along the west and north boundaries of Hundred of Maude; east and south along the north and east boundaries of the hundred of Lindley; east and south along the north and east boundaries of Hundred of Stuart to the south-western corner of section 26, Hundred of Markaranka, easterly along the southern boundaries of sections 26 and 79; northerly along the eastern boundary of latter section; south-easterly along the north-eastern boundaries of sections 81, 11 and 14; easterly along the northern boundaries of section 17 and 4 and sections 13, 7, 10 and 23, Hundred of Pooginook, and sections 30 and 31, Hundred of Parcoola, and said boundary produced to the west boundary of County Hamley; north along the latter boundary; west along the north boundaries of Counties Young and Burra and the south boundary of Hundred of Whyte; northerly in said hundred along road west of sections 2, 16, 23, 34, 124, 489 and 477; west and north along the south and west boundaries Hundred of Yongala; thence west along the north boundary of Hundred of Mannanarie to the point of commencement.

ELECTORAL DISTRICT OF CHAFFEY.

Comprising the whole of County Hamley and that portion of County Young, east of portion of the Hundred of Stuart and south of the following boundary:—Commencing at the south-western corner of section 26, Hundred of Markaranka; thence easterly along the southern boundaries of sections 26 and 79; northerly along the eastern boundary of latter section; south-easterly along the north-eastern boundaries of sections 81, 11 and 14; easterly along the northern boundaries of section 17 and 4 and sections 13, 7, 10 and 23, Hundred of Pooginook, and sections 30 and 31, Hundred of Parcoola, and said boundary produced to the west boundary of County Hamley.

ELECTORAL DISTRICT OF GOUGER.

Commencing at the north-western corner of the Hundred of Mundoora; thence easterly along the northern boundaries of Hundreds of Mundoora and Red Hill; southerly along the eastern boundary of latter hundred; easterly along the northern boundaries of Hundreds of Boucaut and Hart; generally southerly along the eastern boundaries of Hundreds of Hart, Blyth, Hall, Dalkey, Grace and Port Gawler; southerly in the

Hundred of Munno Para along road to the north-west corner of section 3888; westerly along road to the east corner of section 3883; south-westerly along road south-east of sections 3883, 3067, 3053, and 4260; southerly along the Main Yorke Peninsula Road to Little Para River; easterly along said river; south-easterly along road north-east of section 2272, Hundreds of Munno Para and Yatala, and sections 2222 and 3005 in latter hundred; east along road north of sections 3004 and 3002; southerly along the eastern boundaries of sections 3002, 3010 and 1572; westerly along road north of sections 1570, 3033, 3028, 685 and 690; south-westerly along Main North Road and Adelaide and Dry Creek Main Road; generally westerly following the Dry Creek and Northfield railway, the Adelaide and Gawler railway and the Port Adelaide loop line to the North Arm Road; north-westerly along said road; north-easterly and northerly following the south-eastern and eastern sides of creek south-east and east of Garden and Torrens Islands; north-westerly along the north-eastern shore of Gulf St. Vincent to the western boundary of Hundred of Goyder; northerly along said boundary; westerly along the northern boundary of Hundred of Kulpara; northerly along the eastern boundaries of Hundreds of Ninnes and Wiltunga; westerly along the northern boundary of latter hundred; northerly along the western boundary of Hundred of Wokurna to the sea coast; thence generally northerly following the sea coast to the point of commencement, together with all jetties along the sea coast.

ELECTORAL DISTRICT OF WALLAROO.

Comprising the whole of the Hundreds of Tickera, Wiltunga, Kadina, Ninnes, Kulpara and Wallaroo, the lighthouse on the Tiparra Reef and including the jetties on the sea coast.

ELECTORAL DISTRICT OF YORKE PENINSULA.

Comprising the whole of County Fergusson, together with the Hundreds of Tiparra and Clinton, Wardang Island, Althorpe Islands, Troubridge Shoal and including the jetties along the sea coast.

ELECTORAL DISTRICT OF LIGHT.

Commencing at the north-western corner of Hundred of Upper Wakefield; easterly along the northern boundary of said hundred to the north-eastern corner of section 583, southerly along the western boundary of section 584 to the northern boundary of section 585; westerly along said boundary; southerly along the western boundaries of section 585 and 587; easterly along the southern boundaries of sections 587 and 190; southerly along the western boundaries of sections 192 and 353; easterly along road south of sections 353 and 33; thence in the Hundred of Stanley along the northern boundaries of sections 305 and 307; southerly along road west of section 309; easterly along road north of sections 308 and 220; southerly along road to the northern boundary of the Hundred of Saddleworth; easterly along the northern boundaries of the Hundreds of Saddleworth, Waterloo, English and Bower; north and east along the west and north boundaries of Hundred of Maude; east and south along the north and east boundaries of Hundred of Lindley; east and south along the north and east boundaries of Hundred of Stuart; south and west along the east and south boundaries of Hundred of Cadell; southerly along the eastern boundary of Hundred of Hay; west along the south boundaries of Hundreds of Hay and Brownlow; south and west along the east and south boundaries of Hundred of Dutton to the north-west corner of Hundred of Jellicoe; southerly along the western boundary of said hundred to Kapunda and Truro Main Road; generally westerly and north-westerly in the Hundred of Belvidere along said main road to the northern boundary of said hundred (River Light); generally westerly following the said River Light to the south-western corner of the Hundred of Alma; thence generally northerly along the western boundaries of Hundreds of Alma and Upper Wakefield to the point of commencement.

ELECTORAL DISTRICT OF BAROSSA.

Commencing at the south-west corner of Hundred of Mudla Wirra; thence generally easterly along the southern boundary of said hundred to road intersecting section 8; northerly along said road and north-easterly along the Gawler Station Main Road to the Gawler and Roseworthy railway; north-westerly along said railway; north-easterly along road south-east of sections 453 and 458; northerly along road east of section 459; north-easterly along road south-east of sections 427 and 436; south-easterly along road south-west of sections 438 and 439; southerly along the eastern boundary of the hundred to the North Para River; generally southerly, northerly and easterly along said river; southerly along the western boundary of section 12, Hundred of Nuriootpa; easterly along the northern boundary of section 3076, Hundred of Barossa; southerly along the eastern boundaries of sections 3076 and 3073 and the eastern boundaries of sections 5 and 3, Hundred of Nuriootpa; thence generally southerly and westerly following the boundaries of Hundred of Munno Para to the north-eastern corner of section 2136, Hundred of Yatala; south-westerly along road south-east of sections 2136 and 521 to the southern corner of latter section; southerly by a straight line to the north-eastern corner of section 3002 and along the eastern boundaries of sections 3002, 1572 and part

section 1566 to centre of Dry Creek; generally south-westerly following said creek to intersect the eastern boundary of section 313; southerly along the eastern boundaries of section 313 and part preliminary section 504; easterly and southerly along the northern and eastern boundaries of part preliminary section 508 and production of latter boundary to the southern boundary of the Hundred of Yatala (River Torrens); generally easterly following the said River Torrens to the eastern boundary of section 6110, Hundred of Talunga; southerly along the eastern boundaries of sections 6110, 44, 6200 and 228 to the southern boundary of the Hundred of Talunga; generally south-easterly along the southern boundary of said hundred and the south-western boundary of the Hundred of Tungkillo to the southern corner of section 153 of latter hundred; northerly along road east of sections 153, 121 and 52; westerly and northerly along road south and west of section 55 to the western boundary of the Hundred of Tungkillo; thence in a northerly and north-easterly direction along said boundary to the Adelaide and Mannum Main Road; westerly in the Hundred of Talunga along said main road to the western boundary of section 1303; northerly along the western boundaries of sections 1303 and 7116; north-westerly along road north-east of sections 7117 and 126; northerly along road east of section 8 and westerly along the northern boundary of Hundred of Talunga to the Williamstown and Birdwood Main Road; northerly and north-westerly along the said main road to the southern boundary of the Hundred of Barossa; generally north-easterly and westerly following the boundaries of said hundred to the south-western corner of section 934, Hundred of Moorooroo; north-westerly along road south-west of section 934 to the eastern boundary of Hundred of Barossa; generally north-westerly along latter boundary to road east of section 455, Hundred of Barossa; generally north-easterly in the Hundred of Nuriootpa, along the eastern boundary of section 37, the southern and eastern boundaries of sections 804, 1697, 1680 and 626, the south-eastern boundaries of sections 561, 516, part section 84 and section 289, the eastern boundaries of sections 283 and 79; the southern boundaries of sections 200 and 125; the western boundaries of sections 196, 197, 175 and 139; the southern and eastern boundaries of section 757; the western and northern boundaries of section 158 and 48 and along the south-eastern boundary of the Hundred of Belvidere to Kapunda and Truro Main Road; generally westerly and north-westerly in said hundred along said main road to the northern boundary of the hundred (River Light); generally westerly following said River Light to the north-western corner of the Hundred of Mudla Wirra; thence southerly along said boundary to the point of commencement.

ELECTORAL DISTRICT OF ANGAS.

Commencing at the north-east corner of the Hundred of Skurray; thence generally southerly along the eastern boundaries of the Hundreds of Skurray, Fisher, and Ridley to a point north-east of the eastern corner of section 365, Hundred of Ridley; south-westerly to said corner and along the eastern boundary of said section and section 55; westerly along road south of sections 55, 164, 160 and 158 to the eastern boundary of Hundred of Angas; southerly to its south-eastern corner; westerly along the northern boundaries of the Hundreds of Finniss and Tungkillo and southerly along the western boundary of latter hundred to the north-east corner of section 262; westerly along the northern boundaries of sections 262 and 261 to the road through the latter section; generally southerly along road through sections 261, 260, 258, 256, 179 and part section 182, and along the north-western and western boundaries of sections 477 and 478; along the western boundaries of sections 479, 482, 483 and portion of section 484; westerly along the northern boundaries of sections 244, 236 and 122 to the north-east corner of section 121; northerly along road east of sections 5 and 52 to the southern boundary of section 50; westerly and northerly along road south and west of section 55 to the western boundary of the Hundred of Tungkillo; thence in a northerly and north-easterly direction along said boundary to the Adelaide and Mannum Main Road; westerly in the Hundred of Talunga along said main road to the western boundary of section 1303; northerly along the western boundaries of sections 1303 and 7116; north-westerly along road north-east of sections 7117 and 126; northerly along road east of section 8 and westerly along the northern boundary of Hundred of Talunga to the Williamstown and Birdwood Main Road; northerly and north-westerly along said main road to the southern boundary of Hundred of Barossa; generally north-easterly and westerly following the boundaries of said hundred to the south-western corner of section 934, Hundred of Moorooroo; north-westerly along road south-west of section 934 to the eastern boundary of Hundred of Barossa; generally north-westerly along latter boundary to road east of section 455, Hundred of Barossa; generally north-easterly in the Hundred of Nuriootpa, along the eastern boundary of section 37, the southern and eastern boundaries of sections 804, 1697, 1680 and 626; the south-eastern boundaries of sections 561, 516, part section 84, and section 289, the eastern boundaries of sections 283 and 79; the southern boundaries of sections 200 and 125; the western boundaries of sections 196, 197, 175 and 139; the southern and eastern boundaries of section 757; the western and northern boundaries of sections 158 and 48; and along the south-eastern boundary of Hundred of Belvidere; northerly and easterly along the western and northern boundaries of Hundred of Jellicoe; northerly along the western boundary of Hundred of Anna; thence easterly along the northern boundaries of the Hundreds of Anna and Skurray to the point of commencement.

ELECTORAL DISTRICT OF RIDLEY.

Commencing at the north-east corner of County Chandos; thence west along its north boundary; south along the east boundaries of hundreds of McPherson and Molineux; west along the south boundaries of Hundreds of Molineux and Marmon Jabuk; north and west along the east and north boundaries of the Hundred of Sherlock; north and east along the west and north boundaries of Hundred of Hooper; north along the west boundaries of Hundreds of Vincent and Bandon; west along the south boundary of Hundred of Nildottie; generally northerly along the western boundaries of the Hundreds of Nildottie, Paisley and Murbko; east and north along the south and east boundaries of Hundred of Cadell to the centre of the River Murray; generally easterly, south-easterly and north-easterly following the centre of said river to the eastern boundary of the State; thence south along said boundary to the point of commencement.

ELECTORAL DISTRICT OF GAWLER.

Commencing at the south-western corner of H undred of Munno Para; thence northerly along its western boundary; north-easterly along road north-west of sections 4251, 3054 to the eastern corner of section 3883; easterly along road to the north-west corner of section 3888, northerly along road to the southern boundary of Hundred of Mudla Wirra; thence generally easterly along said boundary to the road intersecting section 8, Hundred of Mudla Wirra; northerly along said road and north-easterly along the Gawler Station Main Road to the Gawler and Roseworthy railway; north-westerly along said railway; north-easterly along road south-east of sections 453 and 458; Northerly along road east of section 459; north-easterly along road south-east of sections 427 and 436; south-easterly along road south-west of sections 438 and 439; southerly along the eastern boundary of the hundred to the North Para River; generally southerly, northerly and easterly along said river; southerly along the western boundary of section 12, Hundred of Nuriootpa; easterly along the northern boundary of section 3076, Hundred of Barossa; southerly along the eastern boundaries of sections 3076 and 3073 and the eastern boundaries of sections 5 and 3, Hundred of Nuriootpa; thence generally southerly and westerly following the boundaries of Hundred of Munno Para to the north-east corner of section 2136, Hundred of Yatala; south-westerly along road south-east of sections 2136 and 521 to the southern corner of latter section; southerly by a straight line to the north-eastern corner of section 3002; westerly along road north of sections 3002 and 3004; north-westerly along road north-east of sections 3005, 2222 and 2272 to the northern boundary of the hundred (Little Para River); thence westerly along latter boundary to the point of commencement.

ELECTORAL DISTRICT OF MURRAY.

Commencing at the north-western corner of the Hundred of Forster; thence in a south-westerly and south-easterly direction following its western boundary to a point north-east of the eastern corner of section 365, Hundred of Ridley; south-westerly to said corner and along the eastern boundary of said section and section 55; westerly along road south of sections 55, 164, 160 and 158 to the eastern boundary of the Hundred of Angas; southerly to its south-eastern corner; westerly along the northern boundaries of Hundreds of Finniss and Tungkillo; southerly along the western boundary of latter hundred to the north-east corner of section 262; westerly along the northern boundaries of sections 262 and 261 to the road through latter section; generally southerly along road through sections 261, 260, 258, 256, 179 and part section 182, and along the north-western and western boundaries of sections 477 and 478; along the western boundaries of sections 479, 482, 483 and portion of section 484; westerly along the northern boundaries of sections 244 and 236; south-westerly along the north-western boundary of latter section; southerly along the western boundaries of sections 237, 238, 239 and 240; easterly along the southern boundary of section 252; southerly along the western boundaries of section 309 and portion of section 321; south-easterly along the north-eastern boundary of road intersecting latter section and easterly along its southern boundary; southerly along the western boundary of section 331; south-easterly along the south-western boundaries of sections 416, 415 and 421, along the south-western boundary of the Hundred of Tungkillo to the north-western corner of section 370, Hundred of Monarto; south-easterly along road south-west of sections 370, 368 and 365; south-westerly along road north-west and north of sections 349, 446 and 441; generally westerly along road south of sections 424, 421 and 419; south-westerly through section 2001, Hundreds of Monarto and Kanmantoo, to road opened 21st October, 1869; southerly along said road; south-westerly through said section to the western boundary of Hundred of Monarto; then westerly and north-westerly in the Hundred of Kanmantoo along roads opened 26th August, 1869, and 21st October, 1869, for about 1½ miles; south-south-westerly through section 2001 to its southern boundary; east-south-easterly along the northern boundary of section 1296, Hundreds of Strathalbyn and Kanmantoo; southerly along the eastern boundary of section 1297 of said hundreds to the southern boundary of latter hundred; south-easterly and easterly following the boundaries of the Hundreds of Kanmantoo, Monarto and Mobilong; thence in a generally southerly direction along the western boundary of Hundred of Seymour; easterly and northerly along the southern and eastern

boundaries of the said hundred; northerly along the eastern boundary of Hundred of Ettrick to the south-west corner of Hundred of Bowhill; easterly and northerly along the southern and eastern boundaries of said hundred; northerly and westerly along the eastern and northern boundaries of Hundred of Forster to the point of commencement.

ELECTORAL DISTRICT OF ALEXANDRA.

1. Commencing at a point on the sea coast opposite the south-western corner of section 569, Hundred of Noarlunga; thence easterly along the southern boundaries of sections 569, 506 and 510 to the main south road; thence north-easterly along said main road; easterly along road north of sections 511 and 514; southerly along the western boundaries of sections 515, 529 and along road west of sections 543, 700 and 818; easterly along road south of sections 818 and 819 to the north-east corner of section 834, Hundred of Willunga; south-easterly and southerly along the north-eastern and eastern boundaries of Hundred of Willunga to the north-western corner of section 95, Hundred of Kuitpo; generally south-easterly along road south-west of sections 21, 3454, 247, 276 and 301; generally south-westerly along the south-eastern boundaries of Hundreds of Kuitpo and Myponga to the south-western corner of section 51, Hundred of Encounter Bay; south-easterly along road south-west of said section and southerly along road west of sections 614, 61 and 62, through section 85 and portion of section 404, west of section 147 and through section 189 to the south-western corner of section 258; westerly along road south of section 48 and cemetery; southerly and south-westerly through sections 315, 314, north-west of section 418 to the western corner of section 564; south-easterly along road south-west of sections 564 405 and 402 to the northern boundary of the Hundred of Waitpinga; south-westerly along roads north-west of section 312 of latter hundred and section 313 and 306 to the northern corner of section 286; southerly along road west of sections 286, 288 and 1333 to the sea coast; thence westerly, north-easterly and northerly along the sea coast to the point of commencement, together with the jetties along the sea coast.

2. Comprising the whole of Kangaroo Island, together with the jetties along the sea coast.

ELECTORAL DISTRICT OF ONKAPARINGA.

Commencing at the intersection of southern boundary of Hundred of Adelaide (River Sturt) with the Main South Road; thence generally southerly along said main road to the north-western corner of section 511, Hundred of Noarlunga; easterly along road north of sections 511 and 514; southerly along the western boundaries of sections 515, 529 and along road west of sections 543, 700 and 818; easterly along road, south of sections 818 and 819 to the north-east corner of section 834, Hundred of Willunga, south-easterly and southerly along the north-eastern and eastern boundaries of Hundred of Willunga, to the north-western corner of section 95, Hundred of Kuitpo; generally south-easterly along road south-west of sections 21, 3454, 247, 276 and 301 to the eastern boundary of the hundred; thence in a north-north-easterly direction along said boundary to the southern corner of section 8, Hundred of Macclesfield; thence easterly along roads south of sections 8, 4, 3006, 3008 and 2212, south-west of section 2884, south of sections 2880 and 2876, thence in the Hundred of Strathalbyn south of sections 2877 and 2878, and south-easterly along road through sections 2873 and 2872; along road south-west of sections 1401 and 1396 to the south corner of latter section; north-easterly along road south east of section 1396, 1378 and through sections 2202 and 2201 to the northern boundary of the hundred; generally north-westerly along the south-western boundary of Hundred of Kanmantoo; south-westerly along the north-western boundary of Hundred of Macclesfield to the centre of the Adelaide and Nairne railway; north-westerly in the Hundred of Onkaparinga along said railway; south-westerly along railway and road north-west of section 4101; southerly along the Ambleside Railway Station Main Road to the main south-eastern road; generally westerly and north-westerly along said main road to the eastern boundary of the Hundred of Adelaide; thence generally south-westerly, westerly and north-westerly following the boundaries of the hundred to the point of commencement.

ELECTORAL DISTRICT OF STIRLING.

Commencing at the eastern corner of Hundred of Nangkita; thence south-westerly along south-eastern boundary of said hundred to the sea coast; thence in a generally westerly direction along the sea coast to road west of section 1333, Hundred of Waitpinga; northerly along road west of sections 1333, 288 and 286; north-easterly along road north-west of sections 306, 313 and 312 to road south-west of section 402, Hundred of Encounter Bay; thence north-westerly in latter hundred along road south-west of sections 402, 405 and 564; north-easterly and northerly along road north-west of sections 564 and 418, through sections 314 and 315; easterly to the south-western corner of section 258; northerly through section 189 and west of section 147, through sections 404 and 85, west of sections 62, 61 and 614; north-westerly along road south of section 51 to the north-western boundary of the hundred; thence generally north-easterly along the north-western boundaries of Hundreds of Encounter Bay, Nangkita, Kondoparinga and Macclesfield to the southern corner of section 8 of latter hundred; easterly along roads south of sections 8, 4, 3006, 3008,

and 2212, along the south-western boundary of section 2884, along road south of sections 2880 and 2876, and in the Hundred of Strathalbyn south of section 2877 and 2878 and south-easterly along road through sections 2873 and 2872, along road south-west of sections 1401 and 1396 to the southern corner of latter section; north-easterly along road south-east of sections 1396, 1378 and through sections 2202 and 2201 to the northern boundary of the hundred; thence in an easterly direction along the southern boundaries of the Hundreds of Kanmantoo, Monarto and Mobilong to the north-eastern corner of the Hundred of Brinkley; thence south-easterly and south-westerly along the north-eastern and south-eastern boundaries of said hundred and along the south-eastern boundaries of Hundreds of Freeling and Alexandrina, to the point of commencement, together with Granite Island and all other adjacent islands and the jetties along the sea coast.

ELECTORAL DISTRICT OF GUMERACHA.

Commencing at the intersection of the eastern boundary of Hundred of Adelaide with the River Torrens; thence generally easterly following said River Torrens to the eastern boundary of section 6110, Hundred of Talunga; southerly along the eastern boundaries of sections 6110, 44, 6200 and 228, to the southern boundary of Hundred of Talunga; generally south-easterly along the southern boundary of said hundred and the south-western boundary of Hundred of Tungkillo to the southern corner of section 153 of latter hundred; northerly along road east of sections 153 and 121; easterly along the northern boundaries of sections 122, 123 and 236; south-westerly along the north-western boundary of latter section; southerly along the western boundaries of sections 237, 238, 239 and 240; easterly along the southern boundary of section 252, southerly along the western boundaries of section 309 and portion of section 321; south-easterly along the north-eastern boundary of road intersecting latter section and easterly along its southern boundary; southerly along the western boundary of section 331; south-easterly along the south-western boundaries of section 416, 415 and 421, along the south-western boundary of the Hundred of Tungkillo to the north-western corner of section 370, Hundred of Monarto; south-easterly along road south-west of sections 370, 368 and 365; south-westerly along road north-west and north of sections 349, 446 and 441; generally westerly along road south of sections 424, 421 and 419; south-westerly through section 2001, Hundreds of Monarto and Kanmantoo to road opened 21st October, 1869, southerly along said road, south-westerly through said section to the western boundary of Hundred of Monarto; thence westerly and north-westerly in the Hundred of Kanmantoo along roads opened 26th August, 1869 and 21st October, 1869, for about 1½ miles; south-south-westerly through section 2001 to its southern boundary; east-south-easterly along the northern boundary of section 1296, Hundreds of Strathalbyn and Kanmantoo; southerly along the eastern boundary of section 1297 of said hundreds to the southern boundary of latter hundred; generally north-westerly along the south-western boundary of Hundred of Kanmantoo; south-westerly along the north-western boundary of the Hundred of Macclesfield to centre of Adelaide and Nairne railway; north-westerly in the hundred of Onkaparinga along said railway; south-westerly along railway and road north-west of section 4101; southerly along the Ambleside Railway Station Main Road to main south-eastern road; generally westerly and north-westerly along said main road to the southern corner of section 1286, Hundred of Adelaide; westerly and northerly along the southern and western boundaries of said section; north-easterly and north-westerly along the south-eastern and north-eastern boundaries of section 1284; northerly, easterly and southerly following the boundary of section 1001; easterly along the southern boundaries of sections 1053 and 1054; northerly along the eastern boundaries of sections 1054, 1056, and 1057; easterly along the southern boundaries of sections 906 and 919; northerly and easterly along the western and northern boundaries of section 1180; northerly along the western boundaries of sections 1107 and 484; easterly and northerly along the southern and eastern boundaries of section 1104; south-easterly, north-easterly and westerly following the boundaries of section 855; north-easterly along the north-western boundary of section 991; northerly along the western boundaries of sections 826 and 827; westerly and north-easterly along the southern and north-western boundaries of section 997; thence generally northerly along the eastern boundary of Hundred of Adelaide, to the point of commencement.

ELECTORAL DISTRICT OF ALBERT.

Commencing at the north-eastern corner of County Chandos; thence south along the eastern boundary of the State to the south-east corner of Hundred of Geegeela; west along the south boundary of hundreds of Geegeela and Beeamma; north, west and south following the boundaries of Hundred of Glen Roy; west and north along the south and west boundaries of Hundred of Marcollat, west along the south boundary of County Cardwell to the sea coast; north-westerly along sea coast to the southern corner of Hundred of Nangkita; north-easterly along the south-eastern boundaries of Hundreds of Nangkita, Alexandrina, Freeling and Brinkley to the south-western corner of Hundred of Seymour; east and north along the south and east boundaries of said hundred; east and south along the north and east boundaries of Hundred of Sherlock; east along the north boundaries of Hundreds of Peake and Price; north along the east boundaries of Hundreds of Molineux and McPherson; thence east along the north boundary of County Chandos to the point of commencement.

ELECTORAL DISTRICT OF MILLICENT.

Commencing at the south-eastern corner of the State; thence north along the east boundary of said State to the south-east corner of Hundred of Gambier; west and north along the south and west boundaries of latter hundred to intersect a line 5 chains south-west of and parallel to the north-eastern boundary of section 18, Hundred of Blanche north-westerly along said line to its intersection with a line 10 chains south-east of and parallel to the north-western boundary of sections 18 and 478; south-westerly along said line to road north-east of part section 545; westerly along road north of sections 14, 243 and part section 548; north-westerly along road north-east of sections 752, 766 and 859 to the Mount Gambier and Kongorong Main Road; generally south-westerly and westerly following said main road to the west boundary of Hundred of Blanche; north along the west boundaries of Hundreds of Blanche, Young, Grey, Monbulla and Killanoola to the road south of section 72, Hundred of Coles; westerly along road south of sections 72, 55 and 49 of latter hundred, and sections 108, 104, 34 and 64, Hundred of Fox; north and west along the east and north boundaries of Hundred of Smith; north along the west boundaries of Hundreds of Conmurra and Townsend; east and north along the south and east boundaries of Hundred of Minecrow; north along the east boundary of Hundred of Peacock; west along the south boundary of County Cardwell to the sea coast; thence generally southerly, south-easterly and easterly along said sea coast to the point of commencement, including Penguin Island, Cape Jaffa Lighthouse and the jetties along the sea coast.

ELECTORAL DISTRICT OF VICTORIA.

Commencing at the north-east corner of Hundred of Binnum; thence south along the east boundary of the State to the south-east corner of Hundred of Mingbool; west along the south boundaries of Hundreds of Mingbool and Young; north along the west boundaries of Hundreds of Young, Grey, Monbulla and Killanoola to the road south of section 72, Hundred of Coles, westerly along road south of sections 72, 55 and 49 of latter hundred and sections 108, 104, 34 and 64, Hundred of Fox; north and west along the east and north boundaries of Hundred of Smith; north along the west boundaries of Hundreds of Conmurra and Townsend; east and north along the south and east boundaries of Hundred of Minecrow; east along the north boundary of Hundred of Woolumbool; north, east and south following the boundaries of Hundred of Glen Roy; thence east along the north boundaries of Hundreds of Hynam and Binnum to the point of commencement.

ELECTORAL DISTRICT OF MOUNT GAMBIER.

Commencing at the north-east corner of Hundred of Gambier; thence south, west and north following the boundaries of said hundred to intersect a line 5 chains south-west of and parallel to the north-eastern boundary of section 18, Hundred of Blanche; north-westerly along said line to its intersection with a line 10 chains south-east of and parallel to the north-western boundary of sections 18 and 478; south-westerly along said line to road north-east of part section 545; westerly along road north of sections 14, 243 and part section 548; north-westerly along road north-east of sections 752, 766 and 859 to the Mount Gambier and Kongorong Main Road; generally south-westerly and westerly following said main road to the west boundary of Hundred of Blanche; north along said boundary; thence east along the north boundaries of Hundreds of Blanche and Gambier to the point of commencement.

ANNO QUARTO

ELIZABETHAE II REGINAE

A.D. 1955

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No. 60 of 1955

An Act to make provision with respect to the licensing of land agents, to repeal the Land Agents Act, 1925-1950, and for other purposes.

[*Assented to 15th December,* 1955.]

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.

INTRODUCTORY.

1. This Act may be cited as the "Land Agents Act, 1955". Short title.

2. This Act shall come into operation on a day to be fixed by proclamation. Commencement of Act.

3. The following Acts are repealed:— Repeals.

Land Agents Act, 1925—No. 1723 of 1925;

Land Agents Act, 1927—No. 1807 of 1927;

Land Agents Act Amendment Act, 1933—No. 2115 of 1933; and

Lands Agents Act Amendment Act, 1950—No. 49 of 1950.

4. The provisions of this Act are arranged as follows:— Arrangement of Act.

PART I—Introductory.
PART II—Land Agents Board.
PART III—Licensing of Land Agents.
PART IV—Registration of Land Salesmen.

PART V—Nomination and Registration of Managers.
PART VI—Duties of Land Agents.
PART VII—Subdivision of Land.
PART VIII—Miscellaneous.
PART IX—Transitional Provisions.

Interpretation.

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

"acquire" with reference to land includes take on lease and "acquisition" has a corresponding meaning;

"the board" means The Land Agents Board;

"certificate in lieu of a fidelity bond" means a certificate in lieu of a fidelity bond issued in accordance with Part VIII of this Act;

"director" includes any member of the governing body of a corporation;

"dispose" with reference to land includes let and "disposal" has a corresponding meaning;

"fidelity bond" means a fidelity bond given in accordance with Part VIII of this Act;

"insurance company" means any person who is complying with the provisions of the Insurance Acts 1932 of the Parliament of the Commonwealth, with respect to deposits;

"land" includes any interest in land;

"land agent" subject to this section means a person—

(*a*) whose business is to act as agent in respect of the sale or other disposal of land or the purchase or other acquisition of land; or

(*b*) without limiting the generality of paragraph (*a*) of this definition, whose business is the selling, whether as owner or otherwise, of land in allotments,

whether or not he carries on any other business either in conjunction with any such business or separately therefrom;

s. 5. In *re* a Fidelity Bond under the LAND AGENTS ACTS, 1925 AND 1927. *Ex parte* JAMES (1931) S.A.S.R. 73. The ordinary meaning of "land agent" does not include a person whose only business in connection with land is to collect rents. *Semble,* that section 2 of the Land Agents Act, 1925, as then enacted, furnished an exhaustive definition of "land agent" for the purposes of that Act.

In *re* a Fidelity Bond given by the COLONIAL MUTUAL FIRE INSURANCE COMPANY LIMITED (1931) S.A.S.R. 173. Held that a person who acted as agent for either a mortgagor or mortgagee in respect of the giving or obtaining a mortgage over land was doing work which is part of the business of a land agent as defined by section 2 of the Land Agents Act, 1925. Where moneys representing interest were paid by a mortgagor to a land agent to be paid by the agent to the mortgagee, held that this transaction was no part of the business of a land agent.

"land salesman" means a person who for or on behalf of any land agent (whether such land agent is the owner of the land proposed to be dealt with or the agent for such owner) induces or attempts to induce or negotiates with a view to inducing any person—

(*a*) to buy, sell, or otherwise acquire or dispose of any land; or

(*b*) to make an offer to buy, sell, or otherwise acquire or dispose of any land; or

(*c*) to accept any offer to buy, sell or otherwise acquire or dispose of any land; or

(*d*) to enter into any contract for the purchase, sale or other acquisition or disposal of any land;

"lease" and "let" include demise, let or agree to demise or let any land, and the noun "lease" and "letting" have a corresponding meaning;

"legal practitioner" means a person admitted as a practitioner of the Supreme Court;

"licence" means a licence granted under Part III of this Act and "licensed" has a corresponding meaning;

"licensed land agent" means a person holding a licence granted under Part III of this Act;

"licensed land broker" means a land broker licensed under the Real Property Act, 1886-1945;

"order" includes decision, direction or declaration;

"registered" means registered under Part IV or Part V of this Act, and "registration" has a corresponding meaning;

"registered land salesman" means a person registered as a land salesman under Part IV of this Act;

"registered manager" means a person registered as a manager under Part V of this Act;

"the secretary" means the secretary of the board.

(2) A legal practitioner who, in connection with his business as a legal practitioner, acts as agent in respect of the sale or purchase or other disposal or acquisition of land shall not by reason only of that fact be deemed to be a land agent within the meaning of this Act.

(3) A person who sells or offers to sell any land or interest in land by auction shall not by reason only of that fact be deemed to be a land agent within the meaning of this Act.

(4) Where two or more persons carry on business jointly as land agents each of those persons shall be deemed to be a land agent.

Power to exempt letting agents.

6. (1) The board may, on application in that behalf, if it is satisfied that—

(*a*) the applicant carries on or proposes to carry on business as an agent in respect of the letting of land ; and

(*b*) the applicant does not propose to carry on any other business of a land agent as defined by this Act ; and

(*c*) the main means of livelihood of the applicant will be other than the business as an agent in respect of the letting of land,

grant a certificate of exemption to the applicant.

(2) The certificate of exemption may be given subject to any condition thought fit by the board and may be revoked by the board at any time.

(3) While the certificate of exemption remains in force, the applicant shall for the purposes of this Act in respect of his business as a letting agent be deemed not to be carrying on business as a land agent.

(4) The secretary or any other person may object to an application under this section.

PART II.

PART II.

LAND AGENTS BOARD.

Land Agents Board.

7. The Land Agents Board is hereby continued.

Legal proceedings.

8. Legal proceedings may be taken by or against the board under the name of "The Land Agents Board" without specifying the individual members thereof.

Members.

9. The board shall consist of three persons appointed by the Governor, namely—

(*a*) one person appointed on the nomination of the Real Estate Institute of South Australia Incorporated ; and

(*b*) two persons, appointed on the recommendation of the Attorney-General, one of whom shall be a legal practitioner of at least seven years standing.

Appointment of chairman.

10. The Governor shall appoint one member of the board to be the chairman thereof.

Term of office of members.

11. Subject to this Act, the members of the board shall hold office for a period of three years after their appointment, and shall be eligible for re-appointment.

Casual vacancies.

12. If a member of the board—

(*a*) dies;

(*b*) resigns by written notice given to the Attorney-General; or

(*c*) is removed from the board by the Governor pursuant to this Act,

his seat shall become vacant.

Removal of members from board.

13. The Governor may remove any member of the board from his office for—

(*a*) mental or physical incapacity;

(*b*) neglect of duty;

(*c*) dishonourable conduct; or

(*d*) other cause deemed sufficient by the Governor.

Appointment to casual vacancies.

14. The Governor shall fill casual vacancies on the board, and every person appointed to a casual vacancy shall hold office for the balance of the term of his predecessor.

Fees and expenses.

15. (1) Every member of the board shall be entitled to such fees as are approved by the Governor.

(2) The fees of members of the board and the other expenses of the board shall be paid out of moneys voted by Parliament for that purpose.

Secretary.

16. The Governor may appoint a person to be secretary of the board.

Employment by board of legal practitioners and other persons.

17. With the approval of the Attorney-General, the board may employ legal practitioners and other persons to assist it in the discharge of its duties and functions.

Quorum.

18. Two members shall constitute a quorum of the board.

Meetings.

19. (1) The first meeting of the board after the commencement of this Act shall be convened by the chairman of the board, and thereafter the meetings of the board shall be convened by the secretary under the instructions of the board, or in accordance with the regulations, and shall be held at times and places determined by the board.

(2) Subject to this Act, the business of the board shall be conducted in such manner as the board determines.

PART II.

The chairman.

20. (1) The chairman shall preside at every meeting of the board at which he is present. In the absence of the chairman from any meeting, another member, with the consent of the remaining member, shall preside.

(2) The person presiding at a meeting shall have a casting vote as well as a deliberative vote.

Defects in appointment not to invalidate proceedings of board.

21. (1) No act or proceeding of the board shall be invalid or illegal in consequence only of the number of the members of the board not being complete at the time of such act or proceeding.

(2) All acts and proceedings of the board shall, notwithstanding the subsequent discovery of any defect in the appointment of any member thereof, or that any member was disqualified or disentitled to act, be as valid as if such member had been duly appointed and was qualified and entitled to act and had acted as a member of the board, and as if the board had been properly and fully constituted.

Fees and other monies received to be paid into General Revenue.

22. All fees and other moneys received by the board under this Act shall be paid by the board to the Treasurer in aid of the General Revenue of the State.

PART III.

PART III.

LICENSING OF LAND AGENTS.

Land agents to be licensed.

23. A person (whether an individual or a corporation) shall not carry on business, or by any means whatsoever hold himself out, as a land agent unless he is a licensed land agent.

Penalty: One hundred pounds.

Application for licence.

24. (1) An application for a licence shall be made to the board in writing in the prescribed form and delivered to the secretary, and shall contain all the information indicated therein.

(2) The statements made in the application shall be verified by a statutory declaration made by the applicant or, where the applicant is a corporation, by an officer of the corporation.

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s. 23. UREN v. TRESTRAIL (1929) S.A.S.R. 17. As to what constitutes a person holding himself out as a land agent. Where the defendant in a newspaper inserted an advertisement advertising the sale of a "mixed business," held that, by the advertisement, the defendant did not hold out that he carried on business as a land agent.

LENTHALL v. HILLSON (1933) S.A.S.R. 31; 6 Austn. Digest 133. In a prosecution under section 31 of the Land Agents Act, 1925 (which was substantially similar to section 23) the Justices Act, 1921, binds the Crown in the sense that the penalty is recoverable under that Act, and not otherwise.

Fidelity bond or certificate in lieu of fidelity bond.

25. The application shall be accompanied by a fidelity bond or a certificate in lieu of a fidelity bond.

Information to be furnished by applicant.

26. The applicant shall furnish the board with all such information as it requires to enable it to decide the application.

Qualification for licence necessary for individual applicant.

27. (1) Subject to subsection (2) of this section, on the making of an application in accordance with this Act, the applicant (not being a corporation) shall be entitled to be granted a licence by the board if he proves to the satisfaction of the board that—

(*a*) he is over the age of twenty-one years ;

(*b*) he is of good character ;

(*c*) he is not an undischarged bankrupt and has not entered into any composition or scheme of arrangement, which is still subsisting, with his creditors, and has not executed any deed of arrangement, which is still subsisting, for the benefit of his creditors ; and

(*d*) he has been employed in the business of one or more land agents for two years in the aggregate whether before or after the commencement of this Act or partly before and partly after the commencement of this Act : Provided that this paragraph shall not apply where the applicant—

(i) has held a licence at any time under this Act or the Land Agents Act, 1925-1950 ; or

(ii) is or has been at any time whether before or after the commencement of this Act, a licensed land broker ; or

(iii) in the opinion of the board has sufficient knowledge of the duties and liabilities of a land agent or sufficient commercial experience to carry on business as a land agent.

(2) The board shall not be obliged to grant a licence by reason of employment for two years as mentioned in paragraph (*d*) of subsection (1) of this section unless the board is satisfied that the employment was such as to give the applicant sufficient knowledge of the duties and liabilities of a land agent to carry on the business of a land agent.

Qualification for licence necessary for corporation.

28. (1) Subject to subsection (2) of this section, on the making of an application in accordance with this Act, a corporation shall be entitled to be granted a licence by the board.

(2) The board may refuse to grant a licence to the corporation if the board is satisfied that—

(*a*) the general manager or other principal officer of the corporation;

(*b*) any director of the corporation; or

(*c*) any person who in the opinion of the board substantially controls the affairs of the corporation,

is not of good character.

Grant of licence.

29. On being satisfied that the applicant is entitled to be granted a licence, and on payment of the prescribed fee (if payable), the board shall grant a licence to the applicant.

Exemption from fees.

30. An applicant for a licence or the renewal of a licence who is a licensed land broker, or a licensed auctioneer under the Auctioneers Act, 1934-1953, shall not be required to pay a fee for a licence or for the renewal of his licence, as the case may be.

Duration of licence.

31. A licence shall, unless sooner terminated in accordance with this Act, continue in force until the thirty-first day of March following the grant of the licence, and may from time to time be renewed for the period ending on the thirty-first day of March next after the commencement of the renewal.

Renewal of licence.

32. (1) An application for the renewal of a licence shall be made in the form and manner prescribed by regulation.

(2) The application shall be made to the board and shall be delivered to the secretary not earlier than the first day of January and not later than the last day of February preceding the day of the expiry of the licence.

(3) The application shall be accompanied by a fidelity bond or a receipt for the renewal premium on a like fidelity bond previously accompanying an application under this Act, or a certificate in lieu of a fidelity bond.

(4) Subject to subsection (5) of this section, on the making of an application in accordance with this section, and on payment of the prescribed fee (if payable), the board shall grant a renewal to the applicant.

(5) If an objection is made to the application, and on hearing and determining the objection, the board is satisfied that a ground exists on which the licence is subject to cancellation under this Act, the board may dismiss the application, cancel the licence and make any other order authorized by section 36.

(6) The board may determine an application for the renewal of a licence notwithstanding that the application may not have been delivered within the time limited by this section in that behalf.

(7) If an application for renewal has been delivered to the secretary before the last day of February in any year, but is not determined by the board before the thirty-first day of March following that day, the licence shall, notwithstanding anything to the contrary in this Act, be deemed to be extended until the application is disposed of by the board in accordance with this Act.

Objections.

33. The secretary or any other person may object to any application for the grant or renewal of a licence.

Death of licensed land agent.

34. Where a licensed land agent who is carrying on business as a land agent dies, the person carrying on the business shall be deemed to be the holder of a licence until the business is sold or the expiration of six months after the death of the licensed land agent whichever first happens.

Surrender of licence.

35. A licensed land agent may at any time surrender his licence to the board and the licence shall thereupon cease to have effect.

Cancellation of licence and disqualification

36. (1) The board may, on application for the cancellation of a licence, cancel the licence and may in addition disqualify the licensed land agent from holding a licence either temporarily or permanently or until the fulfilment of a condition imposed by the board or until the further order of the board, on any of the following grounds, namely, that—

(*a*) the licence was improperly obtained ;

(*b*) the licensed land agent or a partner of the licensed land agent, or a registered manager in the service of the licensed land agent nominated under this Act by the licensed land agent or, if the licensed land agent is a corporation, the general manager or other principal officer or a director of the corporation or any person who in the opinion of the board substantially controls the affairs of the corporation—

(i) has been convicted of any offence against the Land Agents Act, 1925-1950, or this Act, or any offence involving dishonesty, whether such conviction took place before or after the passing of this Act ; or

(ii) has been guilty whether before or after the commencement of this Act of any dishonest or fraudulent conduct;

(*c*) the licensed land agent or a partner of the licensed land agent has been guilty whether before or after the commencement of this Act of any breach of his duty as a land agent;

(*d*) the licensed land agent is an undischarged bankrupt or has entered into any composition or scheme of arrangement, which is still subsisting, with his creditors or has executed any deed of arrangement, which is still subsisting, for the benefit of his creditors,

or on any other ground which the board deems sufficient.

(2) The secretary or any other person may apply for the cancellation of a licence.

PART IV.

PART IV.

REGISTRATION OF LAND SALESMEN.

Land salesman to be registered.

37. A person shall not—

(*a*) be or remain in the service of any person as a land salesman;

(*b*) by any means whatsoever hold himself out as a land salesman; or

(*c*) act as a land salesman;

unless he is a registered land salesman or a registered manager.

Penalty: Fifty pounds.

Employment of land salesmen.

38. A person shall not have any other person in his service as a land salesman unless that other person is a registered land salesman or a registered manager.

Penalty: Fifty pounds.

Exemption of employees at branch office of approved stock and station agent.

39. (1) Notwithstanding the provisions of this Part, if the manager of a branch office of an approved stock and station agent is a registered land salesman or a registered manager, any person in the service of that agent and employed at that office, shall not by reason only of that service or anything done in the course of that service be required to be a registered land salesman or a registered manager.

(2) In this section—

"approved stock and station agent" means a person carrying on business as a stock and station agent and approved by the Attorney-General for the purposes of this section:

"branch office" means an office other than the head office for the State of a person carrying on business as a stock and station agent.

Application for registration.

40. (1) An application for registration of any person as a land salesman under this Part shall be made in writing in the prescribed form to the board and shall be delivered to the secretary, and shall contain all the information indicated therein.

(2) The statements made in the application shall be verified by a statutory declaration made by the applicant.

Fidelity bond or certificate in lieu of fidelity bond.

41. The application shall be accompanied by a fidelity bond or a certificate in lieu of a fidelity bond.

Information to be furnished by applicant.

42. The applicant shall furnish the board with all such information as it requires to enable it to decide the application.

Qualification for registration.

43. On the making of an application in accordance with this Part, the applicant shall be entitled to be registered if he proves to the satisfaction of the board that he is of good character.

Registration.

44. On being satisfied that the person is entitled to be registered, and on payment of the prescribed fee (if payable), the board shall register the person and issue a certificate of registration to him in the prescribed form.

Exemption from fees.

45. Where registration or renewal of registration of a person who is—

(*a*) a licensed auctioneer under the Auctioneers Act, 1934-1953; or

(*b*) a registered auctioneer's clerk under that Act; or

(*c*) a licensed land broker,

is applied for, no fee shall be payable for registration or renewal of registration.

Duration of registration.

46. A registration of a land salesman shall, unless sooner terminated under this Act, continue in force until the thirty-first day of March following the commencement of the registration, and may from time to time be renewed for the period ending on the thirty-first day of March next after the commencement of the renewal.

Renewal of registration.

47. (1) An application for the renewal of a registration of a land salesman shall be made in the form and manner prescribed by regulation.

(2) The application shall be made to the board, and shall be delivered to the secretary not earlier than the first day of January and not later than the last day of February preceding the day of the expiry of the registration.

(3) The application shall be accompanied by a fidelity bond or a receipt for the renewal premium on a like fidelity bond previously accompanying an application under this Part, or a certificate in lieu of a fidelity bond.

(4) Subject to subsection (5) of this section, on the making of an application in accordance with this section and on payment of the prescribed fee (if payable) the board shall renew the registration and issue a certificate of renewal in the prescribed form.

(5) If an objection is made to the application, and on hearing and determining the objection, the board is satisfied that a ground exists on which the registration is subject to cancellation under this Act, the board may dismiss the application, cancel the registration and make any other order authorized by section 50.

(6) The board may determine an application for renewal of registration notwithstanding that the application may not have been delivered within the time limited by this section in that behalf.

(7) If an application for renewal has been delivered to the secretary before the last day of February in any year, but is not determined by the board before the thirty-first day of March following that day, the registration shall, notwithstanding anything to the contrary in this Act, be deemed to be extended until the application is disposed of by the board in accordance with this Act.

Objections.

48. The secretary or any other person may object to any application for registration or renewal of registration.

Surrender.

49. A registered land salesman may at any time surrender his certificate of registration to the board, and the registration shall thereupon cease to have effect.

Cancellation of registration.

50. (1) The board may, on application for the cancellation of the registration of any land salesman, cancel the registration and may, in addition, disqualify him from being registered either temporarily or permanently or until the fulfilment of a condition imposed by the board, or until the further order of the board, on any of the following grounds, namely, that—

(*a*) his registration was improperly obtained;

(*b*) he has been convicted of any offence against the Land Agents Act, 1925-1950, or this Act, or any offence involving dishonesty, whether such conviction took place before or after the commencement of this Act;

(*c*) he has been guilty whether before or after the commencement of this Act of any dishonest or fraudulent conduct,

or any other ground which the board deems sufficient.

(2) The secretary or any other person may apply for the cancellation of the registration of a land salesman.

Suspension of registration of land salesman while not in service of a land agent.

51. During such time as a registered land salesman is not in the service of a land agent, his registration shall be deemed to be suspended and shall have no force or effect.

PART V.

PART V.

NOMINATION AND REGISTRATION OF MANAGERS.

Duty to appoint manager.

52. (1) Subject to section 54, a corporation carrying on business as a land agent shall have at all times in its service a person nominated under this Act as manager of the corporation's business as a land agent in the State who—

(*a*) is a registered manager; and

(*b*) has his usual place of residence within the State.

Penalty: Fifty pounds.

(2) Subject to section 54, a person (not being a corporation) carrying on business as a land agent whose usual place of residence is outside the State shall have at all times in his service a person nominated under this Act as manager of his business as a land agent in the State who—

(*a*) is a registered manager ; and

(*b*) has his usual place of residence within the State :

Provided that this subsection shall not apply if any partner of the person who is a licensed land agent has his usual place of residence within the State.

Penalty : Fifty pounds.

(3) In proceedings for an offence against this section, the allegation in the complaint that a person does not have his usual place of residence within the State shall be *prima facie* evidence of that fact.

Nomination of manager.

53. (1) The nomination of a manager for the purposes of this Act shall be made in the prescribed form.

(2) The person making the nomination shall deliver the form of nomination to the secretary within fourteen days of the making of the nomination.

Penalty : Fifty pounds.

Death, etc., of manager.

54. If any person nominated as manager under this Act—

(*a*) dies ;

(*b*) ceases to be in the service of the person by whom he was nominated ;

(*c*) ceases to be registered as a manager ; or

(*d*) ceases to have his usual place of residence within the State,

it shall not be necessary for a new manager to be nominated in his place until the expiration of one month after the death or cessation as aforesaid.

Registration of managers.

55. Subject to this Part, an application for registration as a manager shall be made in the same manner and shall be dealt with in the same way as an application for registration as a land salesman, and the provisions of sections 40, 41, 42, and 44 to 50 (inclusive), shall apply with the necessary modifications with respect to the registration of managers in the same way as to the registration of land salesmen.

Qualifications for registration as a manager.

56. (1) Subject to subsection (2) of this section, on the making of an application for registration as a manager in accordance with this Part, the applicant shall be entitled to be registered if he proves to the satisfaction of the board that—

(*a*) he is over the age of 21 years ;

(*b*) he is of good character ;

(*c*) he is not an undischarged bankrupt and has not entered into any composition or scheme of arrangement, which is still subsisting, with his creditors, and has not executed any deed of arrangement, which is still subsisting, for the benefit of his creditors ; and

(*d*) he has been employed in the business of one or more land agents for two years in the aggregate whether before or after the commencement of this Act or partly before and partly after the commencement of this Act : Provided that this paragraph shall not apply where the applicant—

(i) has held a licence at any time under this Act or the Land Agents Act, 1925-1950 ; or

(ii) is or has been at any time whether before or after the commencement of this Act, a licensed land broker ; or

(iii) in the opinion of the board has sufficient knowledge of the duties and liabilities of a land agent or sufficient commercial experience to manage the business of a land agent.

(2) The board shall not be obliged to register the applicant by reason of employment for two years as mentioned in paragraph (*d*) of subsection (1) of this section unless the board is satisfied that the employment was such as to give the applicant sufficient knowledge of the duties and liabilities of a land agent to manage the business of a land agent.

PART VI.

PART VI.

DUTIES OF LAND AGENTS.

Notice of Commencing to Carry on Business, Etc.

Notice to secretary on commencing to carry on business, etc.

57. A licensed land agent shall within fourteen days of commencing or ceasing to carry on a business as a land agent give to the secretary notice in writing of that fact.

Penalty: Twenty pounds.

Registered Office.

Land agent to have registered office.

58. (1) A person shall, on and after the day on which he commences to carry on business as a land agent, for so long as he carries on such business, have a registered office in the State.

Penalty: Twenty pounds.

(2) Any summons, notice, order, or other document required to be served upon a land agent may be served by leaving the same at his registered office or by sending it through the post in a prepaid and registered letter addressed to the land agent at that office.

(3) An office may be registered by giving notice of the situation of the office to the secretary, and a registered office may be changed by giving notice of the change to the secretary.

Land agent to display notice on registered office.

59. Every land agent shall exhibit and keep exhibited in a prominent place on his registered office, and on every branch office, so as to be easily read from outside that office, a notice of his name and of the fact that he is a licensed land agent, together with the name or style under which he carries on business as a land agent, if such business is not carried on in his own name.

Penalty: Twenty pounds.

Trust Accounts.

Duty of land agent with respect to moneys received in course of his business.

60. (1) All moneys received by a land agent in respect of the sale or other disposal of land or in respect of any other transaction in his capacity as a land agent, shall be applied as follows:—

1. In payment of the expenses, commission, and other charges of or incidental to such sale, or other disposal or transaction as aforesaid:

s. 60. In *re* a Fidelity Bond under the LAND AGENTS ACTS, 1925 AND 1927. *Ex parte* JAMES (1931) S.A.S.R. 73. Observations as to the interpretation of "lease of land" and "other transaction" in section 23(1) of the Land agents Act, 1925.

In *re* a Fidelity Bond given by the COLONIAL MUTUAL FIRE INSURANCE COMPANY LIMITED (1931) S.A.S.R. 173. If a person has obtained a licence as a land agent and has undertaken to do work for a client which comes within the business of a land agent as defined in section 5, he may be presumed to be acting in his capacity as a land agent and is therefore obliged to apply in manner provided by section 60 moneys received by him in respect of such transaction. Meaning of "person lawfully entitled thereto" discussed.

II. In payment of the balance (if any) to the person or persons lawfully entitled thereto.

Any money collected or received by a land agent as agent for any person and being rent, interest, principal, deposit, instalments, or other moneys whatever payable under any lease, mortgage, or contract for the sale of land shall be deemed to be money received by the land agent in his capacity as a land agent.

(2) Pending the payment of any balance as aforesaid, it shall be paid by the land agent into a trust account, and shall not be withdrawn therefrom save for the purpose of paying the same to the person or persons entitled thereto, as hereinbefore provided.

(3) The land agent shall not pay into the trust account any money other than money mentioned in subsection (1) of this section.

(4) Every person who commits a breach of this section shall be liable to a penalty not exceeding one hundred pounds.

(5) Save as herein provided, moneys paid into a trust account pursuant to this section shall not be available for payment of the debts of the land agent, or be liable to be attached or taken in execution under the order or process of any court.

(6) In this section the expression "pay into a trust account" means to pay into a bank carrying on business in the State to the credit of a trust account kept in the name of the land agent concerned.

Duty to Furnish Account.

Land agent to furnish account to principal.

61. (1) Forthwith on the demand of the person for whom he has acted as agent, or, if no such demand is made, then within twenty-eight days after the receipt by him of any moneys in respect of the sale or other disposal of land, or in respect of any other transaction in his capacity as a land agent, every land agent shall render to the person on whose behalf he has acted as agent an account in writing, setting forth particulars of all such moneys, and of the application thereof.

(2) If any land agent refuses, or for a period of seven days after demand neglects or fails to render an account as aforesaid, or, in the absence of a demand, neglects or fails to render an account within the period of twenty-eight days aforesaid, he shall be liable to a fine not exceeding fifty pounds.

Fraudulent Conversion and False Accounts.

Fraudulent conversion and false accounts.

62. (1) A person who—

(*a*) fraudulently converts to his own use any moneys received by him in his capacity as a land agent; or

(*b*) renders an account purporting to be an account of any moneys received by him as aforesaid, knowing the same to be false in any material particular,

shall be guilty of an offence.

(2) An offence against this section may be prosecuted either summarily or upon information in the Supreme Court, but a person shall not be liable to be punished more than once in respect of the same offence.

(3) The punishment for an offence against this section shall be—

(*a*) if the offence is prosecuted summarily, a fine not exceeding two hundred pounds or imprisonment for a term not exceeding two years; or

(*b*) if the offence is prosecuted upon information, a fine not exceeding five hundred pounds, or imprisonment for a term not exceeding five years.

Preparation of Instruments.

Preparation of instruments.

63. (1) In this section "instrument" means any conveyance, mortgage, lease or other deed relating to any estate or interest in land or any instrument within the meaning of the Real Property Act, 1886-1945.

(2) After the thirtieth day of June, nineteen hundred and fifty-seven, if a land agent—

(*a*) not being a land broker, prepares; or

(*b*) causes or permits any person, not being a legal practitioner or a land broker to prepare,

any instrument relating to any transaction in which the land agent is directly or indirectly concerned or engaged, the land agent shall be guilty of an offence.

Penalty: Fifty pounds.

Provided that this subsection shall not apply if the instrument is before being lodged for registration in the Lands Titles Registration Office certified as correct for purposes of the Real Property Act, 1886-1945, by a legal practitioner.

(3) A land agent shall not prepare for any party to a transaction in which he is concerned or engaged any instrument relating to the transaction without the consent in writing of the party.

Penalty : Fifty pounds.

(4) An instrument drawn or prepared in contravention of this section shall not by reason only of that fact be void or voidable.

(5) An officer of the Crown to whom an instrument is presented for registration or stamping shall not be concerned to inquire whether the instrument has been prepared in contravention of this section.

Advertisements.

Advertisements.

64. Any person being a licensed land agent who publishes or causes or permits to be published any advertisement relating to or in connection with the sale or purchase or other disposal (not being letting) or acquisition of any land which does not state—

(*a*) the name of the licensed land agent ; and

(*b*) the address of his registered office ; and

(*c*) the fact that the person named is a licensed land agent,

shall be guilty of an offence.

Penalty : Fifty pounds.

PART VII.

PART VII.

SUBDIVISION OF LAND.

Offences in connection with the sale of subdivided land.

65. (1) In this Part "subdivided land" means any one or more vacant allotments of land shown on a plan of subdivision deposited in the Lands Titles Registration Office or the General Registry Office at Adelaide or any part of such an allotment : Provided that the term shall not include any allotments which as allotments are suitable or intended wholly or mainly for use for agricultural, pastoral, horticultural, or viticultural purposes. Land shall be deemed to be vacant within the meaning of this

s. 65. GEORGE v. GREATER ADELAIDE DEVELOPMENT COMPANY LTD. (1929) 43 C.L.R. 91; 36 A.L.R. 72; 4 Austn. Digest 605; affirming GREATER ADELAIDE DEVELOPMENT COMPANY LTD. v. GEORGE (1929) S.A.S.R. 199. Where a contract of sale is entered into prior to the deposit of a plan of subdivision in the Lands Titles Registration Office, the land is not "subdivided land" within the meaning of section 65 and following sections.

section if no house or building suitable for human occupation is built thereon.

(2) Any person who, in connection with the selling of any subdivided land or any interest in such land, knowingly makes a false representation which is likely to induce another person to buy such land or interest shall be guilty of an offence.

Penalty : Two hundred pounds or imprisonment for not more than twelve months.

In any proceedings under this subsection, if it is proved that the defendant made any false representation, he shall be deemed to have made such representation with knowledge of its falsity unless he satisfies the court that he had reasonable ground to believe and did believe it to be true.

(3) Any person who in order to induce any other person (in this subsection called "the prospective purchaser") to purchase subdivided land states—

(*a*) that he or any other person will buy at a profit to be received in the future by the prospective purchaser any other land or chattel then owned by the prospective purchaser ; or

(*b*) that he or some other person will at some future time obtain for the prospective purchaser a profit on such subdivided land or any part thereof,

shall be guilty of an offence.

Penalty : Two hundred pounds or imprisonment for not more than twelve months.

Contracts relating to subdivided land voidable in certain cases.

66. (1) Subject to subsection (2) of this section, any contract for the sale of any subdivided land or interest in such land shall be voidable at the option of the purchaser at any time within six months from the making thereof unless such contract

S. 66. OUTER SUBURBAN PROPERTY LIMITED v. CLARKE (1933) S.A.S.R. 221; 4 Austn. Digest 466. Where the respondent signed a form of "contract" for the purchase of land and, after obtaining his signature, the agent of the appellant, without the knowledge of or authority from the respondent, filled in the additional particulars required by section 25b of the Land Agents Act, 1925 (which was substantially similar to section 66) and after that the contract was signed on behalf of the vendor, held on the facts that no contract was concluded, and held further that (if any contract had been concluded) there was no contract in writing containing the particulars required by section 25b. Meaning of contract "in writing" discussed.

LESKE v. S.A. REAL ESTATE INVESTMENT COMPANY, LIMITED (1930) 45 C.L.R. 22; affirming S.A. REAL ESTATE INVESTMENT COMPANY LIMITED v. LESKE (1929) S.A.S.R. 288. "Person" in paragraph (*c*) of subsection (1) includes body corporate. A provision in an agreement requiring payments under the agreement to be made at the office of the vendor company held to be sufficient compliance with paragraph (*c*).

complies with the following requirements, namely, such contract—

(i) shall be in writing; and—

(ii) shall contain the following particulars, namely:—

(*a*) The name, address, and description of the vendor:

(*b*) The name, address, and description of the person who is, at the time when the contract is made, the owner of the land or interest:

(*c*) The allotment number of the land and the name, if any, of the subdivision, or other information sufficient to enable the land to be readily identified:

(*d*) The name, address, and description of some person to whom all moneys falling due under the contract may be paid.

A purchaser shall not be deemed to have elected to affirm a contract which is voidable under this section by reason of any payments of money made by the purchaser pursuant to the contract within the period of six months aforesaid.

Prohibition of contracting out.

(2) This section shall not apply where the sale is by public auction.

67. Any agreement whereby a person purports to waive any right which he may have under this Part to avoid a contract shall be void and of no effect.

Onus of proof as to knowledge of falsity of representation.

68. If on the trial of any action it is shown that any false representation was made and that any person was induced by such representation to enter into a contract to purchase subdivided land or any interest in such land, the person making such representation shall be deemed to have made the same with knowledge of its falsity unless it is proved that he had reasonable ground to believe and did believe that such representation was true.

Contracts induced by excessive persuasion.

69. In any such action as aforesaid if it is shown that any person was induced—

(*a*) to enter into any contract to purchase subdivided land or any interest in such land; or

(*b*) to affirm any such contract, being voidable by such person,

by any unreasonable persuasion on the part of any person acting or appearing to act on behalf of the vendor or the vendor's agent, then according to the nature of the case—

(i) such contract whether equitable or otherwise shall be deemed to have been induced by undue influence, and shall be voidable at the option of such first-mentioned person accordingly; or

(ii) such affirmation shall be void and of no effect.

Provision as to judgments obtained in other States on voidable contracts.

70. (1) If—

(*a*) any person resident in the State enters into a contract within the State for the sale of land which contract would if governed by the law of the State be or be held to be void or voidable under this Part; and

(*b*) judgment is obtained on or in respect of such contract in any other State; and

(*c*) a certificate of such judgment is registered in any court within the State,

the person against whom the judgment was obtained may apply to such court at any time within forty-two days of his receiving notice of the registration of the certificate of the judgment to set aside the same on any ground of defence which would have been available to such person if—

(i) the action upon which such judgment was obtained had been brought in a court within the State; and

(ii) the contract had been governed by the law of the State.

(2) Upon any application to set aside a judgment under this section, the court may make such order in conformity with this section as it deems just and shall observe as nearly as possible the usual practice of the court on the hearing of applications for a stay of proceedings on certificates of judgment registered in such court under the Service and Execution of Process Act, 1901-1953 of the Parliament of the Commonwealth.

Application of sections 68, 69 and 70.

71. The provisions of sections 68, 69 and 70 shall apply in respect of all contracts made after the commencement of this Act.

PART VIII.

MISCELLANEOUS.

Fidelity Bonds.

Provisions as to bonds.

72. (1) A fidelity bond for the purposes of this Act shall be given by an insurance company to Her Majesty in the sum of five hundred pounds: Provided that a bond for the purposes of Part IV or Part V may be given by some other surety approved by the Attorney-General.

(2) The bond shall be in the prescribed form appropriate to a licensed land agent, registered land salesman, or registered manager, as the case may require.

(3) The sum of five hundred pounds named in a fidelity bond under this section shall not be deemed to be a penalty, but shall be liquidated damages, and shall accordingly be recoverable in full, as a debt due by the surety or sureties to Her Majesty unless the surety or sureties prove performance of every condition upon which the bond is defeasible.

(4) Every sum so recovered shall be paid into the general revenue, and the residue, after the deduction of costs and other expenses, may, with the approval of the Attorney-General, and without further appropriation than this Act, be applied—

(*a*) in compensating any person for any loss sustained by reason of any breach of any condition of the bond; and

(*b*) in refunding to the surety or sureties any balance left after payment of such compensation.

(5) If at any time during the currency of a licence or registration the bond taken out by a licensed land agent or a registered land salesman or a registered manager ceases to be of full force and effect, he shall, until an appropriate bond of full force and effect or a certificate in lieu of a fidelity bond is delivered by him to the secretary, be deemed to be unlicensed or unregistered, as the case may be.

Certificate in Lieu of Fidelity Bond.

Certificate in lieu of fidelity bond

73. (1) The Treasurer shall on the deposit with him for the purposes of this Act of securities issued by the Commonwealth the face value of which is six hundred pounds, issue to the person depositing them in each year while the Treasurer holds the securities a certificate in lieu of a fidelity bond certifying the fact of deposit.

(2) All such securities shall be transferred to the Treasurer and held by him as security for the performance of the same conditions as would have required to be included in the fidelity bond in lieu of which the certificate is obtained.

(3) Upon the breach of any of such conditions, the Treasurer shall sell the securities and apply the proceeds thereof in the following order of priority :—

(*a*) in payment of the costs of selling the securities ;

(*b*) in compensating any person up to but not exceeding the sum of five hundred pounds for any loss sustained by reason of any breach of any such condition ; and

(*c*) in refunding to the person depositing such securities or his successor in title or nominee any balance left after payment of such costs and compensation.

(4) While the securities are held by the Treasurer the person depositing them shall be entitled to the interest accruing thereon.

(5) The Treasurer shall on application duly made re-transfer the securities deposited under this section to the person who deposited them, or his successor in title or nominee, if he is satisfied that that person—

(*a*) has not carried on business as a land agent or has not acted as a land salesman, or has not been nominated as a manager or acted as a land salesman, as the case may be, for at least six months, and has not committed any breach of any condition rendering such securities liable to be sold ; or

(*b*) has delivered to the secretary an appropriate fidelity bond.

(6) On the re-transfer of the securities, the depositor of the securities shall be deemed to be unlicensed or unregistered, as the case may be, unless he has delivered to the secretary an appropriate fidelity bond.

Registers.

Registers.

74. (1) The secretary shall keep the following registers, namely :—

(*a*) a register of licensed land agents ;

(*b*) a register of registered land salesmen ; and

(*c*) a register of registered managers.

(2) The secretary shall record in the registers the prescribed particulars and such other particulars as the board may direct.

Inspection of registers.

75. The registers kept by the secretary under this Act shall, on payment of the prescribed fee, be open to inspection within ordinary business hours by any person desirous of inspecting the same.

Removal of names from registers.

76. The board shall cause to be removed from the registers the name of every licensed land agent, registered land salesman or registered manager who—

(*a*) ceases for any reason to hold a licence or to be registered ; or

(*b*) dies.

Publication of List of Licensed Land Agents, Etc.

Publication of list of licensed land agents, etc.

77. (1) A list of the names and descriptions of all persons holding licences under this Act as on a date to be therein specified, together with such of the relevant particulars appearing in the register as the board thinks fit, shall be published in the *Gazette* during the month of May of each year.

(2) A list of the names and descriptions of all persons registered as on a date to be therein specified, together with such of the relevant particulars appearing in the register as the board thinks fit, shall be published in the *Gazette* during the month of June in each year.

(3) Supplementary lists may be published in like manner to the lists mentioned in subsection (1) and subsection (2) of this section, as the board may from time to time direct.

(4) The production of copies of the *Gazette* containing the list mentioned in subsection (1) or subsection (2) of this section for any year together with all lists supplementary to that list for the year, shall until the contrary is proved, be sufficient evidence in all judicial proceedings of the contents of the register, and the absence of the name of any person from the list and supplementary lists for any year, shall until the contrary is proved, be sufficient evidence that such person is not licensed or is not registered, as the case may be.

(5) A certificate under the hand of the secretary and purporting to certify that any person is or is not licensed or is or is not registered on the date of the certificate or as to any other matter concerning the contents of the registers

shall, in all judicial proceedings, be sufficient evidence of the fact or facts therein purported to be certified, and judicial notice shall in all events be taken of the signature of the secretary.

The secretary, shall upon the request in writing of any person and payment of the prescribed fee, issue a certificate stating any such matters as are referred to in this subsection.

Investigation by Police Officers.

Investigation by police officers.

78. (1) The Commissioner of Police shall at the request of the secretary cause his officers to make any investigations and reports relevant to any matter being investigated by the secretary or the board.

(2) Such reports shall be forwarded to the secretary.

Inquiries by Board.

Power of board to summon witnesses and take evidence.

79. (1) For the purpose of hearing and determining any application under this Act, the board may—

(*a*) by summons signed on behalf of the board by a member of the board or the secretary, require the attendance before the board of any person whom the board thinks fit to call before it;

(*b*) by notice in writing signed on behalf of the board by a member of the board or the secretary require the production of any books, papers or documents;

(*c*) inspect any books, papers or documents produced before it, and retain them for such reasonable period as it thinks fit, and make any copies of them or of any of their contents;

(*d*) require any person to take an oath or affirmation that he will truly answer all questions put to him by the board relevant to any matter being inquired into by the board, which oath or affirmation may be administered by any member or the secretary of the board;

(*e*) require any person appearing before the board, whether on summons or otherwise, to answer any relevant questions put to him by any member of the board or by any person appearing before the board.

(2) If any person—

(*a*) who has been served with a summons to attend before the board, does not attend in obedience to the summons; or

(*b*) who has been served with a notice to produce books, papers or documents, refuses or fails to comply with the notice; or

(*c*) when required by the board to take an oath or affirmation as mentioned in the preceding subsection, refuses to do so; or

(*d*) when required to answer a relevant question as mentioned in the preceding subsection, refuses to do so; or

(*e*) wilfully insults the board or any member thereof; or

(*f*) misbehaves himself before the board; or

(*g*) interrupts the proceedings of the board,

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

(3) A person shall not be obliged to answer a question put to him by the board if the answer to that question would tend to incriminate him or to produce any books, papers or documents if their production would tend to incriminate him.

Notice of inquiry and procedure.

80. (1) The board shall give the applicant, any person objecting to the application and, in the case of an application for cancellation, the person whose licence or registration is affected, not less than seven days notice of the time when and the place where, it intends to conduct an inquiry into an application under this Act, and shall afford any such person a reasonable opportunity of cross-examining the witnesses, calling evidence and making submissions to the board.

(2) If a person to whom notice is given pursuant to subsection (1) of this section does not after such notice attend at the time and place fixed by the notice, the board may hold the inquiry in his absence.

(3) The procedure at any inquiry shall be such as the board orders.

Power of board to censure.

81. On an application for renewal of a licence or registration or on an application for cancellation of a licence or registration the board may in addition to or in lieu of making any order under this Act, censure the licensed land agent, registered land salesman or registered manager, as the case may be.

Costs.

82. (1) On granting an application under this Act, the board may order that any person objecting to the application or, in the case of an application for the cancellation of a licence or registration, the licensed land agent, registered land salesman or registered manager, pay within such time as is fixed by the board to the applicant such costs as the board thinks just and reasonable.

(2) On refusing an application under this Act, the board may order that the applicant pay to any person objecting to the application or, in the case of an application for cancellation of a licence or registration, the licensed land agent, registered land salesman or registered manager, within such time as is fixed by the board such costs as the board thinks just and reasonable.

Recovery of costs.

83. (1) Where the board has made an order for the payment of costs against a licensed land agent or a person registered as a land salesman or manager under this Act, and the costs are not paid within the time fixed by the board, the board may suspend the licence or registration of the person until the costs are paid or for such period as the board thinks fit.

(2) Costs ordered to be paid under this Act shall be recover able summarily.

Members of board taking part in investigation.

84. Neither the board nor any of its members shall be debarred from hearing and determining any application by reason of the fact that the board or any member has authorized or taken part in an investigation as to such application.

Appeals.

Appeals against decisions of board.

85. (1) There shall be an appeal against any order of the board made in the exercise or purported exercise of any of its powers or functions under this Act.

(2) Subject to this section, the appeal shall lie to the Supreme Court and shall be instituted within one month from the making of the order appealed against. The appeal shall be by way of re-hearing.

The Supreme Court may, if in its opinion the appellant has done whatever is reasonably practicable to institute the appeal within the time provided in this section, dispense with the requirement that the appeal shall be so instituted.

(3) The Supreme Court may, on the hearing of the appeal, do any one or more of the following things, according to the nature of the case :—

(*a*) affirm, quash or vary the order appealed against, or substitute, or make any order which ought to have been made in the first instance ;

(*b*) remit the subject matter of the appeal to the board for further consideration or further hearing ;

(*c*) make any further or other order as to costs or otherwise, which the case requires.

(4) The judges of the Supreme Court, in accordance with the provisions of the Supreme Court Act, 1935-1953, as to the making of rules of court, may make rules of court regulating the practice and procedure on such appeals.

(5) The board shall, if required by any person affected by any order made by it, state in writing the reason for its order. If the reason for the order of the board is not given in writing in the first instance, the time within which an appeal may be instituted shall, if the appellant at the time of the order requested that the reason for the order should be given in writing, run from the time when the board first gives the reason for its order in writing.

Suspension of orders.

86. (1) Where the board has made any order under this Act the board or the Supreme Court may, on application, if the board or the court is satisfied that an appeal against the order has been or is intended to be instituted under this Act, suspend the operation of the order pending the determination of the appeal.

(2) The board may at any time after the suspension by the board of an order pursuant to subsection (1) of this section, terminate the suspension.

(3) The Supreme Court, on application in that behalf, may at any time after the suspension by the Supreme Court of an order pursuant to subsection (1) of this section, terminate the suspension.

Commission.

Commission.

87. (1) A person required to hold a licence under this Act shall not be entitled to receive any commission in respect of his services as agent in connection with the sale, purchase or other disposal or acquisition of land unless—

(*a*) he is a licensed land agent at the time he renders the services; and

(*b*) his appointment to act as agent is in writing signed before the receipt of the commission, and whether before or after the rendering of the services, by the person to be charged with the commission, or by some person on his behalf lawfully authorised to sign such appointment.

(2) An amount received in contravention of this section shall be recoverable summarily.

(3) In this section "commission" includes reward or other valuable consideration.

Legal Proceedings.

Proof whether person is licensed or registered.

88. (1) In any legal proceedings whatever *prima facie* evidence of the fact that any person is at any time licensed or registered may be given by production of a document purporting to be a licence or certificate of registration granted by the board to such person and purporting to be in force at such time.

(2) The allegation in any complaint that any person was not licensed or registered at any time mentioned in the complaint shall be *prima facie* evidence of that fact.

Summary proceedings.

89. Except where this Act provides otherwise, all proceedings in respect of offences against this Act shall be disposed of summarily.

Civil remedies not affected.

90. Nothing in this Act shall prejudice any civil remedy that any person may have against a land agent in respect of any matter.

Contracting out.

91. No term or provision of any agreement, whether made before or after the commencement of this Act, for the sale and purchase of land shall be so construed as in any way to prevent any party thereto from claiming or being awarded damages or any other relief in respect of fraud or misrepresentation in connection with the purchase of such land.

S. 87. JUTTNER v. RIEDEL (1937) S.A.S.R. 466. Held, on the evidence that there was no written appointment as an agent pursuant to the section.

Delivery of Documents, etc.

Delivery of documents, etc., by registered post.

92. Any document required to be delivered, or any notice required to be given, to any person under this Act may be delivered or given by registered post.

Regulations.

Regulations.

93. (1) The Governor may make regulations prescribing any matter which it is necessary or convenient to prescribe for giving effect to this Act and without limiting the generality of the foregoing, may make regulations under this Act—

(*a*) prescribing forms to be used for the purposes of this Act;

(*b*) prescribing fees payable for the doing of anything under this Act;

(*c*) prescribing the forms, terms and conditions of fidelity bonds;

(*d*) prescribing the mode in which any fact relevant to any matter arising under this Act may be proved in any court;

(*e*) providing for an annual audit of the trust accounts of every land agent, and the manner in which, and the persons or class of persons by whom, such audit shall be conducted, and for a report of the result of such audit;

(*f*) requiring the production to the auditor of books, papers, and accounts, subject to such conditions as are prescribed;

(*g*) prescribing the persons to whom the reports of auditors shall be sent for inspection, information or record;

(*h*) prescribing a scale of fees to be paid to such auditors;

(*i*) prescribing that, in the absence of any agreement in writing to the contrary, the auditor's fees shall be paid by the land agent;

(*j*) generally to ensure that all such trust accounts shall be duly kept and audited;

(*k*) prescribing various maximum rates of commissions which may be charged by land agents for their services in transactions of various natures defined in such regulations;

(*l*) generally with respect to charges, reimbursements and payments of any other kind payable to a land agent in respect of or in connection with any work done by him as a land agent;

(*m*) generally with respect to the conduct of inquiries by the board;

(*n*) prescribing penalties, not exceeding one hundred pounds in any case, for the breach of any regulations under this Act.

(2) All information obtained by an auditor in the course of the audit of any trust account under this Act shall be treated as confidential, subject only to such rights of publication as may be prescribed in furtherance of the proper purposes of the audit.

PART IX.

PART IX.

TRANSITIONAL PROVISIONS.

Continuance in office of members, chairman and secretary of board.

94. (1) The members of the board in office at the commencement of this Act shall, subject to the provisions of this Act, continue in office for the terms for which they were appointed under the Land Agents Act, 1925-1950.

(2) The chairman and secretary of the board at the commencement of this Act shall, subject to this Act, continue in office.

Licences under Land Agents Act, 1925-1950.

95. (1) A licence held by any person on his own behalf or on behalf of any other person (not being a corporation) under the Land Agents Act, 1925-1950, at the commencement of this Act shall be deemed for all purposes, including renewal, to have been granted under this Act to the holder thereof.

(2) Where at the commencement of this Act a licence is held on behalf of a corporation under that Act by any person, the licence shall for all purposes, including renewal, be deemed to have been granted to the corporation under this Act.

(3) Where at the commencement of this Act, a licence is held on behalf of a firm under that Act by any person, a licence shall be deemed for all purposes, including renewal, to have been granted under this Act to each of the other members of the firm.

Cancellation of licence deemed to be granted under this Act.

96. A licence deemed to be granted pursuant to the preceding section shall be subject to cancellation on the ground that the licence under the Land Agents Act, 1925-1950, was improperly obtained contrary to the provisions of that Act as well as on any ground under this Act.

Registered office of land agent deemed to be granted a licence under this Act.

97. The registered office under this Act of a land agent to whom a licence is deemed to be granted under this Act shall, until changed by him pursuant to this Act, be the same as the registered office of the holder of the licence under the Land Agents Act, 1925-1950.

Registration as land salesman under regulations under Land Agents Act 1925-1950.

98. Where at the commencement of this Act a person is registered as a land salesman under regulations made under the Land Agents Act, 1925-1950, the person shall be deemed to be registered as a land salesman under this Act for all purposes, including renewal of the registration.

Cancellation of deemed registration.

99. The registration of a person deemed to be registered may be cancelled on the ground that the registration under the regulations made under the Land Agents Act, 1925-1950, was improperly obtained contrary to those regulations, as well as on any ground under this Act.

Fidelity bonds under Land Agents Act, 1925-1950.

100. (1) Subject to subsection (2) of this section, a fidelity bond filed in compliance with the Land Agents Act, 1925-1950, and in force at the commencement of this Act shall be deemed to have been given in compliance with this Act and shall have effect as though it had been so given.

(2) Where the bond was given with respect to the members of a firm, the bond shall have effect as though it had been given in compliance with this Act with respect to each such member.

Deposit of securities under Land Agents Act, 1925-1950.

101. (1) Subject to subsection (2) of this section, securities held by the Treasurer at the commencement of this Act pursuant to section 7a of the Land Agents Act, 1925-1950, shall be deemed to have been deposited under this Act, and shall be held as security for the performance of the same conditions as if they had been deposited under this Act.

(2) Where the securities were deposited to secure the performance of conditions by the members of a firm, the securities shall be held as security for the performance by those members of the same conditions as if the securities had been deposited under this Act.

Person deemed to be licensed not required to appoint a manager until after the expiration of three months.

102. Notwithstanding the provisions of section 52, a person deemed to be granted a licence pursuant to this Part shall not be required to nominate a manager under this Act until after the expiration of three months from the commencement of this Act.

Exemption of letting agents continued.

103. A person exempted by the Attorney-General pursuant to the Land Agents Act, 1925-1950, from compliance with section 3 of that Act, shall be deemed to have been granted a certificate of exemption by the board pursuant to section 6 of this Act.

Clerks of local courts to deliver fidelity bonds to secretary, etc.

104. Every clerk of a local court shall after the commencement of this Act as soon as practicable forward to the secretary all fidelity bonds held by him and such other information and documents or copies thereof relating to the licensing of land agents and the registration of land salesmen as the board may require.

Pending applications.

105. (1) An application for the grant or renewal of a land agent's licence or of registration as a land salesman lodged in a court before the commencement of this Act under the Land Agents Act, 1925-1950, shall be heard and dealt with as if this Act had not been passed.

(2) If the licence or registration is granted or renewed this Part shall apply with respect to such licence or registration in the same manner as if the licence or registration had been in force or had been so renewed at the commencement of this Act.

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

R. A. GEORGE, Governor.

Acts reprinted pursuant to the Amendment Incorporation Act, 1937

HEALTH ACT, 1935-1955

LANDLORD AND TENANT (Control of Rents) ACT, 1942-1955

With notes of judicial decisions affecting sections of the reprinted Acts

HEALTH ACT, 1935-1955.

BEING

HEALTH ACT 1935, No. 2238 OF 1935 [ASSENTED TO 19TH DECEMBER, 1935.]

AS AMENDED BY

STATUTE LAW REVISION ACT 1936, No. 2293 OF 1936 [ASSENTED TO 8TH OCTOBER, 1936.]

HEALTH ACT AMENDMENT ACT, 1940, No. 33 OF 1940 [ASSENTED TO 21ST NOVEMBER, 1940.]

HEALTH ACT AMENDMENT ACT, 1941, No. 35 OF 1941 [ASSENTED TO 20TH NOVEMBER, 1941.]

HEALTH ACT AMENDMENT ACT, 1943, No. 13 OF 1943 [ASSENTED TO 9TH NOVEMBER, 1943.]

NOXIOUS TRADES ACT, 1943. No. 34 OF 1943 [ASSENTED TO 23RD DECEMBER, 1943.]

HEALTH ACT AMENDMENT ACT, 1947, No. 48 OF 1947 [ASSENTED TO 11TH DECEMBER, 1947.]

HEALTH ACT AMENDMENT ACT, 1950, No. 14 OF 1950 [ASSENTED TO 2ND NOVEMBER, 1950.]

HEALTH ACT AMENDMENT ACT (No. 2), 1950, No. 39 OF 1950 [ASSENTED TO 30TH NOVEMBER, 1950.]

HEALTH ACT AMENDMENT ACT, 1951, No. 45 OF 1951 [ASSENTED TO 13TH DECEMBER, 1951.]

HEALTH ACT AMENDMENT ACT, 1952, No. 15 OF 1952 [ASSENTED TO 16TH OCTOBER, 1952.]

HEALTH ACT AMENDMENT ACT, 1953, No. 18 OF 1953 [ASSENTED TO 19TH NOVEMBER, 1953.]

HEALTH ACT AMENDMENT ACT, 1954, No. 14 OF 1954 [ASSENTED TO 21ST OCTOBER, 1954.]

AND

HEALTH ACT AMENDMENT ACT, 1955, No. 27 OF 1955. [ASSENTED TO 1ST DECEMBER, 1955.]

An Act to consolidate certain Acts relating to public health.

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.

1. This Act may be cited as the "Health Act, 1935-1955." Short title.

2. This Act is a consolidation of the Acts mentioned in the first schedule, and the said Acts are hereby repealed to the extent therein mentioned. Consolidation.

Arrangement of Act.

Amended by s. 14, 1954, s. 2.

3. The provisions of this Act are arranged as follows:—

PART I—Preliminary.

PART II—The Central Board.

PART III—Local Boards.

PART IV—County Boards—

DIVISION I—General:

DIVISION II—The Metropolitan County Board.

PART V—Officers.

PART VI—Insanitary Conditions and their Removal.

PART VII—Reports and Inquiries.

PART VIII—Sanitation—

DIVISION I—Air:

DIVISION II—Food:

DIVISION III—Premises.

PART IX—Infectious and Notifiable Diseases.

PART IXA—Tuberculosis.

PART X—Regulations.

PART XI—Miscellaneous

Interpretation.

711, 1898, ss. 5 and 90, 2217, 1935, s. 2.

4. In this Act, and in all proceedings thereunder, except where some other meaning is clearly intended—

"Act" includes regulations:

"Central Board" means the Central Board of Health:

"cesspool" means any receptacle for nightsoil or liquid refuse:

"district" means the area within the jurisdiction of a local board:

"drain" means a drain used solely in connection with any building or premises within the same curtilage, and "sewer" means every other drain and sewer:

Cf. U.K. 52 & 53, Vict., c. 72, s. 6. Cf. U.K., 54 & 55, Vict., c. 76, s. 55(6). Cf. U.K. 26 Geo. 5 & 1, Edw. 8, c. 50, s. 304.

"infectious disease" means—

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

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

"local board" means a local board of health, and "the local board" means the local board of health of the particular district:

Substituted by 14, 1954, s. 3 (a).

"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:

Inserted by 14, 1954, s. 3.(b).

"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:

* * * * * * * * * * *

Definition of "offensive trade" struck out by 34, 1943, s. 3.

"owner" includes every person for the time being entitled, either on his own or on any account, to the receipt of any rent or profit of the premises referred to:

"public place" includes every place to which the public ordinarily have access:

"private place" means every place other than a public place:

"water supply" includes any river, stream, water-course, creek, swamp, waterhole, well, tank, or reservoir.

Infectious diseases. 2217, 1935, s. 3. Cf. U.K. 26 Geo. 5 & 1, Edw. 8, c. 49, s. 147. Cf. U.K. 26 Geo. 5 & 1, Edw. 8, c. 50, s. 305.

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

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

Subsecs. (3) and (4) repealed by 34 1943, s. 3.

* * * * * * * * * * * *

Notifiable diseases. Inserted by 14, 1954, s.4.

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.

Alternative procedure. 711, 1898, s. 6.

6. In all cases where this Act, and any other Act, not hereby repealed, contain provisions for effecting the same or a similar object, but in different modes, proceedings may be had under either Act.

Other procedure not affected. 711, 1898, s. 7.

7. Nothing in this Act shall affect any power of proceeding by indictment, complaint, or information, or take away or affect any other remedy under any other Act or otherwise.

Saving. 711, 1898, s. 8.

8. Nothing in this Act shall affect any powers conferred upon the Commissioner of Sewers or the Central Board by the Sewerage Act, 1929, or limit the effect of any Act relating to factories or lodging-houses.

Public buildings subject to this Act. 711, 1898, ss. 9 and 10.

9. (1) Premises owned or occupied by the Government or by public bodies shall be subject to the provisions of this Act in the same manner as if they were owned or occupied privately.

(2) The officer having the use or control of any such premises shall be liable for any breach of the provisions of this Act as if he were the actual owner or occupier of the premises.

Minister. 711, 1898, s. 11.

10. The Chief Secretary shall be the Minister of Health.

PART II. PART II.

THE CENTRAL BOARD.

Central Board. 711, 1898, s. 12. Cf. U.K. 26 Geo. 5 & 1, Edw. 8, c. 49, s. 1.

11. The Central Board shall be charged with the execution of this Act for securing the proper sanitary condition of the State.

Constitution of Central Board. 711, 1898, s. 13.

12. The Central Board shall consist of a Chairman appointed by the Governor and four other members, two of whom shall be appointed by the Governor and two shall be elected as hereinafter provided. At least one of the members shall be a legally qualified medical practitioner.

Quorum, etc. 711, 1898 s. 14 (part).

13. (1) A quorum shall consist of any three members.

(2) If the chairman is not present within five minutes after the time for which any meeting has been convened, any three members present may elect one of their number to be chairman for that meeting until the permanent chairman arrives.

(3) Every chairman shall have a deliberative vote, and also a casting vote in case of equality of voting.

Permanent head. 711, 1898, s. 14 (part)

14. The chairman of the Central Board shall be the permanent head of the department.

Nominations. 711, 1898, s. 15.

15. Before the first day of February, nineteen hundred and thirty-seven, and before the first day of February in every second year thereafter, nominations of candidates willing to act as representatives on the Central Board may be made by the constituent boards to the Chief Secretary.

Voting. 711, 1898, s. 16.

16. The names of persons so nominated shall be forwarded to the constituent boards, who may, before the first day of March in that year, each vote for a representative from persons so nominated, and advise the Chief Secretary of their vote.

Representative members of Central Board. 711, 1898, s. 17. 2217, 1935, ss. 4 and 5.

17. (1) The elective members of the Central Board shall be elected as follows:—

1. (*a*) One member shall be elected by the metropolitan local boards:

(*b*) The other member shall be elected by all the other local boards:

II. In the month of March following every biennial election, and so soon as practicable after each extraordinary election, the Chief Secretary shall, by notice in the *Government Gazette,* declare the names of the persons elected, and the notice shall be conclusive evidence of the election:

III. When the seat of any elective member becomes vacant from any cause whatever other than by effluxion of time, the vacancy shall be filled up by an extraordinary election of a new member, to hold office only for the unexpired portion of the term of his predecessor. On the happening of the vacancy the Chief Secretary shall notify the constituent boards and fix a date not less than six weeks thereafter for such boards to advise him of their votes. If any such vacancy occurs within three months of the time when the seat would become vacant by effluxion of time, the Chief Secretary may, in his discretion, not hold an election to fill the vacancy and in such case the seat shall be filled at the next biennial election:

IV. In the case of equality of votes amongst the constituent boards the Chief Secretary shall have a casting vote.

(2) If at any election for a member only one candidate is nominated, the candidate nominated shall be deemed to have been elected and no vote shall be taken.

Term of office.
711, 1898, s. 18.

18. The elective members shall hold office until notification of the election of their successors.

Recovery of expenses and penalties.
711, 1898, s. 19.

19. All reasonable expenses incurred by the Central Board in carrying out any duty imposed on or in exercising any power vested in any local board shall be paid by and recovered from the local board in any case where the expense incurred was due to the neglect of the local board.

Powers of Central Board.
711, 1898, s. 20.

20. Any powers which a local board and its officers may exercise with respect to its particular district may be exercised by the Central Board and its officers with respect to the whole State.

21. The Central Board shall have access to all papers and things whatsoever belonging to or in the custody of any local board.

Access to all papers of local boards.
711, 1898, s. 21.

22. The Governor may appoint such officers of the Central Board as he may deem necessary.

Appointment of officers.
711, 98, s. 22.

PART III.

PART III.

LOCAL BOARDS.

23. (1) Every municipal council shall be the local board of health for its municipality.

Constitution of local boards.
711, 1898, s. 23.

(2) Every district council shall be the local board of health for its district council district.

24. Every local board shall be charged with the due execution of this Act for securing the proper sanitary condition of its district, and in particular shall abide by and carry out all such directions as it shall receive in that behalf from the Central Board.

Duties of local board.
711, 1898, s. 24.
Cf. U.K., 26 Geo. 5 & 1, Edw. 8, c. 49, s. 1.

25. (1) The local board may—

Power of local board to establish committee.
2156, 1934, s. 891 (2).

(*a*) appoint a committee or committees of its members:

(*b*) delegate to any such committee such of the powers and duties of the local board under this Act as the local board thinks fit:

(*c*) pass such resolutions as the local board thinks fit for the guidance of any such committee:

(*d*) remove any members of any such committee and appoint in the stead of them, or any of them, other members of the local board:

(*e*) fix the quorum (which shall be not less than three members) of any such committee.

(2) The proceedings of a committee shall, unless otherwise ordered by the local board, require the approval of the local board.

(3) No expenditure or payment or contract to expend or pay any sum of money exceeding twenty pounds, made by a committee, shall be lawful or valid unless the expenditure, payment, or contract is afterwards approved or ratified by the local board.

(4) A committee appointed under this Act may (subject to any resolution passed by the local board) meet from time to time and adjourn as the committee thinks fit, but no business shall be transacted at any meettng of the committee unless three members are present.

(5) At the first meeting of any committee one of its members shall be appointed chairman of the committee and all questions in committee shall be determined by a majority of votes of the members present. The chairman of the committee shall have a deliberative vote and a casting vote also.

(6) The chairman of the local board shall be *ex officio* a member of every committee of the local board.

Expenses, penalties, etc. 711, 1898, s. 26.

26. Except where otherwise specially directed, all expenses, penalties, and fees recovered by any local board, and the proceeds of the sale of any refuse and other like matter, shall be paid over to and applied by the local board for the purposes of this Act.

Separate accounts. 711, 1898, s. 27.

27. Every local board shall keep separate accounts of its revenue and expenditure and minutes of its proceedings.

Expenditure. 2156, 1934, s. 891 (3).

28. The moneys required by a local board for the purposes of this Act shall be provided out of the general rate declared under the Local Government Act, 1934, for the purposes of the municipality or district council district comprised within the district of the local board.

PART IV. PART IV.

COUNTY BOARDS.

DIVISION I.—GENERAL. DIVISION I.

Creation of county boards. 711, 1898, s. 29. Cf. U.K. 26 Geo. 5 & 1, Edw. 8, c. 49, ss. 6, 8.

29. The Governor may, by proclamation, upon the request of all the local boards affected, declare any two or more contiguous districts to be a county district designated by some distinctive name.

Proclamation of county board. 711, 1898, s. 30.

30. (1) Upon the proclamation of any county district a county board of health, consisting of not less than three members, shall be constituted for the district in manner prescribed by the proclamation.

Inserted by 33, 1940, s. 2.

(2) The Governor may from time to time by proclamation—

(*a*) vary the constitution of any county board of health but so that the county board shall consist of not less than three members:

(*b*) fix the quorum of any county board and provide that the chairman of the board is to have a deliberative and a casting vote.

Any proclamation made before the passing of the Health Act Amendment Act, 1940, relating to the constitution or quorum of a county board or the voting rights of the chairman thereof shall be as valid as if the provisions of this subsection had been enacted before the making of the proclamation.

Election of members of county boards. 711, 1898, s. 31.

31. Local boards forming a county district shall elect the members of the county board in the same manner as elective members of the Central Board are elected, and they shall hold office for a like period, except for the first year, when one-half shall retire by lot, and subsequently one-half shall retire annually.

Chairman. 711, 1898, s. 32.

32. At the first meeting of the county board after it is constituted, and after each annual election, the members thereof shall elect one of their number to act as chairman, who shall hold office for one year.

Auditors. 711, 1898, s. 33.

33. Local boards forming a county district shall elect two auditors, holding office for two years, except for the first year, when one shall retire by lot.

DIVISION I.

Accounts.
711, 1898, s. 34.

34. County boards shall cause the accounts to be balanced and an abstract of the receipts and expenditure prepared for each half-year ending on the last day of the months of June and December, and shall publish in the *Government Gazette* within one month of the yearly audit in January an abstract of the receipts and expenditure as allowed by the auditors. Copies of the abstract shall be sent to all local boards forming the county district.

Powers and duties.
711, 1898, s. 35.

35. Upon the constitution of any county board by proclamation—

(*a*) all the powers, duties, and liabilities vested in or imposed on the local boards in the county district shall be vested in and imposed on the county board, and shall, except as to the powers mentioned in the next section, cease to be exercised by the local boards:

(*b*) the county board shall, in addition, have power to establish and carry on chemical and bacteriological laboratories.

Revenue.
2156,, 1934, s. 891 (14).

36. Subject to section 46, the county board may require any local board within the county district to pay to the county board such portion of the amount of any general rate declared and levied pursuant to the Local Government Act, 1934, as is necessary for the purposes of the county board under this Act.

Meetings.
711, 98, s. 37.

37. County boards shall meet at least once in each month.

Local boards may be added or removed.
711, 98, s. 38.

38. The Governor by proclamation may—

(*a*) add to a county district any contiguous local board:

(*b*) remove from any county district any local board.

Powers of Governor.
711, 1898, s. 39.

39. All or any of the provisions of section 35 may be modified by proclamation.

DIVISION II.

DIVISION II—THE METROPOLITAN COUNTY BOARD.

Interpretation.
1063, 1911, s. 3.
2217, 1935, s. 11.

40. In this Division, and in all proceedings under this Division, except where some other meaning is clearly intended—

"animal" includes mammal, fish, fowl, crustacean, mollusc, and any animal used as food:

s. 40. Under section 32b of the Garden Suburb Act, 1919-1936, the Garden Suburb is deemed to form part of the metropolitan county district.

"drug" includes any substances used for or in the composition or preparation of medicine, whether for internal or external use, and also any preservative, antiseptic, disinfectant, deodorant, narcotic, or cosmetic, and any laundry or toilet soap intended for sale to the public by retail, and absorbent cotton wool, and surgical dressings:

"food" includes any article used for food or drink by man, other than drugs, and any article which ordinarily enters into or is used in the composition or preparation of human food, and also flavouring matters, condiments, and confectionery: Cf. U.K. 15 & 16 Geo. 5, c. 71, s. 72 (7).

"metropolitan county district" means the metropolitan area as defined by section 5 of the Food and Drugs Act, 1908, including all districts before or after the passing of this Act declared by proclamation under that Act to be within the metropolitan area.

Metropolitan county district. 1063, 1911, s. 4.

41. The metropolitan county district is hereby declared to be a county district under this Act, under the name of "The Metropolitan County District."

Metropolitan county board. 1063, 1911, s. 5. Amended by S.L.R. Act, 1936.

42. (1) The county board constituted under the Food and Drugs Act, 1908, for the metropolitan area under the Act is hereby declared to be a county board under this Act, and shall be the county board for the metropolitan county district. Notwithstanding anything in this Act, the members of the first-mentioned county board shall, by virtue of their offices as such members, be the members of the county board hereby declared to be constituted.

(2) Section 16 of The Food and Drugs Act, 1908, shall apply to and in respect of the said county board to the same extent as if the county board hereby constituted were constituted by proclamation under this Act.

Certain functions of local boards vested in the metropolitan county board. 1063, 1911, s. 6.

43. (1) Notwithstanding anything to the contrary in this Act contained, all the powers, duties, and liabilities vested in or imposed on the several local boards in the metropolitan county district by this Act, with reference to the following matters, namely:—

1. Any land or premises or any public place whereon or wherein—

(*a*) any animal is sold or slaughtered, or is offered or exposed for sale or slaughter, or is being prepared or stored or kept for sale or slaughter, for human consumption;

(*b*) any article of food or drug is sold or offered or exposed for sale, or is deposited, stored, or delivered for the purpose of sale or of preparation for sale, for human consumption;

Subdivision (c) repealed by 33, 1940, s. 3.

* * * * * * * * * * *

(*d*) any person is engaged in the production of an article of food or drug to be sold or offered or exposed for sale, or to be deposited, stored, or delivered for the purpose of sale or of preparation for sale, for human consumption;

II. Any person who is engaged in the production of any article of food or drug to be sold or offered, exposed, stored, carried, or delivered for sale for human consumption;

III. Any premises, animal, vehicle, receptacle, or other article or thing used in the production of any article of food or drug for sale for human consumption; and

IV. Any act, matter, or thing which will provide or tend to provide a proper or better security for the sale of food and drugs in a pure and genuine condition;

shall cease to be vested in or imposed on the said local boards or any of them, and shall be solely vested in and imposed upon the county board aforesaid.

(2) All powers, duties and liabilities vested in or imposed on the said local boards with reference to any matters not mentioned in subsection (1), shall continue to be vested in and imposed on the said local boards.

Presumptive evidence in certain cases. 1063, 1911, s. 7. Cf. U.K. 5 & 6 Geo. 5, c. 66, s. 19 (2).

44. In all proceedings under this Division it shall, until the contrary is proved, be presumed that the animal or article of food or drug the subject matter of, or referred to in the proceedings, was intended to be sold or to be offered, exposed, deposited, stored, delivered, or prepared for sale, as the case may require, for human consumption, and that the person engaged in or the animal used in the production of any such article of food or drug was engaged in or used in, as the case may require, the production of an article of food or drug intended for sale for human consumption.

45. An inspector appointed under The Food and Drugs Act, 1908, shall have all powers, authorities and duties of an inspector appointed under this Act, so far as those powers relate to the matters mentioned in subsection (1) of section 43 of this Act, or any of them.

Powers of inspectors.
1063, 1911, s. 8.

46. Notwithstanding any provision to the contrary in this Act contained, no local board within the metropolitan county district shall be required by the said county board to contribute any sum to the said county board for enabling the county board to carry out or perform the powers, duties, and liabilities vested in or imposed upon the county board by this Division, otherwise or to a greater extent than the local board is required to contribute to the county board under the provisions of The Food and Drugs Act, 1908.

Limit of liability of local boards under this Division.
1063, 1911, s. 9.

PART V.

PART V.

OFFICERS.

47. Every local board shall appoint an officer of health, and such inspectors and officers as may be deemed necessary by the Central Board.

Officers.
711, 1898, s. 40.

48. The appointment and dismissal of every officer of health shall be subject to the approval of the Central Board. The officer of health shall—

Officer of health.
711, 1898, s. 41.

(*a*) be when practicable a legally qualified medical practitioner; and

(*b*) possess all the powers vested in any inspector.

49. (1) The appointment of every inspector shall be in writing, in duplicate, under the hand of the chairman of the Central Board, or if the appointment be by a local board, under the hand of the chairman and the secretary of the local board.

Appointment of inspectors.
711, 1898, s. 42.
2156, 1934, s. 891 (5).
Cf. U.K. 26 Geo. 5 & 1, Edw. 8, c. 50, s. 9.

(2) Every inspector shall be furnished with one of such duplicates, and, if required, shall produce the same to any person whose premises he may be inspecting or about to inspect.

PART V.

Power to enter and inspect.
711, 1898, s. 43.
Cf. U.K. 26 Geo. 5 & 1, Edw. 8, c. 49, s. 287.
Cf. U.K. 26 Geo. 5 & 1, Edw. 8, c. 50, s. 180.
Amended by 48, 1947, s. 2.

50. For the purpose of any inspection, an inspector may, with or without others, enter into and upon any premises between the hours of nine in the forenoon and six in the afternoon, or in the case of any business or trade premises at any time when the business or trade is in progress or is usually carried on, and for the purposes of inspection may open up drains and execute any other necessary works: Provided that the officer of health may, with or without others, enter any premises at any hour.

Obstruction of officers and members.
711, 1898, s. 44.
Cf. U.K. 26 Geo. 5 & 1, Edw. 8, c. 49, s. 288.

51. (1) Any person who obstructs or incites any other person to obstruct, any person acting in the execution of this Act, or of any power thereunder, shall be guilty of an offence against this Act, and liable to a penalty not exceeding ten pounds.

(2) Every member of the police force shall assist all persons acting as aforesaid.

PART VI.

PART VI.

INSANITARY CONDITIONS AND THEIR REMOVAL.

Definition of insanitary condition.
711, 1898, s. 45.
26 Geo. 5 & 1, Edw. 8, c. 49, s. 92.

52. The expression "insanitary condition" includes every breach or non-observance of any of the sanitary provisions of this Act, and also every condition declared to be an insanitary condition pursuant to section 58.

Local board to order inspection in certain cases.
711, 1898, s. 46.
Cf. U.K. 26 Geo. 5 & 1, Edw. 8, c. 49, s. 91.

53. Every local board, upon receiving from any person other than an inspector any information establishing reasonable grounds for suspicion of the existence of any insanitary condition, shall forthwith instruct an inspector to inquire into and report upon the premises referred to.

Report to local board.
711, 1898, s. 47.
Cf. U.K. 26 Geo. 5 & 1, Edw. 8, c. 50, s. 9 (4).

54. (1) If any inspector ascertains the existence of any insanitary condition, he shall forthwith report the circumstances to the local board.

(2) The report shall set out as far as possible—

(*a*) the nature of the insanitary condition;

(*b*) the apparent cause thereof, and the suggested remedy;

(*c*) the description and situation of the premises;

(*d*) the name of the owner; and

(*e*) the name of the occupier.

Occupier to furnish owner's name
711, 1898, s. 48.

55. (1) Every occupier shall, on request, furnish any inspector with the name and address of the owner so far as the same may be known to him.

(2) Any person who fails to furnish any name or address as aforesaid shall be guilty of an offence against this Act, and liable to a penalty not exceeding ten pounds.

Notice by inspector.
711, 1898, s. 49.

56. If, in the opinion of the inspector, the insanitary condition should be immediately removed, he shall, in addition to reporting the circumstances to the local board, serve upon the occupier, or owner, a notice to remove or amend the same, and therein shall specify what is required to be done, and limit a time for compliance.

Notice by local board.
711, 1898, s. 50.
Cf. U.K. 26 Geo. 5 & 1, Edw. 8, c. 49, s. 93.

57. Upon the receipt of an inspector's report the local board, with or without further inquiry—

(*a*) may serve a notice requiring the removal or amendment of the insanitary condition; or

(b) may, if the inspector has already given notice—

(i) adopt the notice; or

(ii) issue a new notice in lieu thereof.

Notice of insanitary condition.
711, 1898, s. 51.
Cf. U.K. 2 & 3 Vict., c. 71, s, 41.

58. Any local board, upon being satisfied that it is proper so to do, may serve a notice requiring the removal or amendment of any condition which the local board declares to be an insanitary condition.

Requirements of notice.
711, 1898, s. 52.

59. Every notice under sections 57 and 58 shall specify what is required to be done, and shall limit a time for compliance, and may direct to be done such works as the local board may deem necessary to prevent a recurrence of the insanitary condition.

Service.
711, 1898, s. 53.
Cf. U.K. 38 & 39 Vict., c. 55, s. 267.
Cf. U.K., 26 Geo. 5 & 1, Edw. 8, c. 49, s. 93 (proviso).

60. The notice may be served in manner following:—

1. If the owner be unknown, or if, in the opinion of the local board, the insanitary condition is caused by the act or neglect of the occupier, the notice may be served on the occupier:

s. 58. BRUCE v. JARRETT (1926) S.A.S.R. 96. Where notice was served upon a limited company and proceedings were instituted against a defendant who was a director of and a large shareholder in the company, held that notice had not been served upon the defendant.

II. In all other cases the notice may be served on the owner or on any person by whose act or neglect in the opinion of the local board the insanitary condition arises:

III. In the case of premises owned by the Government, or by any public body, the notice may be served upon the officer having, or apparently having, the chief control of the premises.

Penalty for non-compliance with notice.
711, 1898, s.54.

61. Any person who, after service upon him, fails to comply with—

(*a*) any notice given by an inspector (provided the same be subsequently adopted); or

(*b*) any notice of the local board;

shall be guilty of an offence against this Act and liable to a penalty not exceeding twenty pounds.

Power of local board to carry out requirements of notice.
711, 1898, s. 55.

62. On failure to comply with any notice of the local board, or with any inspector's notice, the local board may carry out the requirements of the notice.

No notice necessary in certain cases.
711, 1898, s. 56.
Cf. U.K. 26 Geo. 5 & 1, Edw. 8, c. 49, s. 93, proviso (*b*).

63. In the case of unoccupied lands or premises, if the owner and the person by whose act or neglect the insanitary condition is caused are unknown, or cannot be found, the local board may remove or amend the insanitary condition without any previous notice whatever.

Power of local board to make complaint.
711, 1898, s. 57.
Cf. U.K. 26 Geo. 5 & 1, Edw. 8, c. 49, s. 94 (1).

64. In addition to, or in lieu of summarily removing or amending any sanitary condition, if either—

(*a*) the person on whom a notice to remove or amend any insanitary condition has been served makes default in complying with any of the requisitions thereof within the time specified; or

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S. 61. BRUCE v. JARRETT (1926) S.A.S.R.. 96. Where notice under section 58 was served upon a limited company and proceedings were instituted against a defendant who was a director of and a large shareholder in a company, held that notice had not been served upon the defendant.

(*b*) the insanitary condition, although amended or removed since the service of the notice, is, in the opinion of the local board, likely to recur on the same premises,

the local board may institute summary proceedings against the person on whom the notice was served.

Powers of court. 711, 1898, s. 58. Cf. U.K. 26 Geo. 5 & 1, Edw. 8, c. 49, s. 94.

65. (1) The court, if satisfied that the alleged insanitary condition exists, or has been declared, or is likely to recur on the same premises, may by order require the defendant to remove or amend the same, or to prevent the recurrence thereof within a time to be specified in the order, and may, if thought desirable, specify the works to be executed for the purpose of removing, amending, or preventing the recurrence of the insanitary condition.

(2) Any defendant who fails to comply with any such order shall be guilty of an offence against this Act and liable to a penalty not exceeding one pound for every day during which the default continues.

Recovery of expenses. 711, 1898, s. 59. Cf. U.K. 26 Geo. 5 & 1, Edw. 8, c. 49, s. 96.

66. All expenses incurred by the local board in connection with the removal or amendment of any insanitary condition may be recovered from the person upon whom the notice has been served.

Recovery of expenses by owner from occupier. 711, 1898, s. 60.

67. All expenses incurred by an owner by reason of his compliance with any notice may be recovered by him from the occupier or other person in all cases where the insanitary condition concerning which the notice was given was caused by the act or neglect of the occupier or other person.

Occupier from owner. 711, 1898, s. 61.

68. All expenses incurred by an occupier by reason of his compliance with any notice may be recovered by him from the owner in all other cases.

Expenses to be a charge on land. 711, 1898, s. 62.

69. In all cases all expenses incurred by any local board shall be a charge upon the premises in respect of which the same were incurred, and may be immediately recovered in the same manner as if they were rates in arrear.

s. 66. R. v. LOCAL BOARD OF HEALTH OF PETERSBURG (1903) S.A.L.R. 119. Expenses may only be recovered in a summary way as provided by section 157.

s. 69. R. v. LOCAL BOARD OF HEALTH OF PETERSBURG (1903) S.A.L.R. 119. Section 69 is limited to the creation of a charge and to the proceedings necessary for the enforcing of that charge.

PART VII.

PART VII.

REPORTS AND INQUIRIES.

Annual report.
711, 1898, s. 63.

70. Every local board shall, during January in every year and at such other times as the Central Board may direct, report to the Central Board concerning the sanitary condition of its district in such form as the Central Board may require.

Monthly return of infectious diseases.
711, 1898, s. 64.

71. Every local board shall forward monthly to the Central Board during the first week in each month a return of all cases of infectious disease reported within the district in such form as the Central Board may require.

Returns of measles, scarlet fever, etc.
711, 1898, s. 65.

72. Every local board shall immediately forward to the Central Board a return of all cases of measles, scarlet fever, diphtheria, typhoid fever, and puerperal fever reported to it for the first time within the district, in such form as the Central Board may require.

Outbreak of infectious disease to be reported.
711, 1898, s. 66.

73. Every local board shall immediately report to the Central Board the outbreak within its district of any infectious disease or the occurrence of any indications thereof, or of any circumstances of special importance likely to affect the health of any part of the district, together with all such particulars as can aid in the complete comprehension of the case and of its nature and cause.

Central Board to report annually to Chief Secretary.
711, 1898, s. 67.

74. The Central Board shall annually, not later than the month of March, and also whenever required by the Chief Secretary, report to him concerning all matters affecting the public health.

Annual report to be laid before Parliament.
711, 1898, s.68.

75. The annual report of the Central Board shall be laid before Parliament.

Power to institute inquiries,
711, 1898, s. 69.
Cf. U.K. 38 & 39 Vict., c. 55, s. 293.

76. Whenever it appears to the Central Board necessary or proper to make formal inquiry into any matter for the purposes of this Act, the following provisions shall have effect:—

I. The Central Board shall specify in writing the general scope and object of the inquiry, and such general directions as it may think proper to secure its due performance:

II. The inquiry shall be thereupon held by the chairman or such other person as the board may appoint:

The chairman or such other person is hereinafter included in the expression "the chairman":

III. The inquiry shall be held either in public or with closed doors, and at such place or places as the chairman may think fit:

IV. The chairman shall hold sittings at such places, with power from time to time to adjourn the same. He may summon and examine witnesses and receive any evidence that may be offered respecting the subject of the inquiry:

V. All parol evidence shall be reduced to writing:

VI. The chairman may require any person to sign any evidence given by him:

VII. Witnesses may be summoned by being served with a notice in writing under the hand of the chairman calling upon them to attend and give evidence at a time and place to be therein specified. The notice shall be served so long before the time appointed as the chairman may deem reasonable.

Penalty for non-attendance. 711, 1898, s. 70.

77. If any person is served with any such notice, and having been paid or tendered in advance such moneys as he would have been entitled to receive had he been a witness summoned to attend a local court, fails to comply with the same, or, having attended, refuses to give evidence or sign the same, he shall be guilty of an offence against this Act, and liable to a penalty not exceeding five pounds.

Certificate of chairman to be sufficient proof. 711, 1898, s. 71.

78. A certificate under the hand of the chairman to that effect shall be sufficient proof of non-compliance with the notice to attend and give evidence, and of all other facts necessary to be proved to show it was incumbent upon such person to comply therewith.

Power of inspection. 711, 1898, s. 72.

79. The chairman, either alone or with others, for the purposes of the inquiry, may enter and inspect any land or premises between sunrise and sunset.

Chairman to report to Central Board. 711, 1898, s. 73.

80. The chairman may, at any time during the progress of the inquiry, and shall, on its completion, make to the Central Board a written report under his hand setting forth the result of the inquiry, his opinion thereon, and his reasons for that opinion. The report shall be accompanied by all evidence and information received during the inquiry.

False evidence. 711, 1898, s. 74.

81. Any person who wilfully gives false evidence on any inquiry shall be guilty of an offence against this Act, and liable to a penalty not exceeding fifty pounds.

PART VIII.

PART VIII.

SANITATION.

DIVISION I.

DIVISION I—AIR.

Sewers and drains.
711, 1898, s. 75.
Cf. U.K. 10 & 11 Vict., c. 34, s. 22, *et seq.*
Cf. U.K. 26 Geo. 5 & 1, Edw. 8, c. 49, s. 14.
Cf. U.K. 26 Geo. 5 & 1, Edw. 8, c. 50, ss. 17, 31.

82. Every local board shall cause all sewers and drains to be kept properly cleared, cleansed, and emptied so as not to become or be likely to become injurious to health, or offensive, and for this purpose may construct all necessary works, and direct any sewer or drain into or through such places as may be deemed proper, except into fresh water running streams.

Sewers, drains, stagnant water, and collections of offensive matter.
711, 1898, s. 76.
1696, 1925, s. 2.
2089, 1932, s. 2.
Cf. U.K. 10 & 11 Vict., c. 34, s. 30.
Cf. U.K. 26 Geo. 5 & 1, Edw. 8, c. 49, s. 26.
Cf. U.K. 26 Geo. 5 & 1, Edw. 8, c. 50, s. 52 (2).

83. (1) Any person who—

(*a*) without the consent of the local board causes or permits any private sewer or drain to be emptied or flow into any public sewer or drain:

Cf. U.K. 26 Geo. 5 & 1, Edw. 8, c. 49, ss. 27 (1) (*a*), 259.

(*b*) does anything which, in the opinion of the local board, will tend to the injury of any drain or sewer:

Cf. U.K. 10 & 11 Vict., c. 34, s. 99.
Cf. U.K. 38 & 39 Vict., c. 55, s.47 (2).

(*c*) suffers any waste or stagnant water to remain in any cellar or place within or around any dwelling-house so as to be, or be likely to become, injurious to health or offensive:

Cf. U.K. 38 & 39 Vict., c. 55, s. 47 (3).
Cf. U.K. 26 Geo. 5 & 1, Edw. 8, c. 49, s. 34.

(*d*) allows any overflow, soakage, or leakage from any water-closet, privy, or cesspool: Provided that this paragraph shall not apply to any overflow or soakage from a bacteriolytic tank unless the overflow or soakage is offensive:

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s. 83. (1) (*a*) SMITH v. GAMEAU (1887) 21 S.A.L.R. 69; 12 Austn. Digest 1030. Where a licence, revocable under certain conditions as to preventing foul water passing into the pipe, was granted to a person by a local board to drain water from his land through a pipe into a drain, and the water was befouled by the actions of his neighbours, and the local board cut off the connection between the pipe and the drain, held that the local board had power to revoke the licence.

(*e*) allows any drainage, filth, water, night-soil, or matter to collect or to be deposited in any place, so as to become, or be likely to become, injurious to health or offensive: Cf. U.K. 26 Geo. 5 & 1, Edw. 8, c. 50, s. 82 (1) (*b*).

(*f*) allows any dead animal to remain in any place, so as to cause an offensive smell:

(*g*) allows any place to become, or be likely to become, in such a state as to be a nuisance, or injurious to health, or offensive: Cf. U.K. 26 Geo. 5 & 1, Edw. 8, c. 50, s. 82 (1) (*c*)

(*h*) carries or conveys offensive or injurious matter through the streets except at hours specified by the local board: Cf. U.K. 10 & 11 Vict., c. 34, s. 98.

(*h*1) carries or conveys any night-soil through the streets except in a properly covered receptacle: Inserted by 13, 1943, s. 2.

(*h*2) suffers any night-soil to be deposited on or to spill on to any street: Inserted by 13, 1943, s. 2.

(*i*) without the consent of the local board removes, or allows to be removed, any night-soil from a ditch or pit in which the same has been deposited by any local board,

shall be guilty of an offence against this Act and liable to a penalty not exceeding twenty pounds.

(2) If any premises are in such a state as to be a nuisance or injurious to health or offensive, the occupier of the premises shall be guilty of an offence against this Act and liable to a penalty not exceeding twenty pounds.

84. Any local board may provide and maintain water-closets, earth-closets, privies, urinals and other similar conveniences for public accommodation. Public conveniences. 711, 1898, s. 77. Cf. U.K. 7 Edw. 7, c. 53, s. 47. Cf. U.K. 26 Geo. 5 & 1, Edw. 8, c. 50, s. 113.

85. (1) Any local board may itself undertake or contract for the removal of refuse or excreta from private places, and for this purpose may provide convenient receptacles, and may by regulation require the occupiers of premises to provide boxes, or other specified receptacles, for the temporary deposit of such matter, and to place such boxes or receptacles in convenient places at convenient times for the removal of their contents. Removal of refuse. 711, 1898, s. 78. Cf. U.K. 7 Edw. 7, c. 53, s. 48. Cf. U.K. 26 Geo. 5 & 1, Edw. 8, c. 49, ss. 72-75.

s. 83. (1) (*g*) MITTON v. H. JONES & Co. (ADELAIDE) LIMITED (1923) S.A.S.R.. 446. "Place" is used to connote not only premises but would include casks and tins standing upon the ground. Subsection (1) must be read subject to the provisions of the Act relating to the carrying on of offensive trades.

(2) Any person who deposits any refuse in any place except in such boxes or receptacles shall be guilty of an offence against this Act and liable to a penalty not exceeding ten pounds.

(3) All such refuse shall be the property of the local board.

Public places.
711, 1898, s. 79.
26 Geo. 5 & 1, Edw. 8, c. 50, ss. 20, 22.

86. Every local board shall take all necessary and proper measures to ensure that all public places are properly cleansed and kept free from offensive matter.

Cesspools.
711, 1898, s. 81.

87. (1) Every distillery, manufactory, brewery, slaughter-house, and every establishment for the boiling, preserving, or preparing of any animal matter shall be provided with a water-tight cesspool, constructed and kept covered in such a manner as the local board may require.

(2) All refuse which may be or be likely to become injurious to health or offensive shall be deposited therein and periodically removed at prescribed times.

(3) Any person guilty of any contravention of this section shall be guilty of an offence against this Act and liable to a penalty not exceeding twenty pounds.

Keeping of pigs.
711, 1898, s. 82.
Cf. U.K. 26 Geo. 5 & 1, Edw. 8, c. 49, s. 92(1) (*b*).
Cf. U.K. 26 Geo. 5 & 1, Edw. 8, c. 50, s. 119.

88. Any person who keeps any pig in any sty or place at a less distance than fifty feet from any dwelling-house, dairy, or public street shall be guilty of an offence against this Act and liable to a penalty not exceeding ten pounds.

Trade nuisances.
Cf. U.K. 38 & 39 Vict., c. 55, s. 114.
Cf. U.K. 26 Geo. 5 & 1, Edw. 8, c. 49, ss. 93, 94.
Repealed by 34, 1943, s. 3 and new section inserted by 18, 1953, s. 2.

89. (1) If in the opinion of the local board any place used for any trade or business is or is likely to become injurious to the health of or offensive to any of the inhabitants of the district, or any person employed therein, the local board may institute summary proceedings against the person by or on whose behalf the trade or business is carried on.

(2) If on the hearing it appears to the court that the trade or business is or is likely to become injurious to the health of or offensive to any of the inhabitants of the district, or any person employed therein, then, unless it be shown that the best practicable means for preventing injury to health or offence have been used, the person so summoned shall be guilty of an offence against this Act and liable for a first offence to a penalty not exceeding fifty pounds and for a second or subsequent offence to a penalty not exceeding one hundred pounds.

(3) The court may suspend its final determination in any case upon condition that the person summoned shall undertake to adopt, within a time to be fixed by the court, such means as may be deemed practicable and are ordered to be carried into effect for preventing or mitigating injury or offence.

(4) The court of summary jurisdiction before which any proceedings may be taken under this section shall be constituted by a special magistrate.

Accumulations of offensive matter.

Repealed by 34, 1943, s. 3 and new section inserted by 18, 1953, s. 2.

90. Any person who keeps any accumulation or deposit of offensive matter longer than in the opinion of the local board is necessary for the purposes of any trade or business, or who omits to take the best available means of preventing any such accumulation or deposit being injurious to the public health, shall be guilty of an offence against this Act and liable to a penalty not exceeding twenty pounds.

Application of ss. 89 and 90.

Repealed by 34, 1943, s. 3 and new section inserted by 18, 1953, s. 2.

91. The provisions of sections 89 and 90 shall not apply within any part of the State to which the provisions of the Noxious Trades Act, 1943, apply.

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Ss. 92 to 94 repealed by 34, 1943, s. 3.

DIVISION II—FOOD.

DIVISION II.

Fruit cases.

711, 1898, s.89.

95. Any person who permits any case or receptacle used, or intended to be used, for the carriage of fresh fruit or vegetables to come into direct contact with any manure or other offensive matter, shall be guilty of an offence against this Act and liable to a penalty not exceeding five pounds.

Riparian rights.

711, 1898, s. 91.
Cf. U.K. 26 Geo. 5 & 1, Edw. 8, c. 49, Part IV.

96. (1) Whenever the pollution of any water supply becomes or is likely to become injurious to health, the local board shall for the purpose of preventing such pollution have within its district the rights of a riparian proprietor, and may enforce those rights by summary proceedings against the person in default, and may generally prevent the pollution of any water.

(2) Any person so in default shall be guilty of an offence against this Act and liable to a penalty not exceeding ten pounds for a first offence, and for every subsequent offence to a penalty of double the amount of the penalty imposed on the then last preceding offence.

Sources of water supply may be closed.
711, 1898, s. 92.
Cf. U.K. 26 Geo. 5 & 1, Edw. 8, c. 49, s. 140.
Cf. U.K. 26 Geo. 5 & 1, Edw. 8, c. 50, s. 103.

97. Any local board may direct that any water supply which in the opinion of the officer of health, or any two legally qualified medical practitioners, is so polluted or unwholesome as to be unfit for human consumption, shall be closed, and that the contents thereof shall cease to be used for human consumption, either absolutely or for such time as the local board may direct.

When closed not to be used.
711, 1898, s. 93.

98. Any person who uses or permits to be used for human consumption, any such well or other source of water while any such direction remains in force, shall be guilty of an offence against this Act and liable to a penalty not exceeding ten pounds.

Offensive matter in or near water supply.
Substituted by 35, 1941, s. 2.

99. Any person who deposits or discharges or causes or suffers to be deposited or discharged any night-soil, animal matter, or other offensive matter into any water supply or who deposits or discharges or causes or suffers to be deposited or discharged any nightsoil, animal matter, or other offensive matter in any place from whence, whether directly or indirectly, the night-soil, animal matter, or other offensive matter flows or falls or is liable to flow or fall into any water supply, shall be guilty of an offence against this Act and liable to a penalty not exceeding fifty pounds.

Swine, etc., on butcher's premises.
711, 1898, s.95.

100. Any person who keeps any swine, sheep, or cattle on any butcher's business premises, or dresses any carcass therein shall, unless the the premises are duly licensed for slaughtering purposes, be guilty of an offence against this Act and liable to a penalty not exceeding ten pounds.

No swine at slaughter-houses.
711, 1898, ss. 96 and 97.
1696, 1925, s. 4.
2089, 1932, s. 3.
Amended by 14, 1950, s. 2, and by 14, 1954, s. 5.

101. (1) No person in charge of any slaughter-house shall keep, or permit to be kept, in or about any slaughter-house any swine, unless intended for immediate slaughter: Provided that the local board may grant written permission to any person to keep swine, on the following conditions:—

1. That the swine are to be kept at such distance from the slaughter-house, as may be directed; and

II. That the swine may be fed with offal if the offal has been first thoroughly cleansed and boiled.

(2) No licence, pursuant to this section, shall be granted for a longer period than for one year at any one time, and every such licence may be withdrawn on proof to the satisfaction of the local board of any non-observance of any condition thereof.

(3) If any swine are fed on any blood, offal, manure, or filth from any slaughter-house, other than as authorized by subsection (1), the person in charge of the slaughter-house shall be guilty of an offence against this Act and liable to a penalty not exceeding ten pounds.

(3a) If any dog is in or about any slaughter-house, the person in charge of the slaughter-house shall be guilty of an offence and liable to a penalty not exceeding ten pounds unless he satisfies the court— Inserted by 14, 1954, s. 5.

(*a*) that the dog was in or about the slaughter-house 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 slaughter-house without his knowledge and that he could not reasonably have had knowledge of the presence of the dog.

(4) If any dog is fed on any blood, offal, manure, or filth from any slaughter-house, the person in charge of the slaughter-house shall be guilty of an offence against this Act and liable to a penalty not exceeding ten pounds: Provided that this subsection shall not apply to any such offal which has been first thoroughly cleansed and boiled. Inserted by 33, 1940, s. 4.

(5) Any person who sells or offers for sale or has in his possession for sale any offal from any slaughter-house which is infected with any hydatid cyst shall be guilty of an offence against this Act and liable to a penalty not exceeding ten pounds: Provided that this subsection shall not apply to any such offal which has been thoroughly cleansed and boiled. Inserted by 14, 1950, s. 2.

102. Any person who feeds to any swine any blood, offal, manure, or filth, or causes or permits any swine to be so fed, shall be guilty of an offence against this Act and liable to a penalty not exceeding ten pounds: Provided that this section shall not apply to offal which has been thoroughly cleansed and boiled. Feeding of swine. 2089, 1932, s. 4.

PART VIII. DIVISION II.

Inspection after slaughter.
711, 1898, s. 100.

103. No meat of any animal slaughtered in any public slaughter-house shall be sold or offered for sale as human food unless the animal has been inspected by an inspector of cattle after the slaughtering thereof, and certified fit for human consumption. The Central Board may direct any butcher's slaughter-house to be subject to the same inspection.

Non-application of sections 100, 101, and 103 in certain districts.
957, 1908, s. 4.
1055, 1911, s. 4.

104. Sections 100, 101, and 103 shall not apply within any district comprised within the metropolitan abattoirs area within the meaning of the Metropolitan Export Abattoirs Act, 1936, nor within any district comprised within any abattoirs area within the meaning of The Abattoirs Act, 1911.

Inspector of cattle.
711, 1898, s. 104.

105. Any local board may appoint, subject to the approval of the Central Board, an inspector of cattle. There shall also be a chief inspector of cattle appointed by the Governor. The chief inspector shall be a veterinary surgeon.

Diseased animals.
711, 1898, s. 105.
2217, 1835, s. 6.
Cf. U.K. 49 & 50 Vict., c. 32.

106. (1) Animals suffering from cancer, pleuro-pneumonia, tuberculosis, actinomycosis, anthrax, or trichinosis, or any other disease which the Governor may by proclamation add to this list, are "diseased animals" within the meaning of this Act.

(2) The Governor may, by proclamation, declare any disease to be a disease for the purposes of this section, and may by proclamation declare that any disease (whether mentioned in this section or declared a disease as aforesaid) shall cease to be a disease for the purposes of this section. Any such disease may subsequently be again proclaimed as a disease for the purposes of this section.

Isolation of diseased animals.
1248, 1916, s. 3.

107. (1) Every owner of a diseased animal shall give notice thereof to the local board, and shall isolate the animal from all other animals not being diseased animals, and shall keep it so isolated.

(2) Any owner who fails to isolate or keep isolated any such animal shall be guilty of an offence against this Act, and liable to a penalty not exceeding twenty pounds.

(3) It shall be a defence to any prosecution under this section to show that the defendant did not know, and could not by the exercise of reasonable diligence have discovered, that the animal was diseased.

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s. 104. The expression "Metropolitan Abattoirs Act, 1908," altered to "Metropolitan and Export Abattoirs Act, 1936," pursuant to the Amendments Incorporation Act, 1937.

Inspector may use tests. 711, 1898, s. 107. 2217, 1935, s. 7.

108. If the inspector of cattle suspects that any animal is a diseased animal, he may use all necessary tests to ascertain the facts as regards the suspected animal, and any other animal in the same herd or premises.

Destruction of diseased animals. 711, 1898, s. 108.

109. (1) Any inspector of cattle on being satisfied that any animal is a diseased animal shall give notice in writing to the owner or person in charge, directing him to kill the animal and destroy its carcass.

(2) Any such owner or person who fails to comply with any such notice shall be guilty of an offence against this Act, and liable to a penalty not exceeding twenty pounds.

(3) If any animal killed pursuant to this section is subsequently found to be free from disease, the owner may recover its value from the board by which the inspector was appointed. The owner may require the inspector to test for disease the carcass before being destroyed. The value of the carcass may be deducted from the compensation recoverable.

Diseased meat exposed for sale. 711, 1898, s. 109. 1248, 1916, s. 4.

110. (1) Any person who sells, consigns, or exposes for sale, or supplies for food, any diseased animal, or any meat therefrom, shall be guilty of an offence against this Act, and liable to a penalty not exceeding twenty pounds.

(2) Any person having for sale any such animal or meat in his possession or under his control, shall be deemed to be a person who exposes the animal or meat for sale.

(3) On proof of the selling, consigning, exposing for sale, or supplying, of the animal or meat in question, it shall be presumed that that animal or meat was sold, consigned, exposed for sale, or supplied, for food, unless the defendant proves the contrary.

Unwholesome food. 711, 1898, s. 110.

111. (1) Any person who keeps or exposes for sale any food intended for human consumption which is diseased, unsound, unwholesome, or otherwise unfit for human consumption, shall be guilty of an offence against this Act and liable to a penalty not exceeding twenty pounds.

(2) On proof of the keeping or exposing for sale it shall be presumed that the food in question was intended for human consumption unless the defendant proves the contrary.

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s. 110. G. LAUGHTON AND COOMBS LIMITED v. MASTER BUTCHERS LIMITED (1915) S.A.L.R. 3. Special leave to appeal to the High Court refused, MASTER BUTCHERS LIMITED v. G. LAUGHTON AND COOMBS LIMITED (1915) 19 C.L.R. 349; 4 Austn. Digest 148. Held that the defendant was not guilty of an offence where the sale of an animal was made without his being aware that the animal was diseased.

Contamination of milk.
711, 1898, s. 111, 1248, 1916, s. 5.

112. (1) Any person who—

(*a*) supplies to any person the milk of any diseased animal or any animal suffering from ulcers or other diseases of the udder:

(*b*) mixes any such milk with other milk intended for human consumption, sale, or for butter or cheese making:

(*c*) uses any such milk for human consumption, or for the food of swine or other animals, unless the milk has been boiled for at least ten minutes, and the local board has been notified of the intention to so use the milk:

Cf. U.K. 26 Geo. 5 & 1 Edw. 8, c. 50, s. 204.

(*d*) allows any person suffering from any infectious disease, or who may be living in any house where such disease exists, to—

(i) milk any cow;

(ii) handle any vessel used for the reception of milk intended for sale or for human consumption;

(iii) take part or assist in the business of dairyman, cowkeeper, or vendor of milk; or

(iv) be employed in a dairy,

shall be guilty of an offence against this Act, and liable to a penalty not exceeding twenty pounds.

(2) It shall be a defence to any prosecution under this section to show that the defendant did not know, and could not by the exercise of reasonable diligence have discovered—

(a) that the animal was diseased or suffering as aforesaid; or

(*b*) that the person was suffering from an infectious disease; or

(*c*) that an infectious disease existed in the house where the person lived.

according to the nature of the offence charged.

(3) The officer of health may grant exemption from the operation of paragraph (*d*) of subsection (1) in respect of a person living in a house where an infectious disease exists, provided that—

(a) the person is not suffering from any infectious disease; and

(*b*) proper isolation is secured.

List of customers to be furnished.
711, 1898, s. 112.
Cf. U.K. 26 Geo. 5 & 1, Edw. 8, c. 50, s. 207.

113. (1) Every person, on production of a certificate of the officer of health that the milk supplied by that person, or from his dairy, is suspected of causing disease, shall furnish to the local board a list of the names and addresses of his customers, and a full statement of the names and residences of the persons from whom the milk is obtained.

(2) Any person who fails to supply any such list or statement shall be guilty of an offence against this Act, and liable to a penalty not exceeding ten pounds.

Storing of milk in sleeping or dwelling place.
711, 1898, s. 113.

114. No person shall store, keep, or deposit any milk in any room used for sleeping, or in any other place or mode likely to render the milk unwholesome.

Registration and licensing of dairies and regulations.
711, 1898, s. 115.
Cf. U.K. 5 & 6 Geo. 5, c. 66, s. 1.

115. Local boards may, by regulation, provide—

(*a*) for the licensing of cowkeepers, dairymen, and vendors of milk;

(*b*) for the registration and inspection of dairies, milk stores, and milk shops;

(*c*) for the inspection of dairy farms and grazing grounds;

(*d*) for the sanitary conditions of cowyards, cowsheds, dairies, milk, milk stores, milk shops, and vessels used for milk;

(*e*) for preserving the health and good condition of cattle kept at any dairy;

(*f*) for prohibiting the sale of milk by other than licensed persons and except from registered dairies, milk stores, and milk shops;

(*g*) for prohibiting the adulteration of milk;

(*h*) for temporarily prohibiting, on the certificate of the officer of health, the sale of milk from dairies where animals are diseased, or supposed to be diseased, or where persons are suffering, or supposed to be suffering, from an infectious disease, or where there are reasonable grounds for suspecting that the milk supply from such dairies is causing the spread of infectious disease.

Cf. U.K. 5 & 6 Geo. 5, c. 66, s. 3.
Cf. U.K. 26 Geo. 5 & 1, Edw. 8, c. 50, ss. 185, 206.

DIVISION III. DIVISION III.—PREMISES.

Dwelling-houses unfit for habitation.
711, 1898, s. 116.
Cf. U.K. 26 Geo. 5 & 1, Edw. 8, c. 40, s. 83.

116. (1) Any local board may, by notice in writing, declare that any building, or any specified part thereof, is unfit for human habitation.

(2) The notice may direct that the building, or part thereof, shall not, after a time to be specified in the notice, be inhabited or occupied by any person.

(3) The notice shall be affixed to some conspicuous part of the building.

Not to be let or occupied.
711, 1898, s. 117.

117. Any person who after the expiration of the specified time, inhabits or occupies, or suffers to be inhabited or occupied, any such building or part thereof, shall be guilty of an offence against this Act and liable to a penalty not exceeding ten pounds.

Condemned building to be removed or amended.
711, 1898, s. 118.

118. (1) A notice may be served upon the owner of the building directing him to either amend the same in some specified manner, or to take down and remove the same.

(2) Any person who fails to comply with any such notice shall be guilty of an offence against this Act, and liable to a penalty not exceeding twenty pounds.

Over-crowding.
711, 1898, s. 119.
Cf. U.K. 38 & 39 Vict., c. 55, s. 91, para. 5.

119. Any person who suffers any building or part thereof, to be so overcrowded as to be, or likely to become, injurious to health, shall be guilty of an offence against this Act and liable to a penalty not exceeding twenty pounds.

Proper conveniences in houses.
711, 1898, s. 120.
Cf. U.K. 36 Geo. 5 & 1, Edw. 8, c. 49, s. 44.

120. (1) All houses shall have in proper and convenient situations such closets and privies, with such conveniences and of such size and so constructed as shall, in the opinion of the local board, be necessary and sufficient.

(2) Any person guilty of any contravention of this section shall be guilty of an offence against this Act and liable to a penalty not exceeding ten pounds.

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s. 118. TIPPITT v BELCHER (1925) S.A.S.R. 1; 3 Austn. Digest 74. As to the obligation to comply with a notice within the time specified. The notice is a peremptory notice and it is intended that it should receive prompt attention. If the person served fails to obey the notice in some minor or trivial respect, or making every reasonable effort to obey it, is nevertheless unable to complete the work within the time allowed, the offence may be trivial.

Houses erected on insanitary land.
711, 1898, s. 121.
Cf. U.K. 26 Geo. 5 & 1, Edw. 8, c. 49 s. 54.

121. (1) The local board may, by notice, prohibit the erection of any house or building on any land which, in their opinion, for sanitary reasons is unfit for human habitation until any sanitary defects existing in connection with the land have been removed to the satisfaction of the local board.

(2) Any person guilty of any contravention of this section shall be guilty of an offence against this Act and liable to a penalty not exceeding ten pounds.

Drains may be made in private or public property.
711, 1898, s. 122.
Cf. U.K. 26 Geo. 5 & 1, Edw. 8, c. 49, ss. 36, 278.

122. (1) Any local board, when necessary or expedient, may enter into and construct drains and other works upon any public or private land for the purpose of draining surface water from other lands.

(2) Where the land upon which the works are constructed is private property, the local board shall pay full compensation to any person who shall sustain damage by reason of the exercise of the above power.

New houses to have proper drains.
711, 1898, s. 123.
Cf. U.K. 26 Geo. 5 & 1, Edw. 8, c. 49, s. 43.
Amended by 18, 1953, s. 3.

123. (1) All houses erected or re-built in municipalities or in townships within district council districts after the thirteenth day of January, eighteen hundred and ninety-nine, shall have such drains, means of ventilation, and sanitary requirements constructed of such materials and in such manner as the local board may prescribe. In this section "township" means a township as defined by section 5 of the Local Government Act, 1934-1952.

(2) Plans and specifications showing the proposed drains, means of ventilation, and sanitary arrangements, shall be submitted to and approved by the local board before the erection or rebuilding of any such house is commenced.

(3) Any person guilty of any contravention of this section shall be guilty of an offence against this Act and liable to a penalty not exceeding twenty pounds.

(4) This section shall not apply within any part of the State to which the provisions of the Building Act, 1923-1946, apply.

Inserted by 18, 1953, s. 3.

Factories to have proper conveniences, to be ventilated and not to be overcrowded.
711, 1898, s. 124.
Cf. U.K. 26 Geo. 5 & 1, Edw. 8, c. 49, s. 46.

124. (1) The owner or occupier of every building, whether erected before or after the passing of this Act—

(*a*) which is used as a workshop or manufactory; or

(*b*) in which persons are employed or are intended to be employed in any trade or business; or

PART VIII. DIVISION III.

(*c*) which is used as a school, church, theatre, or hall, capable of ordinarily accommodating a meeting or assembly of more than twenty persons:

shall—

(i) provide the building with suitable accommodation in the way of urinals, closets, and privies; where both sexes are employed separate accommodation shall be provided with separate approaches thereto:

(ii) keep the building in a clean state and ventilate the same in such manner as to render harmless, as far as practicable, any impurities generated by the work carried on therein.

(2) Any person guilty of any contravention of this section shall be guilty of an offence against this Act and liable to a penalty not exceeding twenty pounds.

Definition of lodging-house.
711, 1898, s. 125.
Cf. U.K. 26 Geo. 5 & 1, Edw. 8, c. 49, Part IX.
Cf. U.K. 26 Geo. 5 & 1, Edw. 8, c. 50, Part VI.

125. Whenever any building, or part thereof, is let in lodgings or for the purpose of board and lodging, the same shall be deemed to be a lodging-house.

Limit of number of inmates.
711, 1898, s. 126.
Cf. U.K. 26 Geo. 5 & 1, Edw. 8, c. 49, s. 240.

126. The local board may fix the number of persons who may occupy any lodging-house, and may, by regulation, provide for the registration and special inspection thereof.

PART IX.

PART IX.

INFECTIOUS AND NOTIFIABLE DISEASES.

Heading amended by 14, 1954, s. 6.

Report of infectious disease.
711, 1898, s. 127.
Cf. U.K. 26 Geo. 5 & 1, Edw. 8, c. 49, s. 144.
Cf. U.K. 26 Geo. 5 & 1, Edw. 8, c. 50, s. 192.
Amended by 14, 1954, s. 7.

127. (1) Where any inmate of any building or part of a building is or is supposed to be suffering from any infectious disease or any notifiable disease, unless the building is a public or licensed hospital into which persons suffering from infectious diseases are received—

(*a*) the head of the family;

(*b*) on his default, the nearest relative of the inmate present in the building or being in attendance on the inmate;

(*c*) on default by such relative, every person in charge or in attendance on the inmate; or

(*d*) on default by any such persons, the occupier or owner of the building:

and in any case

(*e*) every medical practitioner attending on or called in to visit the inmate;

shall, so soon as he becomes aware that the inmate is suffering from any infectious disease or notifiable disease, report the same to the local board, who shall immediately report the same to the Central Board.

(2) Any person not being a person required to make a report in the first instance, but only in case of default by some other person, shall not be liable to any penalty if he proves that he had reasonable cause to suppose that the report had been duly made.

(3) The owner or occupier of every building used as a hospital shall, as soon as he or his manager or superintendent becomes aware that an inmate is suffering from any infectious disease or notifiable disease, report the same to the local board.

(4) Any person guilty of any contravention of this section shall be guilty of an offence against this Act and liable to a penalty not exceeding five pounds.

Medical practitioner to notify cases of tuberculosis.

711, 1898, s. 128.

Amended by 13, 1943, s. 3, by 39, 1950, s. 2, and by 15, 1952, s. 2.

128. (1) Every medical practitioner attendant on or consulted by any person suffering from pulmonary tuberculosis or any other form of tuberculosis shall, so soon as the fact becomes known to him, report the same to the Central Board: Provided the notification shall not be necessary if the case has been previously reported to the Central Board. Every such report shall be made in the form prescribed by regulation made by the Governor or in a form to the like effect and in the report the medical practitioner shall supply such of the particulars specified in the said form as are known to the medical practitioner.

(2) Any person who fails to make any report required by this section shall be guilty of an offence against this Act and liable to a penalty not exceeding five pounds.

Fee to medical practitioner.
711, 1898, s. 129.
991, 1909, s. 5.
Cf. U.K. 52 & 53 Vict., c. 72, s. 4, (2) (part).
Cf. U.K. 26 Geo. 5 & 1, Edw. 8, c. 50, s. 192 (7).
Amended by 39, 1950, s. 3, and subsec. (2) substituted by 15, 1952, s. 3.

129. (1) The local board shall pay to every medical practitioner a fee of two shillings for every report made by him to the board under section 127: Provided that when a report or reports is or are made concerning two or more persons in the same building only one such fee shall be payable.

(2) The Central Board shall in respect of every report made to it in compliance with section 128 by a medical practioner in the course of private practice, pay to the medical practioner a fee of ten shillings and six pence.

Medical practitioner protected.
711, 1898, s. 130.
Amended by 14, 1954, s. 8.

130. No medical practitioner shall be liable to any proceedings for any mis-statement made in good faith in attempted notification of any infectious disease or notifiable disease: Provided he promptly notifies to the local board any change in his diagnosis.

Disinfection of buildings, and articles.
711, 1898, s. 131.
Cf. U.K. 7 Edw. 7 c. 53.s. 66.
Cf. U.K. 26 Geo. 5 & 1, Edw. 8, c. 49, s. 167.

131. (1) If the officer of health or any legally qualified medical practitioner certifies in writing to the local board that the cleansing or disinfection of any building or part thereof, or any bedding, clothes or other articles whatever would tend to prevent the spread of tuberculosis or any infectious disease, the local board may order and supervise the use of disinfectants, and take such other sanitary precautions as it may deem necessary to cleanse or disinfect the building or part thereof, and articles, and for that purpose may remove any such articles.

(2) Any expenses incurred by the local board may be recovered from the owner or occupier of the building or part thereof, or the local board may itself, if it see fit, defray the expenses or any part thereof.

Butter and cheese factories may be closed.
711, 1898, s. 132.

132. (1) If at any time any legally qualified medical practitioner certifies to the local board that any person suffering from any infectious disease or from pulmonary tuberculosis is residing in a building or part of a building used for the storage of milk, or for the storage of manufacture of butter, cheese, or other articles of human food, and that there is reason to believe that the milk, butter, cheese, or other article of human food may be contaminated by the disease, the local board may, with the sanction of the Central Board, order the owner or person in charge of the building to close the same until the officer of health certifies that the person has been removed from the building, and that all necessary precautions have been taken to prevent such contamination.

(2) Any person neglecting to comply with any such order shall be guilty of an offence against this Act and liable to a penalty not exceeding twenty pounds.

Disinfecting apparatus may be provided.
711, 1898, s. 133.
Cf. U.K. 26 Geo. 5 & 1, Edw. 8, c. 49, s. 166.
Cf. U.K. 26 Geo. 5 & 1, Edw. 8, c. 50, s. 194.

133. Any local board may—

(a) provide or combine with other local boards to provide proper places, apparatus, and attendance for disinfecting purposes;

(*b*) disinfect any articles;

(*c*) make arrangements for disinfection with any hospital or with any local board possessing disinfecting apparatus;

(*d*) make arrangements with any laboratory for scientific examination.

Exposure of infected persons.
711, 1898, ss. 134 and 135.
Cf. U.K. 26 Geo. 5 & 1, Edw. 8, c. 49, ss. 148, 149, 159.
Cf. U.K. 26 Geo. 5 & 1, Edw. 8, c. 50, s.203.

134. (1) Any person who, knowing himself to be suffering from any infectious disease, or having so suffered, not being sufficiently recovered to be free from all risks of infecting others—

(*a*) exposes himself in any public place without taking reasonable precautions against spreading the disease:

(*b*) enters any place of common resort:

(*c*) enters any ship, vessel, railway carriage, or public conveyance without previously notfying to the master, conductor, or person in charge the fact of the disease,

shall be guilty of an offence against this Act and liable to a penalty not exceeding five pounds.

(2) Any such person entering a public conveyance in breach of paragraph (*c*) of subsection (1) shall in addition to the said penalty, be liable to pay to the owner all loss and expense incurred in respect of the disinfection of the conveyance.

Owner of conveyance to give notice to local board.
711, 1898. s. 136.
Cf. U.K. 7 Edw. 7, c. 53, s. 64.
C.F. U.K. 26 Geo. 5 & 1, Edw. 8, c. 49, s. 160.
Cf. U.K. 26 Geo. 5 & 1, Edw. 8, c. 50, ss. 205, 211.

135. (1) Every owner or person in charge of any public conveyance having conveyed any person suffering or having so suffered not being sufficiently recovered from an infectious disease shall, immediately after he becomes aware of that fact, give notice to the local board of the district wherein he resides.

(2) Every such owner or person who fails to give any notice required by this section shall be guilty of an offence against this Act and liable to a penalty not exceeding five pounds.

Disinfection of conveyance.
711, 1898. s. 137.

136. The local board may disinfect any such conveyance, and may recover all expenses incurred from the owner.

Children attending school.
Cf. U.K. 7 Edw. 7, c. 53, s. 57.
Cf. U.K. 26 Geo. 5 & 1, Edw. 8, c. 49, s. 150.
Substituted by 33, 1940, s. 5.

137. (1) If any child is or has been suffering, or has been resident where any person is or has been suffering, from any infectious disease, then any person who suffers or permits that child to attend school, unless and until the said person has procured a certificate from a legally qualified medical practitioner that there is, in his opinion, no risk of infection, shall be guilty of an offence against this Act and liable to a penalty not exceeding five pounds.

(2) This section shall not apply in the case of measles, whooping cough, or influenza or any other infectious disease to which the Governor by proclamation declares that this section shall not apply.

(3) The Governor may by proclamation declare that this section shall not apply to any infectious disease and may by proclamation revoke or vary any such proclamation.

Letting infected buildings.
711, 1898. s. 139.
Cf. U.K. 38 & 39 Vict., c. 55, s. 128.
Cf. U.K. 26 Geo. 5 & 1, Edw. 8, c. 49, s. 157.
Cf. U.K. 26 Geo. 5 & 1, Edw. 8, c. 50, s. 198.

138. (1) Any person who knowingly lets for hire any building or part of a building in which any person is or has been suffering from any infectious disease without having had the building or part thereof, and all articles therein liable to retain infection, disinfected, in manner directed by a legally qualified medical practitioner, shall be guilty of an offence against this Act and liable to a penalty not exceeding twenty pounds.

(2) The keeper of an inn shall be deemed to let for hire part of a building to any person admitted as a guest.

Duty to bury bodies.
Inserted by 48, 1947, s. 3.

138a. (1) Any person who suffers or permits the body of any dead person or the body of any stillborn child to be in any premises at any time after seven days after the death of the deceased person or, as the case may be, the stillbirth of the child, shall be guilty of an offence and liable to a penalty not exceeding five pounds for every day during which the contravention of this subsection continues.

(2) It shall be a sufficient defence to any proceedings for an offence under subsection (1) if proof is given that the

body is in the premises to which the proceedings relate with and in accordance with any conditions of the consent in writing—

(*a*) if the premises are situated within a district, of the officer of health of that district; or

(*b*) if the premises are not situated within a district, of the chairman of the Central Board.

The officer of health or, as the case may be, chairman of the Central Board may, in any case where he thinks it expedient so to do, give consent as aforesaid and any such consent may be given subject to such conditions as the officer of health or, as the case may be, chairman of the Central Board thinks fit.

(3) Nothing in this section shall apply to any body which—

(*a*) is in any premises being a public mortuary; or

(*b*) is in any premises by direction of a coroner or a member of the police force; or

(*c*) is in any premises being a school of anatomy which is licensed under the Anatomy Act, 1884-1934.

(4) Nothing in this section shall affect the operation of the provisions of section 138b or section 139.

Power to order burial or cremation of body.
Inserted by 48, 1947, s. 3.

138b (1) If any body of any deceased person or the body of any stillborn child is in any premises (other than premises such as are referred to in subsection (3) of section 138a) and the officer of health of the district in which the premises are situated or, if the premises are not situated in a district, the chairman of the Central Board, is satisfied that the presence of the body may cause an offensive condition to arise or continue or may cause a condition likely to be prejudicious to the public health to arise or continue, the officer of health or, as the case may be, the chairman of the Central Board may, by notice in writing delivered to the occupier of the premises, require the occupier of the premises to secure the burial or cremation of the body within the time specified in the notice.

(2) Any such occupier upon being served with a notice as aforesaid shall thereupon comply with the notice by procuring the burial of the body or, subject to the provisions of the Cremation Act, 1891-1936, the cremation thereof. If the occupier fails to comply with the notice he shall be guilty of an offence and liable to a penalty not exceeding five pounds for every day during which the default continues.

(3) The provisions of this section shall apply not withstanding any provisions of section 139.

Interment within forty-eight hours.
711, 1898. s. 140.
Cf. U.K. 52 & 53 Vict., c. 72, s. 8.
Cf. U.K. 26 Geo. 5 & 1, Edw. 8, c. 49, ss. 161, 162.
Cf. U.K. 26 Geo. 5 & 1, Edw. 8, c. 50, s. 209.

139. (1) When any person having suffered from any infectious disease dies in consequence of that disease, the body shall be interred within forty-eight hours, or at such earlier time as may be directed by the local board, by the parent, nearest relative, or person in charge during the illness.

(2) Any person guilty of any contravention of this section shall be guilty of an offence against this Act and liable to a penalty not exceeding five pounds.

Isolation of tenements and premises.
711, 1898. s.141.

140. (1) Upon the recipt of a certificate in writing or by telegram from any officer of health or any legally qualified medical practitioner that any infectious disease exists within a district, and that isolation is necessary to prevent the spreading thereof, the Governor may authorize the Central Board to stop all or any traffic, and to limit and prevent the ingress and egress of any persons to or from any house or premises for such time and in such manner as the Central Board may think necessary.

(2) Any person guilty of any contravention of this section shall be guilty of an offence against this Act and liable to a penalty not exceeding twenty pounds.

Power to prevent spread of disease by isolation.
1338, 1918, s. 3.

141. Upon the receipt of a certificate in writing from the Central Board that any infectious disease exists within the State, and that isolation is necessary to prevent the spreading thereof, or that there is danger of an outbreak of infectious disease occurring in the State, and that isolation is necessary to prevent the outbreak, the Governor may authorize the Central Board to stop all or any traffic and to limit and prevent the ingress, egress, and regress of any persons to or from any house or premises, or to limit and prevent the carriage of any persons in any vehicle for such time and in such manner as the Governor may think necessary.

Ambulances.
711, 1898. s. 142.
Cf. U.K. 7 Edw. 7, c. 53 s. 50.
Cf. U.K. 26 Geo. 5 & 1, Edw. 8, c. 49, s. 197.

142. Any local board may provide or combine with any other local board to provide and maintain vehicles suitable for the conveyance of persons suffering from any infectious disease, and may convey any such person to a hospital or other place free of charge.

Removal of persons to hospitals.
711, 1898. s. 143.
Cf. U.K. 26 Geo. 5 & 1, Edw. 8, c. 49, s. 169.
Cf. U.K. 26 Geo. 5 & 1, Edw. 8, c. 50, s. 201.

143. Where any suitable hospital, quarantine station, or place for the reception of the sick is provided within any district, or within a reasonable distance therefrom, and any person is suffering from any infectious disease and—

(*a*) proper isolation is otherwise impracticable; or

(*b*) the person is lodged in a room occupied by others of more than one family, or on board any ship or vessel, or in a common lodging-house, or in a boarding-house,

any local board may, on a certificate signed by any legally qualified medical practitioner, and with the consent of the superintending body or medical officer of the hospital, quarantine station, or place, compulsorily remove any such person to the hospital, quarantine station, or place, at the cost of the local board.

Hospitals.
711, 1898. s. 144.

144. Any local board may provide or combine with any other local boards to provide for the use of inhabitants of the district hospitals or temporary places for the reception of any person suffering from any infectious disease, and for that purpose may—

(*a*) build any such hospitals or places:

(*b*) contract for the use of any hospital, or part of a hospital or place:

(*c*) arrange with any person for the reception of the suffering.

Maintenance.
Substituted by 35, 1941, s. 3.

145. (1) Any expenses incurred, pursuant to section 144, by a local board in maintaining in any such hospital or place any person suffering from any infectious disease shall be a debt due to the local board for which the following persons shall be jointly and severally liable:—

I. The person so maintained:

II. The husband or wife of the said person:

III. If the said person is under the age of twenty-one years, the father of the said person, or if the father is dead, the mother of the said person:

s. 145. BODEY v. SHEPHERDSON (1922) S.A.S.R. 174; 11 Austn. Digest 87. Where a child was maintained pursuant to section 144 and there was no evidence of a contract by the father to pay the expenses, held that no liability attached to the father of the child. Since this decision section 145 has been amended to provide that such a liability is incurred.

iv. The children of the said person who were over twenty-one years of age at the time the liability was incurred.

(2) Any money payable under this section for the maintenance of any person shall accrue from week to week, and may be recovered by the local board by action in any court of competent jurisdiction but no amount in excess of four pounds four shillings shall be payable under this section for the maintenance of any person for any week.

(3) When two or more persons are jointly and severally liable under this section for the same sum, they shall be entitled as against each other to such indemnity or contribution as is directed by the court.

(4) Nothing in this section shall take away or restrict the liability of any person for the maintenance of any other person under any other Act or law for the time being in force, or the power of any court to make any order under such Act or law in respect of the maintenance of any person.

(5) If satisfied that to require payment of the whole or any part of any amount payable under this section would impose hardship on the person by whom it is payable, the local board may remit the whole or any part of any amount payable under this section.

Licensing of hospitals and managers.
711, 1898, s. 146.
2156, 1934, s. 891 (10).
Cf. U.K. 26 Geo. 5 & 1, Edw. 8, c. 49, s. 187.
Cf. U.K. 26 Geo. 5 & 1, Edw. 8, c. 50, s. 241.

146. (1) No building or any part thereof shall, after the first day of June, one thousand eight hundred and ninety-nine, be used for the purpose of a private hospital or maternity home unless and until the building or part thereof shall be licensed by the local board for that purpose. Every application for a licence shall be accompanied by the name of the manager.

(2) No person shall act as manager of any such private hospital or maternity home unless licensed by the local board for that purpose.

(3) Any person guilty of any contravention of this section shall be guilty of an offence against this Act, and liable to a penalty not exceeding twenty pounds.

(4) The manager shall be responsible for the good government of the institution.

Amended by S.L.R. Act, 1936.

(5) The licence fee for the building shall not exceed two pounds per annum, and shall, subject to section 165 of the

Maintenance Act, 1926, be the only licence fee chargeable: Provided that no fee shall be required from any institution where no charge is made for the attendance on and maintenance of its inmates.

(6) The licence shall be granted upon such conditions as are prescribed by regulation made by the Governor. Substituted by 33, 1940, s. 6 (2).

(7) Any building or part thereof so licensed shall be liable to be inspected at any time.

Licensing of rest homes. Inserted by 48, 1947, s. 3.

146a. (1) In this section "rest home" means any building (other than a building which is licensed under section 146 of this Act, or under section 165 of the Maintenance Act, 1926-1941, or under Part VIIa. of the Mental Defectives Act, 1935-1945) in which any person receives any other person (other than a relation of the first mentioned person) to board or lodge and who undertakes for fee or reward to exercise oversight, care or control over such other person by way of nursing treatment or treatment applicable to aged, infirm or helpless or partially helpless persons.

(2) No building or any part thereof shall, after the first day of July, nineteen hundred and forty-eight, be used for the purposes of a rest home unless and until the building or part thereof is licensed by the local board for the purpose. Every application for a licence shall be accompanied by the name of the manager.

(3) No person shall act as manager of any rest home unless licensed by the local board for the purpose.

(4) Any person guilty of any contravention of this section shall be guilty of an offence against this Act and liable to a penalty not exceeding twenty pounds.

(5) The manager of any rest home shall be responsible for the good government thereof.

(6) The licence fee for the building shall not exceed two pounds.

(7) A licence under this section shall be granted on such conditions as are prescribed by regulation made by the Governor.

(8) Any building or part thereof licensed as aforesaid shall be liable to be inspected at any time.

PART IXA.

TUBERCULOSIS.

Interpretation.
Inserted by 45, 1951, s. 3.

146b. (1) In this Part—

"the Director-General" means the Director-General of Public Health holding office under the Health and Medical Services Act, 1949, or the person for the time being acting as such Director-General;

"constable" includes any member of the police force;

"institution" means an institution established or provided by the Government for the maintenance and treatment of persons suffering from tuberculosis;

"tuberculosis" means tuberculous disease in any form.

(2) Nothing in this Part shall restrict the operation of any provision of Part IX of this Act.

Examination of individual suspects.
Inserted by 45, 1951, s. 3.

146c. (1) If the Director-General is satisfied that there are reasonable grounds for suspecting that any person is suffering from tuberculosis he may by notice in writing signed by him or by any person acting under his authority require that person to attend at a time and place specified in the notice, and to undergo such diagnostic examinations as the Director-General arranges. A notice under this subsection shall be served on the person to whom it is addressed at least fourteen days before the time fixed by the notice for the examination.

(2) If for any reason the examination of any person is not held or completed at the time and place fixed by notice given under subsection (1) of this section, or on any adjournment, the Director-General or any person authorized by him may adjourn or further adjourn the examination or the completion thereof and give the person who is being or is to be examined written notice to attend again at the time and place to which the examination is adjourned.

(3) The Director-General may revoke any notice given under the preceding subsections of this section if satisfied that—

(*a*) the person named therein is not suffering from tuberculosis; or

(*b*) the person named therein is suffering from tuberculosis and is being or will be adequately treated for that disease; or

(*c*) any other sufficient cause exists for revoking it.

(4) The Director-General may amend any notice given under the preceding subsections of this section.

(5) If a person on whom a notice is served under this section fails to comply with any requirement of the notice he shall be guilty of an offence.

Penalty: For a first offence, a fine not exceeding ten pounds.

For a second or subsequent offence, a fine not exceeding twenty-five pounds.

(6) Proceedings against a person for an offence against this section shall not affect his liability to apprehension under the next following section.

Enforcement of order for individual examination. Inserted by 45, 1951, s. 3.

146d. (1) If a person served with a notice under the preceding section fails to attend for examination in accordance with the notice the Director-General may apply to a special magistrate for the issue of a warrant for the apprehension of that person; and the special magistrate if satisfied that the said person has so failed, may issue such a warrant.

(2) A warrant issued under this section shall—

(*a*) state shortly the matter on which it is founded;

(*b*) name or otherwise describe the person against whom it is issued;

(*c*) order the person or persons to whom it is directed to apprehend and detain the said person and bring him for examination in accordance with this section;

(*d*) be in the prescribed form.

(3) A warrant issued under this section may be directed specially to any constable or other person by name, or generally to all constables in the State, or both specially and generally as aforesaid. If a warrant is directed to constables generally it shall be lawful for any constable to execute it as if it had been directed to him by name.

(4) A person apprehending a person by virtue of a warrant under this section—

(*a*) shall forthwith notify the Director-General of the apprehension;

(*b*) shall, pending the examination of such person, detain him in a hospital or other suitable place appointed by the Director-General for the purpose.

(5) Upon being informed that a person has been apprehended under this section the Director-General shall, as early as practicable, make arrangements for the examination of that person and advise the person who executed the warrant of the time and place fixed for the examination.

(6) A person executing a warrant under this section shall at the time so fixed bring the person apprehended from the place where he is detained to the place for the examination.

(7) A warrant issued under this section for the apprehension of a woman shall, wherever practicable, be directed to a woman constable.

Examination of classes or groups. Inserted by 45, 1951, s. 3.

146e. (1) The Minister may, from time to time by notice order that any groups or classes of persons specified in the notice shall submit themselves to examination of the chest by X-ray in accordance with the provisions of the notice.

(2) Any group or class of persons to which a notice applies may be described in the notice by reference to their ages or the nature or place of their occupations, or the name of their employer, or their place of residence or country of origin, or the alphabetical group in which their names fall, or in any other way which the Minister thinks proper.

(3) Every such notice—

(*a*) shall be published by advertisement in a newspaper circulating in the locality in which the examination is to be held;

(*b*) shall specify the time at which or the period during which, and the place at which, persons specified in the notice shall attend for examination;

(*c*) may provide for any matters necessary or convenient to be provided in order to ensure that the persons specified in the notice shall attend for examination and that the examination shall be properly carried out.

(4) If a person attends for examination in accordance with a notice under this section and if for any reason the examination is not made or completed at the time and place at which he attends, the Director-General, or any person authorized by him, may adjourn the examination or the

completion thereof and give to the said person a written notice requiring him to attend at the adjourned examination, and stating the time and place where it will be held.

(5) A person who fails to comply with any requirement of a notice given under any provision of this section shall be guilty of an offence.

Penalty—For a first offence, a fine of not more than ten pounds.

For a second or subsequent offence, a fine of not more than twenty-five pounds.

Detention of tuberculosis patients. Inserted by 45, 1951, s. 3.

146f. (1) If a special magistrate is satisfied that any person suffering from tuberculosis (in this Part called a "patient") is in an infectious condition and that the circumstances in which the patient is living or the habits of the patient are such that there is a substantial risk that he will cause infection to other persons, he may order that the patient be removed to an institution or to some other place agreed upon by the patient and the Director-General and be detained and offered treatment there for such period not exceeding six months as the special magistrate orders.

(2) Where a special magistrate is satisfied that a patient who is already an in-patient in an institution (whether he is a voluntary patient or is being detained pursuant to an order) is in an infectious condition and that if he leaves the institution there will be a substantial risk that he will cause infection to other persons, the magistrate may order that the patient be detained in the institution in which he is already an in-patient, or in some other institution agreed upon by the patient and the Director-General, for such period not exceeding six months as the special magistrate thinks fit.

(3) An order shall not be made under this section except upon the application of the Director-General.

(4) Upon being informed by the Director-General that he intends to apply for an order under this section, a special magistrate shall fix a time and place for hearing the application.

(5) The Director-General shall serve on the patient at least seven clear days before the hearing a notice stating his intention to apply for the order and of the time and place fixed for the hearing of the application, and informing the patient of his right to appear before the special magistrate personally, or by counsel or agent.

(6) On the hearing of the application the special magistrate—

(*a*) shall hear and consider any relevant evidence, information or arguments submitted by or on behalf of the Director-General or the patient;

(*b*) shall not be bound by the legal rules of evidence.

Enforcement of orders for detention.
Inserted by 45, 1951, s. 3.

146g. (1) When an order is made under the preceding section of this Act a special magistrate on the application of the Director-General may issue a warrant for the apprehension and detention of the patient.

(2) The warrant shall—

(*a*) state shortly the matter on which it is founded;

(*b*) name or otherwise describe the patient;

(*c*) order the person or persons to whom it is directed to apprehend the patient and take him to an institution and there receive and detain him in accordance with this section;

(*d*) be in the prescribed form.

(3) A warrant under this section shall be directed generally to all constables in the State and to the superintendent of the institution in which the patient is to be detained. It shall be lawful for any constable to execute any such warrant as if it had been directed to him by name.

(4) A warrant under this section shall—

(*a*) authorize any person to whom it is directed to do all or any of the following things, namely, to apprehend the patient, to take him to the institution mentioned in the order, and to receive him in that institution and detain him there until he is lawfully released;

(*b*) be sufficient authority, for the apprehension and return to the said institution of the patient if he unlawfully leaves the said institution.

Release of persons detained.
Inserted by 45, 1951, s. 3.

146h. (1) The Director-General may in writing—

(*a*) order that a person who is being detained in an institution pursuant to an order under section 146f may leave the institution either permanently or for a period specified in the order;

(*b*) extend any period mentioned in an order under paragraph (*a*) of this subsection.

(2) On the application of a person who is being detained in an institution pursuant to an order under section 146f and after hearing the Director-General a special magistrate may order—

(*a*) that the said person be released from the institution either permanently or for a period specified in the order;

(*b*) that any period specified in an order under paragraph (*a*) of this subsection be extended.

No such order shall be made unless the magistrate is satisfied that the applicant may be released without substantial risk of infection to others, or, as the case may be, that the period of his release may be extended without such risk.

(3) Any order made under this section may be subject to any conditions imposed by the person making it and if any such condition is broken or not observed, the order shall cease to have effect.

Appeals. Inserted by 45, 1951, s. 3.

146j. (1) Any party to an application made to a special magistrate under section 146f or 146h of this Act may, within twenty-one days after the special magistrate has made an order or given a decision on the application, appeal to the Supreme Court against that order or decision.

(2) Every such appeal shall be heard and determined by a single judge sitting in chambers.

(3) On the hearing of the appeal the Judge may do such one or more of the following things as he deems appropriate, namely, confirm, reverse or modify the order or decision appealed against, or make any order or give any decision which in the Judge's opinion, should have been made or given in the first instance.

(4) The Judge shall make no order as to costs in respect of the hearing of an appeal under this section except where the appeal is by the patient and is successful.

(5) Subject to the provisons of this section the procedure on an appeal shall be such as is prescribed by rules of the Supreme Court.

Mode of service. Inserted by 45, 1951, s. 3.

146k. (1) Any order or notice required or authorized by this Part to be served upon or given to any person may be served upon or given to him by—

(*a*) delivering it to him personally; or

(*b*) leaving it for him at his last or most usual place of abode or business with some other person apparently an inmate thereof or employed thereat and apparently not less than sixteen years of age.

(2) Where an order or notice is left for a person under paragraph (*b*) of the preceding subsection that person shall be deemed to have received it on the day on which it was so left unless he proves the contrary.

Provisions as to examinations. Inserted by 45, 1951, s. 3.

146l. (1) If a person who attends or is brought to a place for examination pursuant to this Part refuses to submit himself to examination—

(*a*) he shall be guilty of an offence and liable to a fine not exceeding twenty-five pounds;

(*b*) the medical practitioner or other person appointed to conduct the examination may, with the aid of any persons acting under his instructions use any means necessary to conduct the examination.

(2) If any person obstructs or interferes with any person conducting or assisting to conduct any examination under this Part he shall be guilty of an offence and liable to a fine not exceeding twenty-five pounds.

Applications to magistrates. Inserted by 45, 1951, s. 3.

146m. Every application to a special magistrate under this Part shall be heard and determined in chambers.

Regulations under this Part. Inserted by 45, 1951, s. 3.

146n. The power to make regulations conferred by section 147 of this Act shall be deemed to include power to make any regulations necessary or convenient for the administration and enforcement of this Part of this Act, and without limiting the generality of this section shall include power to make regulations—

(*a*) with respect to the practice and procedure (including the summoning and examination of witnesses) on applications under this Part;

(*b*) prescribing the forms for use under this Part;

(*c*) for securing orderly behaviour on the part of persons who have attended for examination or are being examined or detained under this Part;

(*d*) prescribing penalties recoverable summarily and not exceeding twenty-five pounds for breach of any regulation made under this section.

PART X. PART X.

REGULATIONS.

Regulations. 2089, 1932. s. 5. 2156, 1934, s. 891 (8) and (9). Cf. U.K. 26 Geo. 5 & 1, Edw. 8, c. 49, s. 72 (3) (*a*).

147. (1) The Governor, on the recommendation of the Central Board, may make regulations for or with respect to—

(*a*) the measures to be taken for preventing the spread of or for limiting, mitigating, or eradicating tuberculosis or any infectious disease or notifiable disease:

Para. (a) amended by 27, 1955, s. 2 (a).

(*b*) the prevention of the spread of infectious disease or notifiable disease by persons who though not at the time suffering from such disease are "contacts" or "carriers" and liable to disseminate the infection thereof, and the keeping of such persons under medical surveillance and the restriction of the movements of such persons:

Amended by 27, 1955, s. 2 (*b*).

(*c*) defining "contacts" and "carriers" for the purposes of this Act:

(*d*) the prohibition of spitting in public places or in public conveyances except into receptacles provided for the purpose:

(*e*) the imposition and enforcement of isolation or of medical observation and surveillance in respect of persons suffering or suspected to be suffering from tuberculosis or any infectious disease or notifiable disease, the premises in which such persons are accommodated, those in charge of or in attendance on such persons, and other persons living in or visiting such premises or who may otherwise have been exposed to the infection of such disease; and the inspection of any such premises:

Amended by 27, 1955, s. 2 (c).

(*f*) the disinfection of ambulances and other vehicles in which persons suffering from infectious disease are conveyed; the measures to be taken to prevent the spread of infectious disease from the bodies of persons who have died from infectious disease including the disinfection of any vehicles in which any such bodies are conveyed:

(*f*1) prescribing the conditions upon which licences under section 146 for private hospitals and maternity

Inserted by 33, 1940, s. 6 (1).

homes may be granted and the revocation of such licences; prescribing the qualifications of persons acting as managers or persons in charge of such private hospitals and maternity homes; and providing for an appeal to the Central Board from any decision of a local board with respect to the grant or revocation of any such licence:

Inserted by 48, 1947, s. 5.

(*f*2) prescribing the conditions upon which licences under section 146a for rest homes as defined by that section may be granted and the revocation thereof; prescribing the qualifications of persons acting as managers or persons in charge of such rest homes; and providing for an appeal to the Central Board from any decision of a local board with respect to the grant or revocation of any such licence:

(*g*) the regulation of trade in flock, rags, and in second-hand clothing, bedding, or any similar articles, and requiring the cleaning and disinfection of any such articles before removal, sale, or exposure for sale, or use in any manufacturing process:

(*h*) the installation, maintenance, and inspection of bacteriolytic tanks, and the fittings and drains and water closets used in connection therewith:

Cf. U.K. 26 Geo. 5 & 1, Edw. 8, c. 50, s. 144.

(*i*) the supervision of slaughter-houses licensed pursuant to the Local Government Act, 1934, and the receiving, inspection, and slaughtering therein of animals; and the conduct of persons carrying on business or employed at such slaughter-houses:

(*j*) except as regards slaughter-houses within the metropolitan abattoirs area under the Metropolitan and Export Abattoirs Act, 1936, or within any area proclaimed under The Abattoirs Act, 1911, the prescribing and regulation of the nature and kind of structure of, and the materials to be used in the construction of slaughter-houses in respect of which any application for a slaughtering licence under the Local Government Act, 1934, may be made, and the drains, receptacles, and other conveniences to be provided in connection with any such slaughter-house, prior to the granting of any such licence:

s. 147. (1) (*j*) The expression "Metropolitan Abattoirs Act, 1908," altered to "Metropolitan and Export Abattoirs Act, 1936," pursuant to the Amendments Incorporation Act, 1937.

(*k*) except as aforesaid, the maintenance of cleanliness in, at, and about every slaughter-house and place used for slaughtering cattle, sheep, or swine:

(*l*) enforcing the destruction of infected cattle, which, if slaughtered, would be unfit for human food:

(*m*) enforcing the destruction of unwholesome meat:

(*m*1) regulating the fumigation of premises for the destruction of animal or insect pests or disease germs by means of gases, vapours, fumes, mists or smokes which are or may be dangerous to human life or health: Inserted by 33, 1940, s. 7.

(*m*2) for prohibiting or regulating the removal from any premises of any furniture or other chattels which are vermin infested or the removal of any furniture or other chattels from any vermin infested premises, and for requiring and regulating the fumigation of any such furniture and other chattels: Inserted by 35, 1941, s. 4.

(*m*3) declaring that any substances (which term shall in this and the following three paragraphs include solids, liquids, and gases) shall be dangerous substances and that any processes shall be dangerous processes: Inserted by 45, 1951, s. 4.

(*m*4) regulating or restricting the production, manufacture, use, storage, sale or other disposal of any substances declared by regulation to be dangerous substances; Inserted by 45, 1951, s. 4.

(*m*5) regulating or restricting the use or application of processes declared by regulation to be dangerous processes; Inserted by 45, 1951, s. 4.

(*m*6) prescribing any other matters which it is necessary or convenient to prescribe for the purpose of ensuring that adequate precautions shall be taken to prevent death, injury or ill health from substances declared by regulation to be dangerous substances or from processes declared by regulation to be dangerous processes. Inserted by 45, 1951, s. 4.

(*m*7) prescribing qualifications for persons employed as inspectors by local boards and county boards; authorizing the Central Board to examine persons and grant certificates of competency to persons passing such examinations or who are otherwise qualified therefor; providing that any such examinations may be conducted by persons appointed by Inserted by 27, 1955, s. 2 (d).

the Central Board; prescribing the mode of determining such qualifications and obtaining recognition therefor in other States of Australia; providing for the cancellation or suspension of such certificates and the grounds upon and the manner in which such cancellation or suspension may be effected; and providing that after a day fixed in the regulations no person shall be employed by a local board or a county board as an inspector for the purposes of this Act or the Food and Drugs Act, 1908-1954, who does not hold such a certificate which is in force: Provided that no such regulation shall apply to or affect the status of any health inspector who holds such office at the time the regulation comes into operation:

(*n*) generally carrying into effect the purposes of this Act:

(*o*) imposing penalties not exceeding ten pounds for the breach of any regulation.

(2) Any regulation purporting to be made before the first day of November, nineteen hundred and thirty-four, by the Central Board of Health pursuant to the Health Act, 1898, with respect to any matters referred to in paragraphs (*i*) to (*m*), both inclusive, of subsection (1), shall be deemed to have been made by the Governor pursuant to the powers conferred by the said paragraphs.

Powers of Central Board.
711, 1898. s. 147.

148. The Central Board may make—

(*a*) model regulations for the guidance of local boards in the execution of this Act:

(*b*) all such regulations as a local board is by this Act authorized to make.

Powers of local boards.
711, 1898. s. 148.

149. Every local board—

(*a*) may, and when expressly directed by the Central Board shall, adopt the model regulations prepared by the Central Board:

(*b*) and may make in addition all such regulations not repugnant thereto as it may deem useful or necessary for properly carrying into effect the provisions of this Act within its district.

Application of regulations may be limited.
711, 1898, s. 149.

150. Any regulation may be made to apply only to particular districts or to particular parts of a district.

151. In all cases not otherwise provided for any regulation may impose any penalty not exceeding ten pounds for any breach or non-observance of the same, or in the case of a continuing breach not exceeding two pounds for each day that the breach is continued.

Penalties may be imposed.
711, 1898. s. 150.
2217, 1935, s. 9.

152. All regulations made by a local board shall—

(*a*) be submitted to the Central Board for approval;

(*b*) be subject to the confirmation of the Governor; and

(*c*) when confirmed by the Governor, shall be published in the *Government Gazette,* and shall thenceforth have the force of law.

Submission of regulations to Central Board.
711, 1898. s. 151.

153. All regulations shall be laid before both Houses of Parliament within fourteen days after the making thereof, if Parliament be then in session, and if not, then within fourteen days after the commencement of the next session of Parliament.

Regulations to be laid before Parliament.
711, 1898. s. 152.
2089, 1932, s. 6.

154. If either House of Parliament passes a resolution disallowing any such regulation of which resolution notice has been given at any time within fourteen sitting days of such House after the regulation has been laid before it, the regulation shall thereupon cease to have effect, but without affecting the validity, or curing the invalidity, of anything done, or of the omission of anything, in the meantime.

Disallowance by Parliament.
2089, 1932, s. 7.

155. The *Government Gazette* containing any regulations shall be conclusive evidence of the making thereof.

Evidence of regulations.
711, 1898, s. 154.

PART XI.

PART XI.

MISCELLANEOUS.

156. To secure the due execution of this Act all persons failing to do any act directed to be done or doing any act forbidden to be done by any provision or by any part of any provision of this Act, or by any regulation, notice, or order of the Central Board, or of any local board, or any notice of any officer, or order of court, shall be guilty of an offence against this Act, and shall be liable—

Penalties.
711, 1898, s. 155.
2217, 1935, s. 10.

(*a*) to any sum not exceeding the particular penalty specified in or at the foot of the provision or

regulation, or in or at the foot of the particular provision under which any such notice or order is given or made:

(*b*) if there be no specified penalty, then in the case of a breach—

(i) of a provision of this Act to a penalty not exceeding fifty pounds; or

(ii) of any regulation to a penalty not exceeding ten pounds.

Summary proceedings. 711, 1898, s. 156.

157. All complaints and informations shall be heard and determined, and all moneys, costs, and expenses shall be recovered in a summary way.

Appropriation of penalties. 711, 1898, s. 157. 2089, 1932, s 8.

158. All penalties for an offence against this Act which are recovered on the complaint of any inspector or officer of a local board shall be paid to that local board. All other penalties shall be paid into the general revenue of the State.

Legal proceedings. 711, 1898, s. 158.

159. All complaints, informations, and legal proceedings by or against the Central Board or any local board, may be preferred, prosecuted, or defended in the name of that board, or in the name of the chairman, secretary, or inspector.

No proceedings to be taken without authority. 711, 1898, s. 159. Cf. U.K. 26 Geo. 5 & 1, Edw. 8, c. 49, s. 298.

160. Except where otherwise provided, no proceedings shall be instituted under this Act, except by or on behalf, or with the authority of the Central Board or of the local board. The authority may be either general or particular, and may be proved by the production of the authority in writing under the hand of the chairman or secretary of the board, or a copy of a resolution under the hand of the chairman or secretary.

Constitution of board need not be proved. 711, 1898, s. 160.

161. It shall not be necessary in any legal proceedings to prove the existence, constitution, or appointment of the Central Board, or any local board, or of any chairman, officer, or member thereto.

Proof of boundaries and appointment of officers. 711, 1898, s. 161.

162. (1) A certificate under the hand of any person appearing to be the chairman or secretary, or the oath of any officer, shall be sufficient evidence of—

(*a*) the boundaries of any district:

s. 157. R. v. LOCAL BOARD OF HEALTH OF PETERSBURG (1903) S.A.L.R. 119. Section 157 is mandatory and provides the only method of procedure whereby money, costs, and expenses can be recovered against the person.

BODEY v. SHEPHERDSON (1922) S.A.S.R. 174; 11 Austn. Digest 87. Section 157 is limited so as to apply only to such moneys, costs, and expenses as the Act gives a right to recover.

(*b*) the appointment of any officer,

until the contrary be proved.

(2) Any notice thereof in the *Government Gazette* shall be conclusive evidence.

Presumption where goods are exposed in shop, etc. 1248, 1916, s. 6.

163. In any proceedings under this Act, on proof that an article was exposed in any place to which the public had access, or in any market or shop, it shall be presumed that the article was exposed for sale, unless the defendant proves the contrary.

Authentication of documents. 711, 1898, s. 167. Cf. U.K. 26 Geo. 5 & 1, Edw. 8, c. 49, s. 284. Cf. U.K. 26 Geo. 5 & 1, Edw. 8, c. 150, s. 300.

164. Every document required to be made or authenticated by any board shall (unless otherwise provided) be sufficiently authenticated if appearing to be signed by any member or officer of the board.

Service of documents. 711, 1898, s. 168. Cf. U.K. 26 Geo. 5 & 1, Edw. 8, c. 49, s. 285. Cf. U.K. 26 Geo. 5 & 1, Edw. 8, c. 50, s. 301.

165. (1) Any document required to be served may be served by posting the same in an envelope addressed to the person for whom it is intended at his last known or most usual place of abode or business, or by delivering the same to the said person or at the said place.

(2) In the case of unoccupied land or premises it shall be sufficient to affix any necessary notice on some conspicuous part of the land or premises.

(3) Any notice, consent, permission, or licence by this Act required to be given or obtained shall be in writing.

(4) Any document posted pursuant to this section shall be deemed to have been duly served at the time when in the ordinary course of post it would have arrived at its address.

Neglect of duty. 711, 1898, s. 169.

166. Whenever any person fails to perform any duty cast upon him by this Act, or fails to comply with any order or notice, the local board may perform the duty or carry out the terms of the order or notice, and recover all expenses from the person in default.

Board not to be liable in certain cases. 711, 1898, s. 170.

167. No board shall, except where otherwise expressly provided, be liable for anything in good faith done or caused or omitted to be done by it in carrying out the provisions of this Act, and every person acting under the authority of any board shall be indemnified by the board for all liability in so acting.

Actions against board.
711, 1898, s. 171.

168. Every legal proceeding against any such person or against any board or person in good faith acting or intending to act under this Act, on account of anything done or omitted to be done shall be commenced within two months after the cause of action shall have arisen, and not afterwards.

Members and officers of boards interested in contracts, etc.
711, 1898, s. 172.

169. Any member or officer of any board who—

(*a*) is directly or indirectly interested in any bargain or contract entered into by the board; or

(*b*) exacts, takes, or accepts any fee or reward whatsoever other than his proper remuneration,

shall be guilty of an offence against this Act and liable to a penalty not exceeding fifty pounds.

Incorporation of Compulsory Acquisition of Land Act, 1925.
711, 1898, s. 173.

170. The Compulsory Acquisition of Land Act, 1925, except sections 49, 79, 80, 81, and 82, is incorporated with this Act. The board of health shall be deemed to be the promoters of an undertaking, and this Act shall be deemed to be the special Act.

Provision as to sale and manufacture of bacteriolytic or septic tanks.
Inserted by 27, 1955, s. 3.

171. (1) Any person who—

(*a*) sells;

(*b*) exposes for sale;

(*c*) manufactures or constructs for the purpose of sale; or

(*d*) has in his possession for the purpose of sale,

any bacteriolytic or septic tank, which is not of a size, or is not constructed of such material and in such manner, as is approved by the Central Board shall be guilty of an offence and liable to a penalty not exceeding fifty pounds.

(2) Any such approval of the Central Board may be given by way of a specific or a general approval.

(3) In any proceedings for an offence against this section, a certificate purporting to be signed by the chairman or secretary of the Central Board and stating that any bacteriolytic or septic tank is not of the size or is not constructed of such materials or in such a manner as is approved by the Central Board shall be *prima facie* evidence of the statement in the certificate.

(4) A complaint in respect of any offence against this section or against any regulation made in pursuance of paragraph (*h*) of subsection (1) of section 147 shall be made within twelve months from the time when the matter of complaint arose.

SCHEDULES.

THE FIRST SCHEDULE.

Acts Consolidated and Repealed.

Reference to Act.	Short Title.	Extent of Repeal.
No. 711 of 1898 ..	The Health Act, 1898	The whole
No. 991 of 1909 ..	The Health Act Amendment Act, 1909	The whole
No. 1063 of 1911 ..	The Health Act Amendment Act, 1911	The whole
No. 1248 of 1916 ..	Health Act Further Amendment Act, 1916	The whole
No. 1338 of 1918 ..	Health Act Further Amendment Act, 1918	The whole
No. 1696 of 1925 ..	Health Act Further Amendment Act, 1925	The whole
No. 2089 of 1932 ..	Health Act Amendment Act, 1932 ..	The whole
No. 2156 of 1934 ..	Local Government Act, 1934	Section 891
No. 2217 of 1935 ..	Health Act Amendment Act, 1935	The whole

THE SECOND SCHEDULE.

Substituted 14, 1954, s. 9.

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

THE THIRD SCHEDULE.

Inserted by 14, 1954, s. 10.

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

BY AUTHORITY: K. M. STEVENSON, Government Printer, Adelaide.

[*As reprinted pursuant to the Amendments Incorporation Act*, 1937, *and section 46 of the Landlord and Tenant (Control of Rents) Act Amendment Act*, 1951.]

LANDLORD AND TENANT (CONTROL OF RENTS) ACT, 1942-1955.

BEING

LANDLORD AND TENANT (CONTROL OF RENTS) ACT, 1942, No. 33 OF 1942 [ASSENTED TO 26TH NOVEMBER, 1942.]

AS AMENDED BY

LANDLORD AND TENANT (CONTROL OF RENTS) ACT AMENDMENT ACT, 1946, No. 38 OF 1946 [ASSENTED TO 19TH DECEMBER, 1946.]

LANDLORD AND TENANT (CONTROL OF RENTS) ACT AMENDMENT ACT 1947, No. 30 OF 1947 [ASSENTED TO 4TH DECEMBER, 1947.]

LANDLORD AND TENANT (CONTROL OF RENTS) ACT AMENDMENT ACT, 1948, No. 5 OF 1948 [ASSENTED TO 13TH AUGUST, 1948.]

LANDLORD AND TENANT (CONTROL OF RENTS) ACT AMENDMENT ACT, 1949, No. 9 OF 1949 [ASSENTED TO 13TH OCTOBER, 1949.]

LANDLORD AND TENANT (CONTROL OF RENTS) ACT AMENDMENT ACT (No. 2), 1949, No. 63 OF 1949 [ASSENTED TO 8TH DECEMBER, 1949.]

LANDLORD AND TENANT (CONTROL OF RENTS) ACT AMENDMENT ACT, 1950, No. 50 OF 1950 [ASSENTED TO 7TH DECEMBER, 1950.]

LANDLORD AND TENANT (CONTROL OF RENTS) ACT AMENDMENT ACT, 1951, No. 51 OF 1951 [ASSENTED TO 13TH DECEMBER, 1951.]

LANDLORD AND TENANT (CONTROL OF RENTS) ACT AMENDMENT ACT, 1952, No. 39 OF 1952 [ASSENTED TO 4TH DECEMBER, 1952.]

LANDLORD AND TENANT (CONTROL OF RENTS) ACT AMENDMENT ACT, 1953, No. 25 OF 1953 [ASSENTED TO 3RD DECEMBER, 1953.]

LANDLORD AND TENANT (CONTROL OF RENTS) ACT AMENDMENT ACT, 1954, No. 41 OF 1954 [ASSENTED TO 16TH DECEMBER, 1954]

AND

LANDLORD AND TENANT (CONTROL OF RENTS) ACT AMENDMENT ACT, 1955, No. 20 OF 1955 [ASSENTED TO 24TH NOVEMBER, 1955.]

An Act to provide for the control during the present war of the rents of premises used for the purposes of residence, and for incidental and 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:

REPRINT OF ACT. Pursuant to section 46 of the Landlord and Tenant (Control of Rents) Act Amendment Act, 1951, those Parts, sections, subsections, paragraphs, subparagraphs, and other subdivisions of this reprinted Act which were enacted up to the end of 1951 have been re-numbered in numerical or alphabetical order, as the case may require, and all cross references in the reprinted Act have been corrected in conformity with the renumbering.

PART I. PART I.

PRELIMINARY.

Short title and commencement.

1. (1) This Act may cited as the "Landlord and Tenant (Control of Rents) Act, 1942-1955."

(2) This Act shall come into operation on a day to be fixed by proclamation.

Arrangement of Act.

2. The provisions of this Act are arranged as follows:—

Amended by 30, 1947, s. 3, by 5, 1948, s. 2, and by 4, 1949, ss. 16, 18.

PART I.—Preliminary.

PART II.—Administration.

PART III.—Control of rents.

PART IV.—Control of rents of caravans.

PART V.—Recovery of possesion of premises.

PART VI.—Protected persons.

* * * * * * * * * * *

Passage repealed by 25, 1955, s. 15 (2).

PART VIII.—Miscellaneous.

Repealing provision.

3. The Increase of Rent (War Restrictions) Act, 1939, the Increase of Rent (War Restrictions) Act Amendment Act, 1940, and the Increase of Rent (War Restrictions) Act Amendment Act, 1941, are repealed.

Interpretation.

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

Amended by 38, 1946, s. 2 (2), by 5, 1948, s. 4 (2) and by 39, 1952, s. 3.

"dwelling-house" means any premises the whole or a substantial part of which is leased for the purpose of residence, and includes—

(*a*) any part of any premises leased separately for the purposes of residence;

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s. 1. (2) This Act was proclaimed to commence on 1st January, 1943: *Gazette* 3rd December, 1942, p. 1089.

s. 4. H. A. WARNER PROPRIETARY LIMITED v. WILLIAMS AND OTHERS (1946) 73 C.L.R. 421. A tenancy at will at common law is sufficient to constitute a "lease" as defined in the corresponding regulation of the National Security (Landlord and Tenant) Regulations. If a person who is in fact a servant is in part remunerated for his services by being allowed to occupy a house, he is *prima facie* a tenant.

A. E. TERRY'S MOTORS LTD. v. RINDER (1948) S.A.S.R. 167. Where approximately one-sixth of the area of premises was used as a residence and the remainder for business purposes, held that the part of the premises used as a residence was not a substantial part of the premises.

PRICE v. MAYMAN (1948) S.A.S.R. 241. Held that, in the particular circumstances, a particular transaction could operate (if at all) only as an assignment.

E. AND W. HACKETT LTD. v. OLIVER (1953) S.A.S.R. 19 Where the manager of a nursery was required to live at a house of his employer for which he paid no rent, held that his occupation of the house was that of a licensee.

(*b*) any part of any premises leased separately for the purposes of residence the lease of which provides for the use by the lessee of any other part of the premises or any fittings therein;

(*c*) the premises of any lodging-house;

(*d*) any premises a substantial part of which is leased for the purpose of residence and the remaining part of which is leased for the purpose of being used as a shop, store-room, workshop, stable, or any similar purpose:

Amended by 5, 1948, s. 3 (a), and by 9, 1949, s. 2 (a).

"lease" includes every contract for the letting or sub-letting of any premises, whether the contract is made orally, in writing, or by deed, and includes a contract for the letting or subletting of any premises together with the use of furniture or other goods and also includes a contract for the letting or subletting of any premises together with the supply or provision of any domestic service, but does not include any lease arising under an attornment clause in a mortgage or in an agreement for the sale and purchase of land:

Amended by 5, 1948, s. 3 (b), (c), and (d).

"lessor" and "lessee" mean the parties to a lease and respectively include—

(*a*) a mesne lessor and mesne lessee;

(*b*) a sub-lessor and a sub-lessee; and

(*c*) in respect of premises which are subject to a mortgage, a mortgagee who enters or has entered into possession of the premises under the mortgage and a person who was the lessee of the premises under the mortgagor immediately prior to the mortgagee entering into possession:

Amended by 5, 1948, s. 3 (e).

"local court" means a local court of full jurisdiction consisting solely of a Local Court Judge or a special magistrate:

Amended by 38, 1946, s. 2 (1).

"rates" means any charges levied by the Minister of Works or by any municipal council or district council:

Amended by 9, 1949, s. 2 (b).

"rent" means the actual rent payable under a lease and includes—

(*a*) the value to the lessor of any covenants, conditions or other provisions of, or relating to, the lease to be performed by the lessee other than covenants, conditions, and provisions usually entered into by a lessee;

(*b*) any rates or taxes (other than excess water rates) payable by the lessee in respect of the premises to which the lease relates;

(*c*) any amount payable by the lessee to the lessor for the use of any furniture or other goods or the supply or provision of any domestic service in connection with the letting of the premises to which the lease relates;

(*d*) any amount payable by the lessee to the lessor in respect of the supply of any electricity, gas, water, fuel, or other domestic commodity in connection with the letting of the premises to which the lease relates or in respect of any sanitary service for such premises;

(*e*) any amount payable by the lessee to the lessor for the use of any fittings in the premises to which the lease relates or, if the lease relates to a part of any premises, any amount payable by the lessee to the lessor for the use of any fittings in any other part of the premises; and

(*f*) if the lease relates to a part of any premises, any amount payable by the lessee to the lessor for the use of any other part of the premises:

"shared accommodation" means any premises to which this Act applies— Inserted by 5, 1948, s. 3 (f), and substituted by 51, 1951, s. 2.

(*a*) which form part of other premises; and

(*b*) which are leased for the purpose of residence; and

(*c*) the lessee of which, under the terms of the lease, uses any habitable room in common with the lessor or with another lessee:

"tax" includes any tax, whether on land or income derived from land, which is imposed by any Act of the State or the Commonwealth:

"trust" means the South Australian Housing Trust constituted under the South Australian Housing Trust Act, 1936-1940.

Inserted by 9, 1949, s. 2 (2).

(2) For the purpose of this Act, "lessee" includes a person who remains in possession of premises after the termination of his lease of the premises, and "lessor" has a corresponding meaning.

Premises to which Act is to apply. Substituted by 5, 1948, s. 4 (1), and amended by 25, 1953, s. 3.

5. (1) This Act shall apply to any premises being a dwelling-house (including any part of any such premises which is separately leased), other than—

Para. (a) amended by 9, 1949, s. 3 (a).

(*a*) premises which are for the time being used, or which are ordinarily used, as any grazing area, farm, orchard, vineyard, market garden, dairy farm, poultry farm, pig farm, or apiary;

Inserted by 9, 1949, s. 3 (b).

(*b*) any dwelling-house situated on any land used as a grazing area, farm, orchard, vineyard, market garden, dairy farm, poultry farm, pig farm, or apiary and which is ordinarily used for the occupation of seasonal workers employed as such upon that land;

Para. repealed by 9, 1949, s. 3 (d).

* * * * * * * * * * *

Amended by 9, 1949, s. 3 (d).

(*d*) any premises ordinarily leased for holiday purposes only: Provided that if any premises ordinarily leased for holiday purposes only are leased for other than holiday purposes, the premises shall, whilst so leased, not be deemed to be premises ordinarily leased for holiday purposes: Provided further that if any premises are leased to any person and the letting continues for a period

s. 4. (2) BENGER v. HEGARTY AND GARDINER. BENGER v. HEGARTY AND WHITENBURY (1950) S.A.S.R. 293. Where a lease was made of a hotel and shops and the shops were sublet by the lessee and, at the termination of the lease, a fresh lease of the hotel and shops was granted to another lessee but the lessee and the sub-lessee refused to give up possession of the shops, held that the lessee and the sub-tenants, being persons remaining in possession of the shops after the termination of the head lease and sub-tenancies respectively, were "lessees" within the meaning of section 4 (2) and were protected by section 42.

s. 5. MARCH v. NEUMANN (1945) S.A.S.R. 167. Where farm property including a farm-house was let and on the expiration of the term of the tenancy there was a holding over the farmhouse only, held that there was a tenancy at sufferance and that the farmhouse was not "prescribed premises" within the meaning of the National Security (Landlord and Tenant) Regulations.

exceeding eight weeks the premises shall, whilst so let to that person after the expiration of the period of eight weeks, not be deemed to be premises ordinarily leased for holiday purposes;

(*e*) any premises, or the premises included in any class of premises, declared by proclamation to be premises or a class of premises, as the case may be, to which this Act shall not apply.

* * * * * * * * * * *

Subsecs (2) and (3) inserted by 9, 1949, s. 3 (e) and repealed by 25, 1953, s. 3 (c).

Inserted by 9, 1949, s. 3 (e) and amended by 25, 1953, s. 3 (d).

(4) This Act shall not apply to any premises licensed under the Licensing Act, 1932-1945.

(5) The Governor may from time to time by proclamation declare that this Act or any Part of this Act shall not apply to any premises or class of premises described in the proclamation and this Act or Part of this Act, as the case may be, shall not apply accordingly. The Governor may by proclamation revoke or from time to time vary any such proclamation.

Amended by 9, 1949, s. 3 (f), by 51, 1951, s. 3, and by 25, 1953, s. 3 (e), (f) and (g).

(6) In this Act, the term "premises to which this Act applies" shall include a reference to all premises being dwelling-houses other than premises to which this Act does not apply by virtue of paragraphs (*a*), (*b*), (*d*), or (*e*) of subsection (1) of this section or of subsection (4) of this section or of subsection (1) or (2) of section 6. The term also includes a reference to any part of any such premises which is separately leased and to any land or appurtenances leased with any such premises or part of any such premises.

Exemptions from Act.

Subsec. (1) substituted by 39, 1952, s. 4.

6. (1) The provisions of this Act shall not apply with respect to any lease of premises under which lease the lessor is—

(*a*) the Government of the Commonwealth or the State or any instrumentality of any such Government:

(*b*) any municipal council or district council; or

(*c*) the trust.

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s. 6. THE ELECTRICITY TRUST OF SOUTH AUSTRALIA v. LINTERNS LIMITED (1950) S.A.S.R. 133. Held that the Electricity Trust of South Australia is an instrumentality of the Government of South Australia within the meaning of section 6 (1) (*a*).

MORIALTA PROTESTANT CHILDREN'S HOMES INC. v. HEINRICH (1955) S.A.S.R. 232. Where the secretary of an incorporated association was the tenant of a house purchased by the association as a residence for its secretary and after ceasing to be secretary he remained in and paid rent for the house for some weeks, held that, by reason of section 6 (2a), the provisions of the Act relating to recovery of possession had no application.

Inserted by 51, 1951, s. 4 (a) and substituted by 25, 1953, s. 4 (a).

(2) The provisions of this Act shall not apply—

(*a*) with respect to any lease entered into after the passing of the Landlord and Tenant (Control of Rents) Act Amendment Act, 1953, of any dwelling-house the erection of which is completed after the said passing and which or any part of which has not been used for the purpose of residence at any time prior to the said passing;

(*b*) with respect to any lease entered into after the passing of the Landlord and Tenant (Control of Rents) Act Amendment Act, 1953, of the whole of any premises which or any part of which was not let for the purpose of residence at any time between the first day of September, nineteen hundred and thirty-nine, and the time of the said passing;

(*c*) with respect to any lease in writing of any dwelling-house the term of which is for three years or more and which is entered into after the passing of the Landlord and Tenant (Control of Rents) Act Amendment Act, 1953;

Inserted by 41, 1954, s. 3 (a)

(*d*) with respect to any lease in writing of any dwelling-house 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;

Inserted by 41, 1954, s. 3 (a)

(*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.

Inserted by 41, 1954, s. 3 (b).

(2a) The provisions of this Act relating to the recovery of possession of premises shall not apply with respect to a lease of any premises (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.

Inserted by 20, 1955, s.3.

(2b) If any lease in writing of any dwellinghouse is entered into after the passing of the Landlord and Tenant (Control of Rents) Act Amendment Act, 1955, and if the lease provides that the term thereof shall commence from a date specified in the lease and shall terminate upon a date specified in the lease, then the provisions of this Act relating to the control of rents

shall not apply with respect to any rent payable under the lease in respect of the term so specified in the lease.

(3) The provisions of this Act relating to the control of rents shall not apply to any premises during the time any notice fixing the maximum rental thereof is in force under Part VII. of the Housing Improvement Act, 1940. Amended by 9, 1949, s. 4 (c).

(4) The provisions of this Act relating to the control of rents shall not apply with respect to the rent payable under and in accordance with the provisions of any lease in writing the term of which is for twenty-one years or more and the term of which commenced before the third day of September, nineteen hundred and thirty-nine. Inserted by 50, 1950, s.2.

* * * * * * * * * * * Inserted by 51, 1951, s. 4 (b) and repealed by 25, 1953, s. 4 (b).

(6) Nothing in this Act shall be deemed to apply to or affect any covenant in any mortgage whereby the mortgagor attorns tenant to the mortgagee.

* * * * * * * * * * * Section repealed by 38, 1946, s. 8 (2).

8. This Act shall be read and construed subject to the Commonwealth of Australia Constitution Act, and so as not to exceed the legislative power of the State, to the intent that where any enactment of this Act would, but for this section, have been construed in excess of that power it shall, nevertheless, be a valid enactment to the extent to which it is not in excess of that power. Construction of Act.

PART II. PART II.

ADMINISTRATION.

9. The provisions of this Act shall be administered by the trust. Administration of Act.

10. (1) No matter or thing done by the trust or by any member, officer, inspector, or servant of the trust or by any other person whomsoever acting under the direction or authority of the trust or of this Act shall, if the matter or Protection of members of trust.

thing was done *bona fide* for the purpose of executing this Act, subject them or any of them personally to any action, liability, claim or demand whatsoever.

(2) Any expense incurred by the the trust or any such member, officer, inspector, servant or person acting as aforesaid shall be deemed to be an expense authorized by this Act.

Appointment of officers.

11. (1) The trust may appoint such officers, inspectors, and servants as are necessary for the administration of this Act.

(2) Any such officer, inspector, or servant shall not, as such, be subject to the Public Service Act, 1936-1941.

(3) With the approval of the Minister administering any department of the public service, the trust may, for the purposes of the administration of this Act, employ or use the services of any person employed in that department upon any terms and conditions which are agreed upon between that Minister and the trust. Notwithstanding subsection (2), any such person shall continue for all purposes to be a member of the public service.

Expenses of administration.

12. The moneys necessary for the administration and the expenses of this Act shall be paid out of moneys provided by Parliament for the purpose.

PART III.

PART III.

CONTROL OF RENTS.

Pegging of rents.
Amended by 5. 1948, s. 5.

13. (1) Notwitstanding any term, condition or covenant in any lease in force at any time after the passing of this Act, the rent payable by the lessee of any premises (being a dwellinghouse) to which this Act applies, in respect of any period after the passing of this Act and during the continuance of this Act shall, unless the rent is fixed by the trust or a local court as provided by this Act, not exceed the following rent:—

s. 13. FENWICK v. BOUCAUT AND HODDER (1951) S.A.S.R. 290. The effect of subsection (1) is to peg the rent of premises to which the Act applies at the rate current on 1st August, 1942, ignoring any excess over the rent which was legally recoverable.

I. If the premises were let at the first day of August, nineteen hundred and forty-two, the rent shall not exceed the rent lawfully payable in respect thereof at the first day of August, nineteen hundred and forty-two:

II. If the premises were not let at the first day of August, nineteen hundred and forty-two, the rent shall not exceed the rent lawfully payable in respect thereof under the lease whereby the premises were first let after the first day of August, nineteen hundred and forty-two.

* * * * * * * * * * *

Inserted by 5, 1948, s. 5 (b), and repealed by 25, 1953, s. 5 (a).

(3) Any rent in excess of the rent provided to be paid by subsection (1) shall, notwithstanding any change in the ownership or occupation of the premises or any agreement to the contrary, be irrecoverable.

Amended by 25, 1953, s. 5 (b).

(4) Where the rent of any premises is fixed by virtue of this section, the lessee may, by notice in writing given to the lessor, require him to furnish to the lessee a statement in writing as to what is the rent so fixed as aforesaid. If the lessor fails within fourteen days to furnish a statement as aforesaid he shall be guilty of an offence and liable to a penalty not exceeding ten pounds and if the lessor wilfully furnishes a statement which is false in any material particular, he shall be guilty of an offence and liable to a penalty not exceeding fifty pounds.

(5) Nothing in this section shall affect the operation of any determination of the trust or order of a local court under this Act fixing the rent of any premises to which this Act applies.

Application to fix rent.

14. (1) The lessor or the lessee under any lease of any premises to which this Act applies may, from time to time, make application in writing to the trust to fix the rent of the premises to which the lease relates.

Amended by 38, 1946, s. 3.

(2) The trust shall thereupon cause the premises to be inspected for the purpose of fixing the rent thereof. The trust shall give prior notice to the lessor and the lessee or to his solicitor or agent of an occasion upon which the premises are to be so inspected and stating the day and approximate time at which the premises are to be so inspected.

(3) The trust may, of its own motion, and from time to time, cause any premises to which this Act applies to be inspected for the purpose of fixing the rent thereof.

Determination of rent.

15. After inspection is made as aforesaid of any premises to which this Act applies and after making such inquiries and obtaining such reports as the trust considers necessary, the trust shall provisionally determine the rent of the premises.

Notice of determination of rent. Amended by 51, 1951, s. 5.

16. After determining the rent of any premises as aforesaid the trust shall give notice in writing of its determination to the lessor and lessee of the premises. If the premises in respect of which the rent is so determined are not premises which are part of other premises leased separately the trust shall, in the notice aforesaid, supply information indicating such part of the rent provisionally determined as has been fixed after having regard to the matters stated in paragraphs (*i*) and (*j*) of subsection (1) of section 21.

Objection to determination. Amended by 51, 1951, s. 6.

17. (1) Within fourteen days after notice aforesaid is given to any lessor or lessee, the lessor or lessee, as the case may be, may by notice in writing given to the trust and to the other party to the lease, object to the amount of the rent so determined by the trust. Every such notice of objection shall contain particulars of the objection. After the receipt by the other party to the lease of the notice of objection that party may, at any time within twenty-one days after the notice aforesaid of the determination is given to him, by notice in writing given to the trust and to the party to the lease by whom the objection is made, make reply to the particulars stated in the objection. The trust may extend the time within which any such objection or reply may be given. In any case it thinks fit, the trust may hear any oral representations relating to any objection or reply made by the lessor or lessee or by some person on his behalf.

(2) The trust, on hearing or considering any objection or reply, shall not be bound by any rules of evidence or procedure but may inform itself in such manner as it thinks fit.

(3) After considering any objection or reply the trust shall finally determine the rent of the premises.

Publication of determination of trust.

18. (1) If no objection is made as provided by section 17, the trust shall, after the expiration of fourteen days after giving notice as provided by section 16, make a determination fixing the rent of the premises at the amount previously determined by the trust, and shall publish notice thereof in the *Gazette*.

Every such determination shall take effect from a date (which shall be a date not earlier than fourteen days after notice was given to the lessor and lessee under section 16) fixed by the trust and stated in the notice thereof.

Amended by 39, 1952, s. 5.

(2) If any objection is made as provided by section 17, the trust shall, after considering every such objection and any reply to such objection, make a determination fixing the rent of the premises and shall publish notice thereof in the *Gazette*. Every such determination shall take effect from a date to be fixed by the trust and stated in the notice thereof. Such date may be any date not earlier than fourteen days after notice was given to the lessor and lessee under section 16.

Amended by 51, 1951, s. 7 (a).

(3) The trust shall give notice in writing to the lessor and the lessee of every determination made under this section. If the rent fixed by the determination of the trust under this section is fixed in respect of premises which are not premises which are part of other premises leased separately, and the said rent differs from the rent provisionally determined under section 15, the trust, in the notice required to be given under this section, shall supply information indicating such part of the rent fixed under this section as has been fixed after having regard to the matters stated in paragraphs (*i*) and (*j*) of subsection (1) of section 21.

Inserted by 9, 1949, s. 6.

(4) If the rent fixed in respect of any premises by any determination of the trust is not greater than any rent agreed to be paid by the lessee to the lessor under any lease in writing, then, notwithstanding the provisions of subsections (1) and (2) of this section, the date fixed by the trust as the date from which the determination is to take effect may be any date not earlier than the date from which under the lease in writing the rent was so agreed to be paid.

Inserted by 51, 1951. s. 7 (b).

(1) Notwithstanding any of the foregoing provisions of this section, the trust may, in any case in which it is of opinion that it is just so to do, fix as the date from which any determination of the trust shall take effect, any date not earlier than one month after the day upon which the application was made to the trust for the determination of the rent.

Appeal to local court.

Amended by 38, 1946, s. 4.

19. (1) If objection is made as provided by section 17, and the rent of the premises is subsequently fixed by the trust, the lessor or lessee of the premises may, within fourteen

s. 19. EX PARTE WHITTLE (1944) S.A.S.R. 205. A local court on an appeal from a ruling of the South Australian Housing Trust is entitled to assume that the rent fixed by the Trust is fair and equitable until the appellant shows that it is not.

days after the publication of the notice in the *Gazette* mentioned in subsection (2) of section 18, or within such extended time as the court for good cause may allow, appeal to the local court of full jurisdiction nearest to the premises from the determination of the trust.

Subsec. (2) repealed by 38, 1946, s. 4 (c).

* * * * * * * * * * *

(3) Whilst any such appeal is pending, the determination of the trust shall continue in force.

Order by local court. Amended by 51, 1951, s. 8.

20. (1) The local court shall hear and inquire into the appeal and shall, by its order, fix the rent of the premises. For the purposes 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, but no costs shall be allowed on any such appeal. On the hearing of the appeal the local court shall not be bound by any rules of evidence or procedure but may inform itself in such manner as it thinks fit. The decision of the local court shall be final and conclusive.

(2) The local court shall, by its order, fix the date from which the order is to take effect. Such date shall be the date from which the determination appealed against came into effect and the order shall take effect from such date.

(3) The clerk of the local court shall transmit a copy of the order to the trust.

(4) The trust shall forthwith publish in the *Gazette* notice of the order and shall give notice in writing of the order to the lessor and the lessee.

Matters to be considered in fixing rent.

21. (1) In fixing the rent under this Act of any premises to which this Act applies, the trust or, as the case may be, local court shall fix such rent as the trust or, as the case may be, local court considers to be fair and equitable, and after having regard to—

s. 21. R. v. LOCAL COURT OF PORT ADELAIDE. EX PARTE WOOD (1943) S.A.S.R. 285. Considerations entering into the fixing of rents on appeals discussed. It is the duty of the court when fixing rents to bring rents into line with the general level of rental values prevailing at the time of fixture of the rents paid. Evidence may be admitted of rents for comparable houses and of the rent obtainable prior to the date (1st September, 1939) when rents were first fixed by Statute and it may be assumed that rental values had been stablilized by the Increase of Rents (War Restrictions) Act, 1939-1941. *Semble*, where buildings have been constructed or altered since 1939, it is fair and equitable to allow a fair return upon the capital actually and reasonably expended. Since this decision subsections (2), (3), and (4) have been enacted.

EX PARTE WHITTLE (1944) S.A.S.R. 205. Upon an appeal to a local court from a decision of the South Australian Housing Trust fixing the rent of a furnished

(*a*) the accommodation provided in the premises and the state of repair and the general condition thereof;

(*b*) the neigbourhood in which the premises are situated;

(*c*) if the lease relates to a part of any premises, the rent (if any) of the whole of the premises;

(*d*) whether the premises or any part thereof is sublet by the lessee or is used by the lessee for the purpose of accommodating lodgers or boarders and the number of persons residing in the premises; Inserted by 51, 1951, s. 9 (a).

(*e*) if the lease relates to a part of any premises, any rights conferred upon the lessee to the use of any other part of the premises or any fittings therein;

(*f*) if the lease provides for payment for the use of furniture or other goods, the value, condition, and suitability of the furniture or goods;

(*g*) if the lease provides for any amount to be payable by the lessee to the lessor for any electricity, gas, water, fuel, or other domestic commodity, the reasonable value of the electricity, gas, water, fuel, or other domestic commodity for which payment is to be made;

(*h*) amount which pursuant to the lease the lessee is required to pay or expend for the purposes of the repair, renovation, or improvement of the premises;

(*i*) any expenditure reasonably incurred by the lessor for rates, taxes, insurance and other costs in respect of the premises beyond the expenditure which would have been reasonably incurred for that purpose immediately prior to the first day of September, nineteen hundred and thirty-nine; Inserted by 38, 1946, s. 5, and substituted by 51, 1951, s. 9 (b).

(*j*) the difference between the reasonable value of any repairs or maintenance work carried out with respect to the premises and the reasonable expenditure which would have been incurred in carrying out those repairs or maintenance work Inserted by 51, 1951, s. 9 (b).

s. 21. (*contd.*) flat, the court is entitled to fix a fair rent for the flat according to the rental at which it could have been let unfurnished in or about September, 1939, and then to make a fair allowance for the use of the furniture. The intendment of the Act does not preclude a valuation which brings the rent of furnished premises into line with those of unfurnished premises *mutatis mutandis*.

MILLS v. ROBINSON (1950) S.A.S.R. 25. In fixing a rent the South Australian Housing Trust should take into consideration a proper return to be paid by the tenant for any easement, or a right of that nature, to which he is entitled under the terms of his tenancy agreement.

immediately prior to the first day of September, nineteen hundred and thirty-nine;

Inserted by 9, 1949, s 7, and amended by 51, 1951, s. 9 (c).

(*k*) any additions or improvements which have been made to the premises by the person who is the lessee of the premises at the time the rent is fixed and which have been made with the express or implied consent of the lessor.

Inserted by 51, 1951, s. 9 (d) and amended by 41, 1954, s. 4, and by 20, 1955, s. 4.

(2) In fixing the rent under this Act of any dwelling-house, the trust or, as the case may be, local court, shall take as the basis for fixing the rent, the amount of its rental value in accordance with the general level of rental values for comparable premises prevailing at the first day of September, nineteen hundred and thirty-nine, but for the said purpose the said general level shall be deemed to be increased by thirty-three and one-third per centum thereof and the rent shall be fixed in accordance with the said general level so deemed to be increased and after having regard to any other matters required by this section to be taken into regard.

Inserted by 51, 1951, s. 9 (d) and amended by 25, 1953, s. 6 (a) (b).

(3) In fixing the rent of any premises to which this Act applies any part of which is used as a shop, storeroom, workshop, stable or for any similar purpose, the trust or, as the case may be, local court, in addition to having regard to any other matters required by this section to be taken into regard, shall, with respect to the rent to be fixed with respect to the part of the premises so used, have regard to the general level of rentals for comparable premises prevailing at the time of fixing the rent which is the result of agreement between the lessors and lessees thereof and the rent shall be fixed in accordance with that general level.

Inserted by 51, 1951, s. 9 (d) and substituted by 25, 1953, s. 6 (c).

(4) If any part of any premises to which this Act applies is a shop but is (whether with or without the consent of the lessor) used for the purpose of residence, then in fixing the rent of the premises the trust, or as the case may be, local court shall fix the rent with respect to that part of the premises which is a shop according to its rental value as a shop ascertained as provided by subsection (3) hereof.

(5) If the trust or, as the case may be, the local court is satisfied that by reason of the dirty, harmful, or careless habits or actions of the lessee of any premises to which this Act applies or of any members of his household greater expenditure upon the repair or renovation of the premises has been or will be likely to be necessary than would otherwise be the case, the trust or, as the case may be, the local court, in fixing the rent under this Act of the premises, shall have regard thereto.

(6) If under the lease of any premises to which this Act applies any amount is payable by the lessee to the lessor for the use of any furniture or other goods in connection with the letting of the premises, the trust or, as the case may be, the local court in fixing the rent of the premises shall fix the rent thereof which shall be payable in respect of the premises without the use of the furniture or other goods and shall also fix the rent thereof which shall be payable in respect of the premises including any amount payable for the use of the furniture or other goods.

Period for which rent may be fixed.

22. Any determination or order under this Act fixing the rent of any premises may fix the rent to be so payable at an amount payable for every week, month, or other period.

Effect of fixing rent. Amended by 9, 1949, s. 8.

23. (1) If the rent of any premises to which this Act applies has been fixed pursuant to this Act by a determination of the trust or an order of a local court, then during any time during which the determination or order fixing the rent is in force, and notwithstanding any change in ownership or occupation of the premises, the rent which shall be payable in respect of the premises shall not exceed that fixed as aforesaid and, unless a lesser amount is, after the making of the determination or order, agreed to be paid, the rent fixed as aforesaid shall notwithstanding the provisions of any other Part of this Act, be the rent payable in respect of the premises.

(2) Any amount by which the rent charged in respect of the premises is in excess of the rent fixed as aforesaid shall, notwithstanding any agreement to the contrary, be irrecoverable.

Revovery of overpaid rent.

24. Where any sum has been paid on account of any rent, being a sum which by virtue of section 13 or section 23 would have been irrecoverable by the lessor, the sum so paid shall, at any time within six months after the date of payment, be recoverable from the lessor who received the payment by the lessee by whom it was paid, and may, without prejudice to any other method of recovery, be deducted by that lessee from any rent payable within such six months by him to such lessor.

s. 23. DAVIES v. O'SULLIVAN (No. 2) (1949) S.A.S.R. 208, affirming DAVIES v. O'SULLIVAN (1948) S.A.S.R. 297. A determination of the rent of unfurnished premises made by the South Australian Housing Trust remains applicable to the premises notwithstanding that they are subsequently let furnished.

WEBB v. RADCLIFFE (1955) S.A.S.R. 184. Where the rent of a house was fixed by the South Australian Housing Trust and the owner subsequently converted the house into two flats (which were not entirely self-contained and required the use in common of the laundry, lavatory and bathroom) and let both to the same tenant at a rent in excess of that fixed, held that the excess was irrecoverable.

Variation of rents.
Amended by 9, 1949, s. 9.

25. (1) If the rent of any premises to which this Act applies has been fixed by the trust or a local court pursuant to this Act, no further proceedings under this Act for the fixing of the rent of those premises shall be commenced until after a period of six months from the time the rent was fixed as aforesaid except on the ground that—

(*a*) by an error or omission, an injustice has been occasioned by the determination or order fixing the rent;

(*b*) since the determination or order fixing the rent came into force, substantial alterations or additions have been made to the premises or, if the lease provides for the use of any furniture or other goods in connection with the letting of the premises, to the furniture or other goods; or

(*c*) since the determination or order fixing the rent came into force, the accommodation provided in the premises has been materially increased or decreased or, if the lease provides for the use of furniture or other goods in connection with the letting of the premises, the furniture or other goods to be so used have been substantially increased or decreased.

Inserted by 51, 1951, s. 10.

(2) Notwithstanding the provisions of subsection (1), if the rent of any premises to which this Act applies is, before the passing of the Landlord and Tenant (Control of Rents) Act Amendment Act, 1951, fixed by the trust or a local court pursuant to this Act, further proceedings under this Act for the fixing of the rent of those premises may be commenced after a period of three months from the time the rent was fixed as aforesaid.

(3) Any proceedings to fix the rent of any premises the rent of which has been previously fixed by the trust or a local court pursuant to this Act shall be had and determined in manner provided by this Act as if the rent had not been so previously fixed.

Application by lessor contemplating repairs, etc.
Inserted by 50, 1950, s. 3.

26. (1) A lessor of premises to which this Act applies may give notice in writing to the trust stating that he intends carrying out such repairs, renovations, improvements, alterations or additions to the premises as are specified in the notice and requesting the trust to give an estimate of the probable rent of the premises after the carrying out of the work so specified.

(2) The trust shall cause the premises to be inspected and after making such inquiries and obtaining such reports as the trust considers necessary, the trust shall inform the lessor of what would be the probable estimated rent of the premises if the repairs, renovations, improvements, alterations, or additions, as the case may be, are properly carried out.

(3) If subsequently to the carrying out of the work the rent of the premises is fixed by a determination of the trust made upon the application of the lessor or otherwise, the trust shall determine the rent of the premises in accordance with this Act and neither the trust nor, on any appeal from the determination of the trust, the local court, shall be bound by the estimate of rent given by the trust as aforesaid, but the trust or, as the case may be, the local court shall have such regard to the estimate as the trust or local court, as the case may be, deems just in the circumstances.

Power to fix rent of premises not let at time of application.

27. (1) Any person who is entitled to the rents and profits of any premises which if leased would be premises to which this Act applies may, notwithstanding that the premises are not leased, make application in writing to the trust to fix the rent of the premises.

(2) Upon such application the rent of the premises may be fixed in manner provided by this Act and the provisions of this Act shall, *mutatis mutandis,* apply accordingly. The person making the application shall be deemed to be the lessor of the premises.

PART IV.

PART IV.

CONTROL OF RENTS OF CARAVANS.

Interpretation.

Inserted by 30, 1947, s. 2.

28. In this Part, unless the context otherwise requires—

"caravan" means any vehicle without motive power constructed or adapted for the purposes of habitation; the term includes any such vehicle which is not at the time fitted with wheels but which is so constructed that it is capable of being fitted with wheels:

"hirer" with respect to a caravan, means the party to whom the caravan is let:

"letting" with respect to a caravan, includes any contract for the letting or hire of the caravan whether the contract is made orally or in writing or otherwise, and includes a contract for the letting or hire of a caravan together with the use of furniture or other goods; and "let" has a corresponding meaning:

"owner", with respect to a caravan, means the party by whom the caravan is let:

"owner", with respect to land, means the person by whom, whether as owner, lessee, occupier, or otherwise, any charge is made with respect to the use of any land upon which any caravan is placed for the purpose of habitation:

"rent", with respect to a caravan, means any amount payable by the hirer to the owner of the caravan under any letting thereof, and includes any amount payable by the hirer to the owner for the use of any furniture or other goods in connection with the letting of the caravan:

Amended by 50, 1950, s. 4. and by 51, 1951, s. 11.

"rent", with respect to land, means any amount payable to the owner of the land by any person under any arrangement of any kind whereby any person is authorized to use or place or keep placed a caravan upon that land for the purpose of the habitation of the caravan (whether by the said person or otherwise), and includes—

(*a*) any amount payable to the owner for the use of any dwelling-house, other building, or any part thereof or goods or for the use of any land other than the land upon which the caravan is actually placed;

(*b*) any amount payable to the owner for the use of any sanitary, laundry or washing or like facilities;

(*c*) any amount payable to the owner in respect of the supply of any electricity, gas, water, or fuel.

Fixation of rents in respect of letting of caravans. Inserted by 30, 1947, s. 2, and amended by 51, 1951, s. 12.

29. (1) The trust from time to time may, by notice published in the *Gazette* and in a daily newspaper circulating throughout the State, declare that, with respect to caravans situated within such part or parts of the State as are specified in the notice, the maximum rents payable in respect of the letting of such caravans shall from a day or days to be

specified in the notice, not exceed the rent or rents set out in the notice.

Any such notice may fix different maximum rents—

(*a*) for different kinds or classes of caravans;

(*b*) for different parts of the State.

(2) the trust may by notice published as aforesaid revoke or vary any declaration of rents made as aforesaid.

Payment of rent under letting of caravans. Inserted by 30, 1947, s. 2.

30. (1) Notwithstanding any term or condition of any letting, the rent payable in respect of the letting of any caravan in respect of any period after the coming into operation of a declaration under section 29 shall, except in the circumstances mentioned in section 31 or 40, not exceed the rent fixed by the declaration and appropriate to the caravan.

(2) Any rent in excess of the rent provided to be paid by subsection (1) shall, notwithstanding any agreement to the contrary, be irrecoverable.

Application to trust for special determination of rent of caravan. Inserted by 30, 1947, s. 2.

31. (1) The owner or the hirer of any caravan, the maximum rent in respect of the letting of which has been determined pursuant to section 29, may from time to time apply in writing to the trust for a determination of the maximum rent to be payable in respect of the letting of the caravan: Provided that no such application may be made in respect of any caravan by any person within six months after the making of a prior application by that person in respect of that caravan.

(2) The trust may thereupon from time to time determine the maximum rent which shall be payable in respect of the letting of the caravan from the day to be fixed by the trust.

(3) Notwithstanding the provisions of section 30, the rent so determined shall, from the day fixed as aforesaid, be the maximum rent which shall be payable in respect of the letting of the caravan and any rent in excess of such maximum rent shall, notwithstanding any agreement to the contrary, be irrecoverable.

Fixation of rents of land for use for caravans. Inserted by 30, 1947, s. 2.

32. (1) The trust from time to time may, by notice published in the *Gazette* and in a daily newspaper circulating throughout the State, declare that the maximum rents which shall be payable in respect of land within such part or parts of the State as are specified in the notice under any arrange-

ments of any kind whereby persons are authorized to place caravans upon such land for the purpose of habitation, shall, from a day or days to be specified in the notice, not exceed the rents set out in the notice.

Any such notice may—

(*a*) in respect of different items included in rent with respect to land, as defined in section 28, fix different amounts as the maximum rents to be payable in respect of those items;

(*b*) fix different maximum rents for different parts of the State.

(2) The trust may by notice published as aforesaid revoke or vary any declaration of rents made as aforesaid.

Payment of rent in respect of land.
Inserted by 30, 1947, s. 2.

33. (1) Notwithstanding any term or condition of any contract or arrangement, the rent payable in respect of any land under any arrangement of any kind whereby any person is authorized to place a caravan upon that land for the purpose of the habitation of the caravan (whether by the said person or otherwise) and in respect of any period after the coming into operation of a declaration under section 32, shall, except in the circumstances mentioned in section 34, not exceed the rent fixed by the declaration and appropriate to the land and the arrangement with respect thereto.

(2) Any rent in excess of the rent provided to be paid by subsection (1) shall, notwithstanding any agreement to the contrary, be irrecoverable.

Application to trust for special determination of rent of land.
Inserted by 30, 1947, s. 2.

34. (1) The owner of any land in respect of which a maximum rent has been determined pursuant to section 32, may, from time to time, apply in writing to the trust for a determination of the maximum rent to be payable in respect of the land for the purposes referred to in section 32: Provided that no such application may be made in respect of any land by the owner thereof within six months after the making of any prior application by that owner in respect of that land.

(2) The trust may thereupon from time to time determine the maximum rent which shall be so payable from a day to be fixed by the trust.

(3) Notwithstanding the provisions of section 33, the rent so determined shall, from the day fixed as aforesaid, be the maximum rent which shall be payable in respect of the land for the purposes referred to in section 32 and any rent

in excess of such maximum rent shall, notwithstanding any agreement to the contrary, be irrecoverable.

Display of maximum rent.
Inserted by 30, 1947, s. 2.

35. (1) If any rent is determined pursuant to section 31 or 34 in respect of any caravan or land, the trust shall supply to the owner of the caravan or land, as the case may be, a notice stating the maximum rent payable pursuant to this part in respect of the caravan or land and the owner of the caravan or land, as the case may be, shall, within a time to be specified by the trust, cause the notice to be fixed to the caravan or, as the case may be, displayed on the land in manner directed by the trust.

(2) Any such owner who fails to affix or display or to keep affixed or displayed any such notice in accordance with the direction of the trust shall be guilty of an offence and liable to a penalty not exceeding twenty pounds.

(3) Any person who destroys, defaces or removes any such notice affixed or displayed as aforesaid shall be guilty of an offence and liable to a penalty not exceeding twenty pounds.

Duty to give receipt for rent.
Inserted by 9, 1949, s. 10.

36. (1) Any person who, whether as principal or agent, receives any payment of any rent with respect to any caravan to the letting of which this Part applies or of any rent with respect to any land to which this Part applies shall, at the time of receiving the payment or within twenty-four hours of the making of the payment, give or cause to be given to the person making the payment a receipt (either by way of an entry in a rent book or by a separate document) for the payment specifying the amount paid, the period in respect of which the payment is made, and the caravan or land, as the case may be, in respect of which the payment is made.

Inserted by 39, 1952, s. 6.

(1a) If the payment received by any person as aforesaid consists of rent with respect of a caravan together with rent with respect to any land, either the receipt to be given pursuant to subsection (1) shall specify an amount which is the part of the payment which is payable as rent with respect to the caravan and an amount which is the part of the payment which is payable as rent with respect to land or separate receipts shall be given as provided by subsection (1) for each such part of the payment. If any receipt such as is first mentioned in this subsection does not specify the said parts of the payments so made, then, without limiting any liability under this section of the person by whom the receipt is given, the amount stated in the receipt shall, for the purposes of any proceedings under this Part and in the

absence of proof to the contrary, be deemed to be the rent paid as rent in respect of the caravan.

(2) Any person who commits any contravention of this section shall be guilty of an offence and liable to a penalty not exceeding twenty pounds.

(3) If pursuant to any arrangement made between the person paying the rent and the person to whom it is payable, any rent payable as mentioned in subsection (1) is paid into a bank to the credit of the person to whom it is payable (whether as principal or agent), the provisions of subsection (1) shall not apply in respect of that payment of rent.

Penalty for recovering rent above that fixed. Inserted by 30, 1947, s. 2. and amended by 9, 1949, s. 11.

37. (1) Any person who, whether as principal or agent or in any other capacity, in any book or other document wilfully makes any entry showing or purporting to show any person as being in arrear in respect of any sum which by virtue of this Part is irrecoverable, or wilfully makes in any book or other document any false entry in a material particular with respect to the rent of any caravan or land to which this Part applies, shall be guilty of an offence and liable to a penalty not exceeding fifty pounds.

(2) Any person who, whether as principal or agent or in any other capacity, wilfully demands or wilfully receives as rent in respect of any caravan or land any sum which by virtue of this Part is irrecoverable, shall be guilty of an offence and liable to a penalty not exceeding fifty pounds.

Recovery of overpaid rent. Inserted by 30, 1947, s. 2.

38. Where any sum has been paid to any owner on account of any rent, being a sum which by virtue of this Part would have been irrecoverable by the owner, the sum so paid shall, at any time within six months after the date of payment, be recoverable from the owner who received the payment by the person to whom it was paid, and may, without prejudice to any other method of recovery, be deducted by that person from any rent payable within such six months by him to such owner.

Powers of entry and inspection. Inserted by 30, 1947, s. 2.

39. (1) For the purpose of this Part, any member of the trust or any officer or inspector of the trust authorized in writing for the purpose by the trust—

(*a*) may enter upon any land upon which any caravan used for the purposes of habitation is situated, and may enter and inspect any such caravan;

(*b*) may require any person being the owner or hirer of any caravan or being the owner of any land or

being the agent of any such owner or hirer, to answer any question relating to the letting thereof or to any rent payable in respect of any caravan or land.

(2) Any person who—

(*a*) obstructs or hinders any such member, officer, or inspector in the exercise of any of the powers conferred by subsection (1) hereof; or

(*b*) refuses to answer any question put by any such member, officer, or inspector as provided by paragraph (*b*) of subsection (1) hereof or who wilfully gives any false answer to any such question,

shall be guilty of an offence and liable to a penalty not exceeding twenty pounds.

Exemption from operation of this Part. Inserted by 30, 1947, s. 2.

40. (1) If any caravan is let to any person for holiday purposes only, this Part shall not apply with respect to the rent of that caravan whilst the caravan is so let but if any caravan is let to any person for holiday purposes and the letting continues for a period exceeding four weeks, this Part shall, after the expiration of four weeks from the commencement of the letting thereof, apply to the caravan whilst it is let to that person.

Inserted by 51, 1951, s. 13.

(2) If pursuant to subsection (1), this Part does not apply to any caravan then, during such time as this Part does not apply to that caravan, this Part shall not apply to the rent of any land payable in respect of that caravan.

PART V.

RECOVERY OF POSSESSION OF PREMISES

Commencement of Part. Inserted by 5, 1948, s. 6.

41. The provisions of this Part shall come into force on a day to be fixed by proclamation.

Part V. Section 22 of the Landlord and Tenant (Control of Rents) Act Amendment Act, 1949, provides that in any proceedings in any court which were commenced before the passing of that Act and in which the decision of the court was not announced before the passing of that Act, the provisions of that Act are to be construed as if those provisions had been enacted before the commencement of those proceedings.

s. 41. Part V. was proclaimed to commence on 16th August, 1948: *Gazette* 13th August, 1948, p. 703.

Restriction on eviction. Inserted by 5, 1948, s. 6.

42. (1) Except as provided by this Part, the lessor of any premises to which this Act applies shall not give any notice to terminate the tenancy or take or continue any proceedings to recover possession of the premises from the lessee or for the ejectment of the lessee therefrom.

(2) A notice to quit given in contravention of this section shall not operate so as to terminate the tenancy in respect of which the notice was given.

(3) Subject to this Part, a lessor may take proceedings in a local court for an order for the recovery by him of any premises to which this Act applies (or of any furniture or other goods leased therewith) or for the ejectment of the lessee therefrom if the lessor, before taking the proceedings, has given to the lessee, upon one or more of the prescribed grounds but upon no other ground, notice to quit in writing for a period determined in accordance with section 43 and that period of notice has expired.

(4) Service of the notice to quit may, without prejudice to any other mode of service, be effected by delivering the notice to—

(*a*) some person apparently over the age of sixteen years and apparently residing in or in occupation of the premises; or

(*b*) the person by whom the rent of the premises is customarily paid.

The provisions of sections 110, 111 and 112 shall not apply to the service of a notice to quit.

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s. 42. ELDER'S TRUSTEE AND EXECUTOR COMPANY LIMITED AND ANOTHER v. SACH (1944) S.A.S.R. 65. Where for many years the defendant had occupied as tenant at will a house and land for which the defendant paid no rent, held the defendant was not entitled to the protection of provisions of the National Security (Landlord and Tenant) Regulations relating to evictions.

INDEPENDENT ORDER OF ODDFELLOWS AND GRESHAM HOTEL LIMITED v. MALLAN, MATTERS, ROGERS, SMITH, AND LEAN (1946) S.A.S.R. 234. Where, under an agreement between an owner of premises and the holder of an *interesse termini* that such owner should give notice to quit to other existing tenants of the premises to enable vacant possession to be given to the incoming lessee and that the owner should, either alone or jointly with such lessee, bring appropriate ejectment proceedings if necessary, held that it was sufficient for the purposes of regulation 58 of the National Security (Landlord and Tenant) Regulations (which corresponded with section 42) that a notice to quit, otherwise complying with the regulations, be in fact given by the owner, such notice, by virtue of the agreement, operating to an effective notice to quit, both for the owner and holder of the *interesse termini*.

WRIGHT v. CURNOW (1947) S.A.S.R. 225. When the ground set out in a notice to quit was that the premises were required by the landlord's daughter G. for her own occupation and in a subsequent date the landlord agreed to let the house to M. (who had married another of his daughters), held that the notice to quit was ineffective because the ground relied on was different to that stated in the notice.

PEPPER v. DISTRICT COUNCIL OF STIRLING (1948) S.A.S.R. 344. Where by an agreement in writing the committee of an institute granted to a motion picture exhibitor the sole right of showing pictures in the institute hall for fifty-one

(5) Where for any sufficient cause the service of any notice to quit cannot be effected, a special magistrate may, upon an affidavit showing grounds, make such order for substituted or other service or substitution for service of notice by advertisement or otherwise as may be proper. Inserted by 51, 1951, s. 14 (a).

(6) The prescribed grounds shall be—

(*a*) that the lessee has failed to pay the rent in respect of a period— Amended by 50, 1950, s. (1) (a).

(i) where the lessee's period of occupation does not exceed six months—of not less than seven days;

(ii) where the lessee's period of occupation exceeds six months but does not exceed twelve months—of not less than fourteen days;

(iii) in any other case—of not less than twenty-eight days,

or that the lessee has failed to pay any rent which has been due and payable for more than twenty-eight days;

(*b*) that the lessee has failed to perform or observe some other term or condition of the lease and the performance or observance of that other term or condition has not been waived or excused by the lessor;

(*c*) that the lessee has failed to take reasonable care of the premises, or of any furniture or other goods leased therewith or has committed waste;

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s. 42. (*contd.*) Saturday nights in any year and the committeee was described in the agreement as "the landlord" and the exhibitor as "the tenant," and the agreement referred to the payment of "rent" by the tenant and contained covenants by parties similiar to covenants normally found in a lease, held, that notwithstanding the use of terms which would have been appropriate if the document were an agreement for a lease, the agreement was merely the grant of a licence to show pictures in the hall, and did not give the exhibitor a tenancy of any part of the hall.

DANSIE v. JONES (1949) S.A.SR. 131. Where a notice to quit was expressed in terms slightly different from the particular ground provided for in subsection (6), held that the notice complied with the requirement of section 42 (3).

HAYWARD v. CLARKE (1949) S.A.S.R. 140. Under this Act exclusive jurisdiction is vested in local courts to hear and determine proceedings for the recovery of possession of premises to which the Act applies, irrespective of the amount of the rent or the value of the premises concerned

KIERNAN v. LAWSON (1949) S.A.S.R. 256. The provisions of Part V. are applicable to the case of a tenant holding over after the expiration of a tenancy for a term certain. Since this decision subsection (2) of section 4 has been enacted.

Amended by 51, 1951, s. 14 (b).

(*d*) that the lessee or any person residing or lodging in the premises has been guilty of conduct which is a nuisance or annoyance to adjoining or neighbouring occupiers;

(*e*) that the lessee or any other person has been convicted, during the currency of the lease, of any offence arising out of the use of the premises for any illegal purpose or that a court has found or declared that the premises have, during the currency of the lease, been used for some illegal purpose;

(*f*) that the lessee has given notice of his intention to vacate the premises and, in consequence of that notice, the lessor has agreed to sell or let the premises or has taken any other steps as a result of which he would be seriously prejudiced if he could not obtain possession;

Amended by 9, 1949, s. 12 (a), (b), by 25, 1953, s. 7 (a), (b), (c), and by 41, 1954, s. 5 (a).

(*g*) that the premises—

(i) being a dwelling-house or, in the case of a dwelling-house within the meaning of paragraph (*d*) of the definition of "dwelling-house" in section 4, the part thereof which is leased for the purposes of residence—are reasonably needed by the lessor for occupation as a dwelling-house by himself or by some person who ordinarily resides with, and is wholly or partly dependent upon him or by a son

s. 42. (6) (*d*) MERCANTILE INVESTMENTS LIMITED v. AUSTRALIAN OPTICAL COMPANY LIMITED (1945) S.A.S.R. 129. Where premises were let to a tenant who covenanted to carry on a specified business in which noise necessarily occurs, held that the reasonable and ordinary use of the premises for the very purpose for which they were let is not conduct which is a nuisance or annoyance within the meaning of section 42 (6) (*d*).

CURTIS v. STUTLEY (1950) S.A.S.R. 130. To justify notice to quit being given upon the ground mentioned in section 42 (6) (*d*), the conduct of the lessee must have some relation to the lessee's use of the leased premises. It is not sufficient that the lessee has been guilty of conduct which has in fact been a nuisance or annoyance to an adjoining or neighbouring occupier, but which does not arise from, and has no relation to, his use of the premises.

CLAREY v. PRINCIPAL AND COUNCIL OF WOMEN'S COLLEGE (1953) 90 C.L.R. 170; 27 A.L.J. 401. A landlord who lets portion of a building for the accommodation of university students cannot complain that the conduct of the students, in keeping late hours and in course of so doing making noises of a kind incidental to the occupation of the premises as a dwelling such as walking about, scraping chairs along the floor, having baths, talking and laughing, and preparing for bed, constitutes a nuisance or annoyance to adjoining occupiers.

s. 42. (6) (*g*) ARTHUR v. MARSH (1945) S.A.S.R. 31. Premises are reasonably required by the owners for their personal occupation if the owners, being persons in indigent circumstances, desire to obtain possession for the purpose of supplementing their means by making the premises income producing.

RETURNED SAILORS', SOLDIERS' AND AIRMEN'S IMPERIAL LEAGUE OF AUSTRALIA

or daughter of the lessor or by a brother or sister of the lessor or of the wife or husband of the lessor; or

(ii) being a part of a dwelling-house leased other than as aforesaid—are reasonably needed for occupation by the lessor, or by a person associated or connected with the lessor in his trade, profession, calling or occupation;

(*h*) that the premises are used as, or have been acquired for use as, a parsonage, vicarage, presbytery or other like premises and are reasonably needed for the personal occupation of a minister of religion (including a person who, although not ordained, is performing all the duties of a minister of religion); Amended by 51, 1951, s. 14 (c).

(*i*) that the lessor is a trustee and the premises are reasonably needed by a beneficiary under the trust for his personal occupation or for the occupation of some person who ordinarily resides with, and is wholly or partly dependent upon him; Amended by 51, 1951, s. 14 (c).

(*j*) that the lessor is a person, body or authority carrying on a hospital, or a trustee for such a person, body or authority, and the use of the premises is reasonably needed for the purposes of the hospital (including the accommodation of the staff of the hospital; Inserted by 51, 1951, s. 14 (c).

* * * * * * * * * * * Para. (k) repealed by 20, 1955, s. 5 (a).

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s. 42. (6) (*g*) (*contd.*)

(HENLEY AND GRANGE SUB-BRANCH) INCORPORATED v. GRACE ABBOTT AND JOSEPH ERNEST ABBOTT (1946) S.A.S.R. 270. Where premises are part dwelling-house and part business premises and the parcels are not capable of severance, a claim for possession must be supported in its totality under subparagraph (i.) or (ii.) of paragraph (*g*) of section 42 (6). It is not permissible to found the claim part under one and part under the other of such subparagraphs.

WILLIAMS v. COULTHARD AND OTHERS (1948) S.A.S.R. 183; 22 A.L.J. 431. Held that if premises were required by the trustees of an institute under the Libraries and Institutes Act, 1939, for the use of the institute, they were required "for the occupation of the lessor." Subparagraph (ii.) of paragraph (*g*) does not require the premises to be required for occupation by the lessor himself "in his trade, profession, calling, or occupation."

DANSIE v. JONES (1949) S.A.S.R. 131. Held that "required" in paragraph (*g*) meant "demanded" or "claimed" and did not mean "needed." Since this decision the paragraph has been amended by the substitution of the word "needed" for "required."

R. AND J. BAKER LIMITED v. LANGDON (1952) S.A.S.R. 75. The word "lessor" in subparagraph (*i*) applies only to a natural person and does not include a body corporate.

Inserted by 50, 1950, s. 5 (1) (b), and amended by 51, 1951, s. 14 (c), (e), and (f).

(*l*) that the premises being a dwelling-house (which was owned by the lessor at the time of the passing of the Landlord and Tenant (Control of Rents) Act Amendment Act, 1951) situated in or contiguous to any grazing area, farm, orchard, vineyard, market garden, dairy farm, poultry farm, pig farm or apiary of the lessor are reasonably needed for the personal occupation as a dwelling-house in consequence of that employment by some person employed by or about to be employed by the lessor for the purpose of the grazing area, farm, orchard, vineyard, market garden, dairy farm, poultry farm, pig farm, or apiary, as the case may be;

Inserted by 25, 1953, s. 7 (d).

(*l*1) that the premises are reasonably needed for the permanent occupation as a dwelling-house in consequence of that employment by some person employed by, or about to be employed by, the lessor;

Amended by 9, 1949, s. 12 (c), (d), by 25, 1953, s. 7 (e), (f), (g), and by 41, 1954, s. 5 (b).

(*m*) that the lessor has agreed to sell the premises by an agreement which requires the purchaser to pay not less than one-fourth of the whole purchase-money within twelve months from the date thereof and by which the purchaser is entitled to vacant possession of the premises and the premises—

(i) being a dwelling-house or, in the case of a dwelling-house within the meaning of paragraph (*d*) of the definition of "dwelling-house" in section 4, the part thereof which is leased for the purposes of residence—are reasonably needed by the purchaser for occupation as a dwelling-house by himself or by some person who ordinarily resides with, and is wholly or partly dependent upon him or by a son or daughter of the purchaser or by a brother or sister of the purchaser or of the wife or husband of the purchaser; or

(ii) being a part of a dwelling-house leased other than as aforesaid—are reasonably needed for occupation by the purchaser, or by a person associated or connected with the purchaser in his trade, profession, calling or occupation;

(*n*) that the premises are reasonably needed by the lessor for reconstruction or demolition; — Amended by 51, 1951, s. 14 (c).

(*o*) that the premises being a dwelling-house, the lessee, by subletting the dwelling-house or any part thereof, or by taking in boarders or lodgers, is making or during the period of six months immediately preceding the giving of the notice to quit was making, a profit from the premises which, having regard to the rent paid by the lessee, is unreasonable; — Inserted by 51, 1951, s. 14 (g).

(*p*) that the lessee has become the lessee of the premises by virtue of an assignment or transfer which the lessor has not consented to or approved; — Amended by 50, 1950, s. 5 (1) (c).

(*q*) 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;

(*r*) that the premises were let as a shop or business premises and have been converted by the lessee, without the consent of the lessor either express or implied, from a shop or business premises into a dwelling-house; — Inserted by 9, 1949, s. 12 (e) and amended by 41, 1954, s. 5 (c).

(*s*) that the lessee has without the consent or approval of the lessor not personally resided in the premises for a continuous period of at least six months. — Inserted by 25, 1953, s. 7 (h).

(7) In subsection (3) and subsection (6), unless the contrary intention appears, "lessor" includes, where there is more than one lessor, any one or more of the lessors, and "lessee" includes, where there is more than one lessee, any one or more of the lessees. — Amended by 20, 1955, s. 5 (b).

(8) Notice to quit on a ground specified in paragraph (*p*) or (*q*) of subsection (6)—

(*a*) shall not be given—

(i) where the lessee became the lessee by virtue of an assignment or transfer made before

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s. 42. (6) (*n*) INDEPENDENT ORDER OF ODDFELLOWS AND GRESHAM HOTEL LIMITED v. MALLAN, MATTERS, ROGERS, SMITH, AND LEAN (1946) S.A.S.R. 234. Premises are "reasonably required by the lessee for reconstruction" where the reconstruction is not to be effected by the owner but by a lessee under a covenant in that behalf, and it need not be proved that a detailed scheme is in existence nor that the reconstruction can be commenced at once.

RETURNED SAILORS', SOLDIERS' AND AIRMEN'S IMPERIAL LEAGUE OF AUSTRALIA (HENLEY AND GRANGE SUB-BRANCH) INCORPORATED v. GRACE ABBOTT AND JOSEPH ERNEST ABBOTT (1946) S.A.S.R. 270. "Reconstruction" connotes some structural changes and transformations of the building and something more than mere repairs of the existing structure.

the first day of March, nineteen hundred and forty-seven, or the sub-lease was granted before that day;

(ii) where the lease is for a fixed term—unless that term has expired; or

(iii) in the case of a periodic lease—unless the period which was current at the date on which the assignment, transfer or sub-lease took effect has expired; and

(*b*) may be given whether or not the assignment, transfer or sublease was in breach of any covenant or condition.

Inserted by 9, 1949, s. 12 (f) and amended by 20, 1955, s. 5 (c), (d).

(9) Notice to quit on a ground specified in paragraph (*g*) of subsection (6) shall not be given by a lessor who is an alien unless he has continuously resided in the Commonwealth for at least three years immediately prior to the giving of the notice and notice to quit on a ground specified in paragraph (*m*) of subsection (6) shall not be given by a purchaser who is an alien unless he has continuously resided in the Commonwealth for at least three years immediately prior to the giving of a notice.

Inserted by 50, 1950, s. 5 (2).

(10) A notice to quit may be given with respect to any part of any premises to which this Act applies notwithstanding that the lease of the premises comprises that part and other parts of the premises and proceedings may be taken for the recovery of the possession of any such part or for the ejectment of the lessee therefrom.

Period of notice to quit. Inserted by 5, 1948, s. 6.

43. (1) The period for which notice to quit shall be given shall be not less than a period of seven days, together with an additional seven days for each completed period of six months of occupation.

(2) Nothing in subsection (1) shall—

Amended by 50, 1950, s 7.

(*a*) require the giving of notice to quit for—

(*i*) a period exceeding fourteen days if the notice is given on any ground specified in paragraphs (*a*), (*c*), (*d*), (*e*) or (*f*) of subsection (6) of section 42 and not on any other ground;

(ii) a period exceeding thirty days if the notice is given on any other ground; or

(iii) in the case of shared accommodation—a period exceeding fourteen days; or

(*b*) allow the giving of notice to quit for a period shorter that the period which, but for this section, would be required.

Inserted by 51, 1951, s. 15.

(3) If any premises to which this Act applies are let upon a fortnightly lease or upon a lease for any less period, a notice to quit in respect of those premises shall not be ineffective by reason that the period of the notice to quit does not expire upon a day coinciding with the expiration of a period of the lease.

Requirements of notice to quit.

Inserted by 5. 1948, s. 6, and substituted by 51, 1951, s. 16.

44. (1) Every notice to quit shall on the face of the notice bear an indorsement to the effect that the lessee to whom the notice to quit is given is not legally obliged to comply with the notice unless ordered to do so by a local court.

(2) In any proceedings for the recovery of possession of any premises or for the ejectment of the lessee therefrom in which an appearance has been entered by the defendant, the validity of the notice to quit upon which those proceedings are founded shall not be affected by the fact only that the notice to quit does not bear an indorsement as required by subsection (1).

Notice to quit where dwelling-house sold.

Inserted by 5, 1948, s. 6, and amended by 9, 1949, s. 13, by 50, s. 8, and by 25, 1953, s. 8.

45. (1) A person who becomes the lessor of premises to which this Act applies, being a dwelling-house or part of a dwelling-house, by purchase, transfer or assignment thereof (otherwise than in pursuance of a contract entered into before the first day of March, nineteen hundred and forty-seven) or who becomes the lessor thereof by virtue of a lease granted in respect of the premises shall not, within a period of six months after the date of the agreement for the purchase, transfer, or assignment or, as the case may be, the date of the commencement of the term of the lease, give a notice to quit on the ground specified in paragrah (*g*) of subsection (6) of section 42 to any person who was a lessee of the premises at the date of the agreement for the purchase, transfer, or assignment or, as the case may be, the date of the commencement of the term of the lease.

(2) A lessor of premises to which this Act applies, being a dwelling-house or part thereof, shall not give a notice to quit on the ground specified in paragraph (*m*) of subsection (6) of section 42 to any person who was a lessee of the premises at the date of the agreement referred to in that paragraph (whether the agreement was made before or after

the commencement of this Part) within a period of six months after the date of the agreement.

Notice to specify grounds.
Inserted by 5. 1948, s. 6. and amended by 51, 1951, s. 17 and by 25, 1953, s. 9.

46. A notice to quit shall specify the ground relied upon and, in the proceedings, the lessor may rely upon any ground upon which notice to quit may be lawfully given whether specified in the notice to quit or not.

If in any proceedings the lessor relies upon any ground other than a ground specified in the notice to quit and if on the hearing of the proceedings the court makes an order for the recovery of possession of the premises or for the ejectment of the lessee therefrom, that order shall be deemed to terminate the tenancy of the lessee as from the day on which the order takes effect.

Notice to quit to terminate lease.
Inserted by 5. 1948, s. 6. and amended by 51, 1951, s. 18.

47. A notice to quit given in accordance with the provisions of section 42, section 53, section 54 or section 55 shall, if the tenancy in respect of which the notice was given has not otherwise terminated, operate so as to terminate the tenancy of the premises at the expiration of the period specified in the notice, but nothing in this section shall operate so as to determine any tenancy before the date on which it would have terminated if this section had not been enacted.

Notice to quit after failure of eviction proceedings.
Inserted by 5. 1948, s. 6.

48. (1) Where a lessor has taken proceedings in any court to recover possession of any premises to which this Act applies from the lessee or for the ejectment of the lessee therefrom and the court has (whether before or after the commencement of this Part) refused to make an order in favour of the lessor, the lessor shall not give to the lessee any notice to quit (whether on the same ground as a previous notice to quit or on some other ground) within six months after the decision of the court unless he has first obtained the leave of a local court so to do.

(2) Where a court refuses to make an order in favour of a lessor it may, at the same time, grant leave for the purposes of this section.

S. 47. AMAD v. GRANT; GROSGLICK v. GRANT (1946) 74 C.L.R. 327. To determine a periodic tenancy, whether it is yearly, quarterly, monthly, or weekly, a notice to quit must (unless the parties have otherwise agreed) take effect at the end of a period of the tenancy (but see subsection (3) of section 43). Held that Regulation 62 of the National Security (Landlord and Tenant) Regulations (which corresponded with section 47) did not validate a notice to quit which would be invalid under the law apart from the regulation.

OERTEL v. CROCKER (1947) S.A.S.R. 306. Held that where a tenant continued in occupation of premises after the expiration of the term of a written lease, the tenancy was a tenancy at will subject to the statutory notice to quit required by the provisions then contained in the National Security (Landlord and Tenant) Regulations. An appeal to the High Court from this decision was struck out as incompetent, OERTEL v. CROCKER (1947) 75 C.L.R. 261.

Court to consider hardship. Inserted by 5, 1948, s. 6.

49. (1) On the hearing of any proceedings by a lessor for an order for the recovery of possession of any premises to which this Act applies, or for the ejectment of the lessee therefrom, the court shall take into consideration, in addition to all other relevant matters—

(*a*) any hardship which would be caused to the lessee or any other person by the making of the order;

(*b*) any hardship which would be caused to the lessor or any other person by the refusal of the court to make the order; Amended by 9, 1949, s. 14 (a).

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s. 49. ARTHUR v. MARSH (1945) S.A.S.R. 31. A case of hardship arises when the owners have to eke an existence on scanty means and the charity of their friends, when they are paying more rent for the premises in which they are living than they receive from the letting of the premises which they seek to recover.

INDEPENDENT ORDER OF ODDFELLOWS AND GRESHAM HOTEL LIMITED v. MALLAN, MATTERS, ROGERS, SMITH, AND LEAN (1946) S.A.S.R. 234. In the case of business premises, where the relative hardship between lessor and lessee appears equal, the claim of the owner must prevail. The basis for weighing relative hardship and for testing the availability of reasonably suitable accommodation in lieu of the premises in issue considered.

RETURNED SAILORS', SOLDIERS' AND AIRMEN'S IMPERIAL LEAGUE OF AUSTRALIA (HENLEY AND GRANGE SUB-BRANCH) INCORPORATED v. GRACE ABBOTT AND JOSEPH ERNEST ABBOTT (1946) S.A.S.R. 270. The intention underlying paragraphs (*a*) and (*b*) of subsection (1) relating to the matters to be taken into account by the court in exercising its discretion on the ground of respective hardships, is the prevention of one person securing a privilege, however well he may be entitled thereto, if its exercise means little to him and at the same time its bestowal will cause harm of some magnitude to another.

LEWIS v HUTTON (1946) S.A.S.R. 297. Held that, apart from the question of ownership, if the hardship of the tenant were not shown to be the greater, the added factor of hardship, that the owner was being kept out of the premises, was sufficient to resolve the question in favour of the landlord.

AUSTRALIAN RED CROSS SOCIETY v. BEAVER TRADING COMPANY PROPRIETARY LIMITED AND OTHERS (1947) 75 C.L.R. 320. The words "or any other person" in paragraphs (*a*) and (*b*) of subsection (1) include all individuals and ascertainable classes of the community who would be prejudiced by the tenant losing possession or the landlord failing to obtain possession.

MCARTHUR AND ANOTHER v. BROAD (1949) S.A.S.R. 350. When the making or refusal of an order for delivering up of possession will involve equal hardship to the landlord and the tenant, the court will normally make the order. But the court, in its discretion, may take into account, as a ground for refusing to make an order, the fact that the hardship to the landlord has been created by his own act in voluntarily giving up possession of another dwelling-house occupied by him.

OLDFIELD v. GRAY AND OTHERS (1950) S.A.S.R. 206. Where a lessee of premises sublet the premises to his son without the consent or approval of the lessor, held, in proceedings by the lessor for recovery of possession of the premises upon this ground, that any hardship suffered by the lessee or his son, through the lessee being prevented from conferring upon the son the right to occupation of the premises, did not constitute the "special circumstances" required by section 49 (2) (a) to justify the refusal of an order for possession.

SHIELL v. SYMONS. SHIELL v. FORD. SHIELL v. NICHOLLS (1951) S.A.S.R. 82. Under the Health Act, 1935, a local board of health declared an old dwellinghouse (which was sublet to various sub-tenants) unfit for habitation and the lessor gave notice to quit on the ground that the premises were reasonably required by the lessor for reconstruction. In proceedings to recover possession from some of the sub-lessees held that, while substantial hardship must necessarily be suffered by the lessor as the result of the refusal of the order, no hardship could be caused to the sub-lessees by the making of the order, any hardship which they might suffer arising not from the order but from the operation of the provisions of the Health Act.

Amended by 50, 1950, ss. 6 (2) and 9 (a) by 39, 1952, s. 7 (a), and by 25, 1953, s. 10 (a).

(*c*) where the application is made on any one or more of the grounds specified in paragraphs (*g*), (*h*), (*i*), (j), (*l*1), (*m*) and (*n*) of subsection (6) of section 42—whether reasonably suitable alternative accommodation in lieu of the premises is, or has been, whether before or after the date upon which notice to quit was given, available for the occupation of the person occupying the premises or for the occupation of the lessor or other person by whom the premises would be occupied if the order were made;

Inserted by 9, 1949, s. 14 (b).

(*d*) where the application is made under a ground specified in paragraph (*g*) of subsection (6) of section 42—whether at the time the lessor acquired the premises the premises were let to the lessee and whether the lessee had any opportunity to acquire the premises and the reasons for the lessee failing to acquire the premises;

Inserted by 9, 1949, s. 14 (b), and amended by 50, 1950, s. 9 (b).

(*e*) where the application is made under a ground specified in paragraph (*m*) of subsection (6) of section 42—whether at the time the premises were agreed to be sold to the purchaser the premises were let to the lessee and whether the lessee had any opportunity to acquire the premises and the reasons for the lessee failing to acquire the premises;

Inserted by 9, 1949, s. 14 (b).

(*f*) where the application is made under a ground specified in paragraph (*g*) of subsection (6) of section 42—whether the lessee is the owner of another dwelling-house capable of being occupied by him and whether he has taken all necessary and proper steps to obtain possession thereof;

Inserted by 50, 1950, s. 9 (c).

(*g*) where the application is made on a ground specified in paragraph (*g*) of subsection (6) of section 42—whether the lessor has been required by circumstances to live elswhere than in the premises and whether there has been any relevant change in those circumstances;

Inserted by 50, 1950, s. 9 (c).

(*h*) whether the lessee has made reasonable efforts to secure other premises;

Inserted by 50, 1950, s. 9 (c).

(*i*) where the proceedings relate to a dwelling-house and a permit has been issued to the lessee under the Building Materials Act, 1949, for the construction of a dwelling-house—whether the lessee has been guilty of unreasonable delay in the

construction of the dwelling-house in respect of which the permit was issued;

(*j*) where application is made on a ground specified in paragraph (*s*) of subsection (6) of section 42—whether the lessee had reasonable cause not to reside personally in the premises,

Inserted by 25, 1953, s. 10 (b).

and may, in its discretion, make the order subject to such conditions (if any) as the court thinks fit or may, on such conditions (if any) as it thinks fit, refuse to make the order notwithstanding that one or more of the prescribed grounds has been established.

Amended by 9, 1949, s. 14 (c), and by 51, 1951, s. 19 (a), (b).

(2) Where the application is made on either of the grounds specified in paragraphs (*p*) and (*q*) of subsection (6) of section 42, the court shall not refuse, in the exercise of the discretion vested in it by subsection (1), to make the order unless the court is satisfied—

Amended by 51, 1951, s. 19 (c).

(*a*) that special circumstances exist by reason of which the order should not be made; or

(*b*) without limiting the generality of the last preceding paragraph, in a case where the ground specified in paragraph (*q*) applies, that the subletting was in the course of a business of subletting carried on by the lessee and that the business was commenced or is carried on with the express or implied consent of the lessor.

(3) On the hearing of an application specified in the subsection (2), any assignee, sublessee or person in occupation of the premises or any part thereof shall be entitled to be heard.

(4) If, on the hearing of any such proceedings where application is made on a ground specified in paragraph (*a*), (*b*), or (*c*) of subsection (6) of section 42 or on a ground specified in paragraph (*d*) of subsection (6) of section 42 in respect of premises other than shared accommodation, the court is satisfied that the ground has been proved, or if, on the hearing of any such proceedings, proof is given to the satisfaction of the court that, at the time of the giving of the notice to quit, the lessee was in arrears with respect to any rent payable under the lease (whether those arrears were paid before the hearing or not), the court may, if the court thinks fit, make the order without taking into consideration any of the matters referred to in subsection (1) of this section.

Inserted by 50, 1950, s. 9 (d), and amended by 51, 1951, s. 19 (d), (e) and (f).

Inserted by 51, 1951, s. 19 (g).

(5) If, on the hearing of any such proceedings where application is made on a ground specified in paragraph (*e*), (*k*), (*l*), or (*r*) of subsection (6) of section 42 or on a ground specified in paragraph (*d*) of subsection (6) of section 42 in respect of premises being shared accommodation, the court is satisfied that the ground has been proved, the court shall not take into consideration any of the matters referred to in subsection (1) of this section.

Inserted by 50, 1950, s. 9 (d) and amended by 25,1953, s. 10 (c), (d), (e), and by 41, 1954, s. 6 (a)

(6) If in any such proceedings where application is made on the ground that a dwelling-house is reasonably needed for the occupation as a dwelling-house by the lessor or the son or daughter of the lessor and proof is given to the satisfaction of the court—

(*a*) that the lessor has been the owner of the dwelling-house for at least two years before the giving of the notice to quit; and

(*b*) that at the time of the giving of the notice to quit the lessor was not the owner of any other dwelling-house which was reasonably available to the lessor, or as the case may be, the son or daughter of the lessor for his occupation; and

(*c*) that the lessor has not since the twenty-second day of September, nineteen hundred and forty-nine, as owner, transferred or conveyed or otherwise disposed of any dwelling-house which was at the time of the transfer, conveyance or disposition reasonably available to the lessor, or as the case may be, the son or daughter of the lessor for his occupation; and

(*d*) that the lessor is a British subject; and

(*e*) that the lessor has since the passing of the Landlord and Tenant (Control of Rents) Act Amendment Act, 1950, 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.

The Governor may make regulations prescribing a form of notice to quit which may be given by any lessor in pursuance of this subsection and, without limitation of the right of a lessor to give notice to quit in any other form, any notice to quit in the form prescribed by regulation shall be deemed to

be sufficient notice of all the matters referred to in paragraphs (*a*) to (*e*) inclusive of this subsection.

In paragraph (*a*) of this subsection "owner" includes a tenant for life and the survivor of two or more joint tenants or tenants in common. Inserted by 51, 1951, s. 19 (h).

(7) If in any such proceedings where application is made on the ground that a dwelling-house is reasonably needed by the lessor for his occupation as a dwelling-house or that the lessor being a trustee the dwelling-house is reasonably needed by a beneficiary under the trust for his personal occupation as a dwelling-house, proof is given to the satisfaction of the court— Inserted by 51, 1951, s. 19 (i) and amended by 41, 1954, s. 6 (b).

(*a*) that the lessor or, as the case may require, the beneficiary, is a protected person; and

(*b*) that at the time of the giving of the notice to quit, the lessor or, as the case may require, the beneficiary was not the owner of any other dwelling-house which was reasonably available to him for his occupation; and

(*c*) that the lessor or, as the case may require, the beneficiary has not since the twenty-second day of September, nineteen hundred and forty-nine, as owner, transferred or conveyed or otherwise disposed of any dwelling-house which was at the time of the transfer, conveyance, or disposition reasonably available to him for his occupation; and

(*d*) that the lessor has since the passing of the Landlord and Tenant (Control of Rents) Act Amendment Act, 1951, 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 provisions of this Act.

The Governor may make regulations prescribing a form of notice to quit which may be given by any lessor in pursuance of this subsection and, without limitation of the right of a lessor to give notice to quit in any other form, any notice to quit in the form prescribed by regulation shall be deemed to be sufficient notice of all the matters referred to in paragraphs (*a*) to (*d*) inclusive of this subsection.

In this subsection "protected person" has the meaning given to that term by section 72.

Inserted by 39, 1952, s. 7 (b) and amended by 25, 1953, s. 10 (f).

(8) If in any such proceedings where application is made in respect of a dwelling-house upon a ground specified in paragraph (*g*) or (*m*) of subsection (6) of section 42 proof is given to the satisfaction of the court—

(*a*) that the lessee has constructed or caused to be constructed a dwelling-house upon land in which he had a beneficial interest;

(*b*) that the dwelling-house was completed after the passing of the Landlord and Tenant (Control of Rents) Act Amendment Act, 1952; and

(*c*) that the dwelling-house on its completion was available for occupation by the lessee as a residence but the lessee has not so occupied the dwelling-house,

then the court shall not take into account any of the matters mentioned in subsection (1) of this section.

Inserted by 25, 1953, s. 10 (g), and amended by 41, 1954, s. 6 (c)

(9) If in any such proceedings where application is made on the ground that the premises (being premises part of which is used as a shop, storeroom, workshop or stable or for a similar purpose) are reasonably needed for occupation by the lessor in connection with his trade, profession, calling or occupation, proof is given to the satisfaction of the court—

(*a*) that the lessor has been the owner of the premises for at least two years before the giving of the notice to quit; and

(*b*) that at the time of the giving of the notice to quit the lessor was not the owner of any other premises which were reasonably available to him for occupation by him in connection with his trade, profession, calling or occupation; and

(*c*) that the lessor is a British subject or a body corporate incorporated or registered in accordance with any law of the State; and

(*d*) that the lessor has since the passing of the Landlord and Tenant (Control of Rents) Act Amendment Act, 1953, 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.

Inserted by 41, 1954, s. 6 (d).

(10) If 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, 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.

Power of court.

Inserted by 50, 1950, s. 10.

50. (1) In respect of any proceedings referred to in section 49, the court—

(*a*) if satisfied that such an order should be made in accordance with the provisions of this Part, may make an order for the recovery of possession of such part of the premises the subject of the proceedings as the court thinks fit or for the ejectment of the lessee from such part;

(*b*) with the consent of the parties and without any further hearing in the proceedings may make any order which may be made by the court in pursuance of this Part.

(2) In any case where in the opinion of the court it is in the interests of justice so to do, the court, in its discretion, may hear two or more such proceedings together and in any such event the court may regulate the proceedings with reference to the cross-examination of witnesses or otherwise relating to the hearing as the court thinks fit.

Power to stay proceedings or orders.

Inserted by 5, 1948, s. 6, and amended by 51, 1951, s. 20.

51. In respect of any proceedings referred to in section 49 the court or a special magistrate may—

(*a*) from time to time, subject to such conditions (if any) and for such period as it thinks fit—

(i) adjourn the proceedings;

s. 51. BOYLE AND ANOTHER v. JUKES (1944) S.A.S.R. 184. Where there had been a slip in the original order suspending the issue of a warrant for possession of premises made by a local court, held that there was power to amend this slip both under the inherent jurisdiction of the court and under the provision of the National Security (Landlord and Tenant) Regulations corresponding to section 51 (*b*).

BURLING v. CHAS. STEELE AND COMPANY PROPRIETARY LIMITED (1948) 76 C.L.R. 485. Where a notice to quit was given on the grounds that the premises were reasonably required for occupation by the landlord and an order for possession was made by consent, and in proceedings under a provision of the National Security (Landlord and Tenant) Regulations corresponding to section 51 an application to rescind the order was refused held that, assuming the ground stated in the notice to quit was erroneous, in view of the consent by the tenant to the original order, the refusal of the application should not be disturbed.

(ii) stay or suspend the execution of any judgment or order which has been made or given in the proceedings; or

(iii) postpone the date for recovery of possession or for ejectment specified in any such judgment or order; or

(*b*) subject to such conditions (if any) as it thinks fit, vary, discharge, or rescind any such judgment or order:

(*c*) where a warrant of execution has been issued, and whether the warrant has expired or not, from time to time extend the period stated in the warrant for the execution thereof—

(i) if the court is satisfied that, because of the illness of the lessee or for other sufficient cause, it is or has been impracticable for the officer to whom the warrant is directed to execute the warrant within the period stated therein—for such period as it thinks fit; or

(ii) if the court is not so satisfied—for a period not exceeding seven days from the date on which the extension is granted.

Certain applications to operate as stay of execution.
Inserted by 5, 1948, s. 6.

52. (1) An application to stay or suspend the execution of, or to vary, discharge or rescind, any judgment or order referred to in section 51, or to postpone the date for recovery of possession or for ejectment specified in any such judgment or order, shall, when filed with the proper officer of the court, stay the execution of any warrant and operate to postpone the date for recovery of possession of the premises or for the ejectment of the lessee until the court has heard the application.

Substituted by 51, 1951, s. 21.

(2) Notwithstanding anything in the Local Courts Act, 1926-1947, or any other Act, a warrant for delivery of possession of premises which pursuant to such Act would remain in force for any fixed period, shall remain in force for such further period or periods, if any, as the court shall, from time to time, direct whether before or after the expiration of such fixed period and whether the warrant has expired or not.

(3) Where in respect of any proceedings referred to in section 49 the court has refused to grant an application of any of the kinds referred to in subsection (1) of this section,

no further application of any of those kinds shall be made in respect of those proceedings except with the leave of the court.

Proceedings for recovery of possession of shared accommodation already leased. Inserted by 51, 1951, s.22.

53. (1) Notwithstanding section 42 but subject to this section, the lessor of premises to which this Act applies being shared accommodation in a dwelling-house which premises were leased at the passing of the Landlord and Tenant (Control of Rents) Act Amendment Act, 1951, may give notice to quit to the lessee under the lease at the time of the said passing 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 give notice to quit to the lessee for a period of not less than two months:

II. At the time of the giving of the notice to quit and during the period of twelve months prior to the giving of the notice, the lessor shall not have let shared accommodation in the dwelling-house to different lessees under two or more leases in existence at the same time:

III. The lessor shall at the time of the giving of the notice to quit reside in the dwelling-house and shall have resided in the dwelling-house during the whole of the period of twelve months prior to the giving of the notice to quit:

IV. During the period of six months prior to the giving of the notice to quit the lessor shall not have recovered as rent from the lessee in respect of the premises any amount which by virtue of this Act is irrecoverable.

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 II., III., and IV. of this subsection but if, in any proceedings by the lessor for an order for the recovery of possession of the premises 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 premises 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 unless the court considers that special circumstances exist in which case the court may, in its discretion, take into consideration any of the said matters.

(4) Except as otherwise provided by this section, the provisions of this Part shall apply with respect to any such notice to quit or proceedings.

(5) Nothing in this section shall limit any right of the lessor under any other provisions of this Act.

Provisions for recovery of possession of shared accommodation to be leased in the future. Inserted by 51, 1951, s.22.

54. (1) Notwithstanding section 42 but subject to this section, the lessor of premises to which this Act applies being shared accommodation in a dwelling-house, may give notice to quit to the lessee of those premises under any lease made after the passing of the Landlord and Tenant (Control of Rents) Act Amendment Act, 1951, 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 give notice to quit to the lessee for a period of not less than two months:

II. At the time of the giving of the notice to quit and during the period of twelve months prior to the giving of the notice, the lessor shall not have let shared accommodation in the dwelling-house to different lessees under two or more leases in existence at the same time:

III. The lessor shall at the time of the giving of the notice to quit reside in the dwelling-house and shall have resided in the dwelling-house during the whole of the period of twelve months prior to the giving of the notice to quit:

IV. The rent payable for the premises shall have been fixed by a determination of the trust or an order of a local court:

V. During the period of six months prior to the giving of the notice to quit the lessor shall not have recovered as rent from the lessee in respect of the premises any amount which by virtue of this Act is irrecoverable.

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 II., III., IV., and V., of this subsection but if, in any proceedings by the lessor for an order for the recovery of possession of the premises 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 premises 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 unless the court considers that special circumstances exist in which case the court may, in its discretion, take into consideration any of the said matters.

(4) Except as otherwise provided by this section, the provisions of this Part shall apply with respect to any such notice to quit or proceedings.

(5) Nothing in this section shall limit any right of the lessor under any other provision of this Act.

(6) In this section "shared accommodation" means any premises to which this Act applies—

(*a*) which form part of other premises; and

(*b*) which are leased for the purpose of residence; and

(*c*) the lessee of which, under the terms of the lease, uses any habitable room, bathroom or privy in common with the lessor or with another lessee.

54a. (1) Notwithstanding section 42 but subject to this section, the lessor of any dwelling-house may give notice to quit to the lessee of the dwelling-house without specifying any ground therein.

Recovery of possession of dwellinghouse comprised in estate.
Inserted by 41, 1954, s. 7.

(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 dwelling-house is included;

II. The gross value of the dwelling-house 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 dwelling-house either for the purpose of giving effect to a testamentary disposition or trust affecting the dwelling-house 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 dwelling-house 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 dwelling-house 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.

Provisions for recovery of dwellinghouse for occupation by employee. Inserted by 51, 1951, s. 22.

55. (1) Notwithstanding section 42 but subject to this section, the lessor of any dwelling-house may give notice to quit to the lessee of the dwelling-house on the ground that the dwelling-house is reasonably needed for the personal occupation in consequence of that employment of some person employed by, or about to be employed by, the lessor.

Amended by 25, 1953, s. 11, and by 41, 1954, s. 8.

(2) Notice to quit shall not be given under this section except subject to the following provisions:—

I. The lessor shall have been the owner of the premises for at least two years before the giving of the notice to quit:

II. The lessor shall be a British subject or a body corporate incorporated or registered in accordance with any law of the State:

III. The lessor shall have, since the passing of the Landlord and Tenant (Control of Rents) Act Amendment Act, 1951, given notice to the lessee for a period of not less than six months.

(3) On the hearing of any proceedings by the lessor for an order for the recovery of possession of the dwelling-house or the ejectment of the lessee therefrom, if proof is given (the onus of which proof shall be on the lessor) that the lessor was entitled under this section to give the notice to quit and that the lessor has not within the period of twelve months preceding the giving of the notice to quit given any other notice to quit under this section, the court shall make the order without taking into consideration any of the matters mentioned in subsection (1) of section 49.

(4) Except as otherwise provided by this section, the provisions of this Part shall apply with respect to any such notice to quit or proceedings.

(5) Nothing in this section shall limit any right of the lessor under any other provision of this Act.

Recovery of possession where alternative accommodation is offered to lessee.

Inserted by 25, 1953, s. 12

55a. (1) Notwithstanding section 42 but subject to this section the lessor of any dwelling-house may give notice to quit to the lessee of the dwelling-house without specifying any ground therein.

(2) A notice to quit shall not be given under this section unless the lessor offers to make available to the lessee at the time the notice to quit is given reasonably suitable alternative accommodation (in this section referred to as "the alternative accommodation").

Every notice to quit given under this section shall describe the alternative accommodation and shall state where it is situated and the rent thereof.

(3) Section 45 shall not apply with respect to any notice to quit given under this section.

(4) On the hearing of any proceedings by the lessor for an order for the recovery of possession of the dwelling-house or 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 has, at the time of the giving of notice to quit, offered the alternative accommodation to the lessee and if the court is satisfied that the alternative accommodation is reasonably comparable with the dwelling-house leased by the tenant and that the rent thereof is reasonably comparable with that of the said dwelling-house and that it is situated at a place reasonably convenient for the needs of the lessee, the court shall make the order without taking into consideration any of the matters mentioned in subsection (1) of section 49.

Recovery of possession of dwellinghouse in certain cases.
Inserted by 41, 1954, s. 9.

55b. (1) Notwithstanding section 42 but subject to this section, the lessor of any dwelling-house may give notice to quit to the lessee of the dwelling-house 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 dwelling-house 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 dwelling-house;

II. The purpose for which the notice to quit is given shall be to facilitate the sale of the dwelling-house;

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 dwelling-house 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 dwelling-house 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.

Recovery of possession of premises in certain cases.
Inserted by 20, 1955, s. 6

55c. (1) Notwithstanding section 42, but subject to this section, the lessor of any dwelling-house may, at any time after the passing of the Landlord and Tenant (Control of Rents) Act Amendment Act, 1955, give notice to quit to the lessee thereof, on the ground that the dwelling-house is reasonably needed for the occupation as a dwelling-house by the lessor, or by a son or daughter, or the father or mother of the lessor.

(2) Notice to quit shall not be given under this section except subject to the following provisions:—

I. With the notice to quit, there shall be served on the lessee by the lessor, a statutory declaration by the

lessor declaring that the dwelling-house is reasonably needed for occupation by the lessor, or by a son or daughter, or the father or mother of the lessor, as the case may be, and setting out the full name and particulars of the accommodation then occupied by that person:

II. The notice to quit given to the lessee shall be for a period of not less than six months.

(3) On the hearing of any proceedings for an order for the recovery of possession of the dwelling-house, or the ejectment of the lessee therefrom, if proof is given (the onus of which proof shall be on the lessor) that the notice to quit was given in accordance with this section, the court shall make the order without taking into consideration any of the matters mentioned in subsection (1) of section 49.

(4) Except as otherwise provided by this section, the provisions of this Part shall apply with respect to any such notice to quit or proceedings.

(5) Nothing in this section shall limit the right of the lessor under any other provision of this Act.

(6) Section 45 shall not apply to any notice to quit given under this section.

Hearing in chambers. Inserted by 5, 1948, s. 6.

56. Proceedings for the recovery of possession of premises to which this Act applies or for the ejectment of a lessee therefrom may, with the consent of all parties, be disposed of in chambers but nothing in this section shall affect the power of the court to dispose of any such proceedings in chambers otherwise than under this section.

Appeal. Inserted by 5, 1948, s. 6.

57. (1) Except as provided in subsection (2), there shall be no appeal in proceedings under this Part from a judgment or order of a local court.

(2) There shall be an appeal, as to questions of law only, to the Supreme Court from any judgment or order of a local court in proceedings under this Part.

s. 57. WILLIAMS v. COULTHARD AND OTHERS (1948) S.A.S.R. 183; 22 A.L.J. 431. An appeal to the Supreme Court may be instituted in manner provided by sections 58 to 60 of the Local Courts Act, 1926-1947, notwithstanding that the appeal under section 58 of that Act is an appeal both on questions of law and of fact, but the grounds of appeal must be confined to questions of law.

R. & J. BAKER LIMITED v. LANGDON (1952) S.A.S.R. 75. The right of appeal conferred by subsection (2) is not limited by any restriction as to the amount in issue.

Ejectment orders not enforceable unless made under Act. Inserted by 5, 1948, s. 6.

58. Notwithstanding any other Act or law to the contrary, no order, other than an order made under this Part or under the National Security (Landlord and Tenant) Regulations made by any court for the recovery by the lessor of possession of any premises to which this Act applies (or of any furniture or other goods leased therewith), or for the ejectment of the lessee, shall be enforceable.

Section inserted by 5, 1948, s. 6. and repealed by 51, 1951, s. 23.

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Premises not to be sold or re-let in certain cases. Inserted by 5, 1948, s. 6. and amended by 50, 1950, s. 6 (3), by 51, 1951, s. 24, and by 25, 1953, s. 13.

60. (1) If a notice to quit is given on the ground specified in paragraph (*g*), (*h*), (*i*), (*j*), (*k*), (*l*), (*l*1) or (*m*) of subsection (6) of section 42 or in subsection (1) of section 55 and the premises in respect of which the notice is given are vacated in accordance with the notice, or if an order for the recovery of possession of the premises or for the ejectment therefrom of the lessee is made on any such ground, the premises shall not, without the consent of a local court, be again leased or sold, or agreed to be leased or sold until after the expiration of the period of twelve months immediately succeeding the date on which the premises were vacated, possession of the premises was recovered, or the ejectment effected. Any person who commits any contravention of this subsection shall be guilty of an offence and liable to a penalty not exceeding five hundred pounds.

(2) Nothing in subsection (1) shall prevent—

(*a*) the letting of any portion of the premises to which this Act applies which is not reasonably required by the lessor or purchaser, as the case may be, provided that the total rent obtained is not greater than a reasonable rent for the whole of the premises less a reasonable deduction for the portion of the premises not so let; or

(*b*) where notice to quit has been given on the ground specified in paragraph (*h*), (*i*), (*k*), (*l*), or (*l*1) of subsection (6) of section 42 or in subsection (1) of section 55 the letting of the premises—

(i) to a minister of religion;

(ii) to a beneficiary under the trust; or

(iii) to some person in the employ of, or about to become an employee of, the lessor in consequence of his employment,

respectively.

(3) A transaction entered into in contravention of subsection (1) of this section shall not thereby be invalidated, but nothing in this subsection shall affect the liability of any person to any penalty in respect of any contravention of subsection (1).

(4) A complaint in respect of any offence against this section shall be made within twelve months from the time when the matter of complaint arose. Inserted by 39, 1952, s. 6.

61. An order for the recovery of possession of any premises to which this Act applies (or of any furniture or other goods leased therewith) or for the ejectment of a lessee therefrom made by a court under this Part may be enforced in the same manner as a like order if made by that court otherwise than under this Part, might be enforced. Enforcement of orders. Inserted by 5, 1948, s. 6.

62. Where notice to quit any premises to which this Act applies has been given, whether before or after the commencement of this Part— Acceptance of rent not to waive notice to quit. Inserted by 5, 1948, s. 6, and amended by 51, 1951, s. 25.

(*a*) any demand by the lessor for payment of rent, or of any sum of money as rent, in respect of any period after the giving of the notice;

(*b*) the commencement of proceedings by the lessor to recover rent, or any sum of money as rent, in respect of any such period; or

(*c*) the acceptance of rent, or of any sum of money as rent, by the lessor in respect of any such period,

shall not of itself constitute evidence of a new tenancy or operate as a waiver of the notice.

63. (1) Where— Protection of sub-lessee. Inserted by 5, 1948, s. 6.

(*a*) a lessor has consented to or approved a sublease of any premises to which this Act applies or any part thereof by the lessee, or a lessee has sublet any premises to which this Act applies or any part thereof in the course of a business of subletting carried on by the lessee; and

(*b*) the lessee ceases to be in possession of the premises, following upon—

(i) the obtaining of an order by the lessor for the recovery of possession of the premises from the lessee or for the ejectment of the lessee from the premises on any of

the grounds specified in paragraphs (*a*) to (*f*) of subsection (6) of section 42; or

(ii) the surrender of his lease by the lessee,

the sublessee shall (if he is in possession of the whole or portion of the premises sublet to him) be deemed to become the lessee thereof from the lessor upon the same terms and conditions as the terms and conditions of the sublease, as in force immediately prior to—

(*c*) the date on which the lessor gave notice to quit to the lessee; or

(*d*) the date on which the lessee notified the lessor of his intention to surrender the lease (or, if he did not so notify the lessor, the date on which the lessee surrendered the lease),

as the case may be.

(2) In a case to which subparagraph (i) of paragraph (*b*) of subsection (1) applies, the order shall not be enforced against the sublessee.

(3) Where, prior to the lessor of any premises to which this Act applies giving notice to quit to the lessee upon any of the grounds specified in subsection (6) of section 42, the lessee of the premises has sublet the whole or any part thereof—

(*a*) the lessee shall, upon service of the notice to quit, forthwith notify the lessor in writing of the name and address of each person to whom he has so sublet and who is a sublessee of the premises or any part thereof at the date of service of the notice to quit;

(*b*) the lessor shall, upon taking proceedings for the recovery of possession of the premises or for the ejectment of the lessee therefrom, file the notice given to him under this section with the proper officer of the court in which the proceedings are taken; and

(*c*) the proper officer of the court shall thereupon give notice by registered post to each person specified in the notice, at the address so specified, of the date of hearing of the proceedings by the court.

(4) On the hearing of any proceedings by a lessor for an order for the recovery of possession of any premises to which this Act applies or for the ejectment of the lessee therefrom,

every person who is a sublessee of such premises or any part thereof shall be entitled to be heard.

(5) Any lessee who fails to give notice as required by paragraph (*a*) of subsection (3) shall be guilty of an offence and liable to a penalty not exceeding twenty pounds.

Protection of certain persons in possession of premises.
Cf. Vic. 5264, 1948, s. 57.
Inserted by 5, 1948, s. 6, substituted by 51, 1951, s. 26, and amended by 20, 1955, s. 7

64. Where the lessee of any premises to which this Act applies dies and a person (being the wife, husband, father, mother, son or daughter of the lessee) who resided with the lessee immediately prior to his death is in possession of the premises immediately after his death, that person shall have the like right to continue in possession of the premises as the lessee would have had if he had not died, but proceedings may be taken against that person for the recovery of the possession of the premises from that person or for his ejectment from the premises in accordance with the provisions of this Part as if he were a lessee of the premises.

Costs not to be allowed.
Inserted by 5, 1948, s. 6.

65. (1) No costs shall be allowed in any proceedings in relation to which this Part applies, not being proceedings in respect of an offence arising under this Part, unless it appears to the court that the conduct of the party in bringing or resisting the proceedings or in relation to the subject matter has been unreasonable, vexatious or oppressive.

Inserted by 51, 1951, s. 27.

(2) Notwithstanding subsection (1), if any such proceedings are taken upon a ground specified in paragraph (*a*), (*b*), (*c*), (*d*), (*e*), (*f*), (*p*), (*q*), or (*r*) of subsection (6) of section 42 the costs of the proceedings shall be in the discretion of the court.

(3) Notwithstanding subsection (1) the costs of any appeal to the Supreme Court shall be in the discretion of the Supreme Court.

* * * * * * * * * * *

Section inserted by 5, 1948, s. 6. and repealed by 51, 1951, s. 28.

s. 64. NOBLETT AND MANSFIELD v. MANLEY AND ANOTHER (1952) S.A.S.R. 155. Held that a son and daughter-in-law residing with a lessee were lodgers and therefore were excluded from the operation of section 64. Since this decision the section has been amended by, among other things, deleting the reference therein to lodgers and boarders.

s. 65. CLOTHIER v. PIERCY (1945) S.A.S.R. 45. Where an action was brought for the recovery of possession of a dwellinghouse and for arrears of rent and mesne profits and the action was dismissed, held that the court had power to award costs of the proceedings.

ANDERSON v. BOWLES (1951) 84 C.L.R. 310. Where the tenant was held to be liable to damages for failure to perform his obligations to deliver up possession of premises, held that the landlord could not recover from the tenant the costs of proceedings which ended in the ejectment of a sub-lessee.

Exclusion of premises let for a short term from operation of Part.
Inserted by 5, 1948, s. 6, and amended by 50, 1950, s. 11, and by 51, 1951, s. 29.

67. (1) The lessor or former lessor under a lease, or the proposed lessor under a proposed lease, of any premises to which this Act applies for a fixed term not exceeding twelve months may, at any time while the lessee or former lessee is in occupation of the premises, or prior to the commencement of the term of the proposed lease, make application in writing to the trust to exclude the premises from the operation of this Part.

(2) The applicant shall furnish such information in relation to the application as the trust requires.

(3) The trust may, in its discretion, issue a certificate excluding the premises, for such period as is specified in the certificate, from the operation of the provisions of this Part and the premises shall be excluded accordingly.

(4) The trust may at any time revoke or vary any certificate issued under subsection (3) and may at any time extend the period of any such certificate.

(5) Every certificate issued pursuant to regulation 78 of the National Security (Landlord and Tenant) Regulations before the commencement of this Part shall have the same effect as if issued by the trust under this section, and may be revoked or varied by the trust.

Exclusion of certain subdivided premises, etc., from operation of Part.
Inserted by 5, 1948, s. 6.
Subsec. (2) amended by 39, 1952, s. 9.

68. (1) The provisions of this Part shall not apply to or in relation to any premises to which this Act applies in respect of which a certificate under this section is in force.

(2) Where the owner or the lessee of any premises to which this Act applies is desirous of making the whole or any part of those premises available for accommodation, he may apply to the trust for a certificate that the premises are premises to which this Part does not apply. An application shall not be made as aforesaid by a lessee of premises except with the consent in writing of the owner of the premises.

(3) The trust may—

(*a*) grant the application and issue the certificate, either unconditionally or subject to such conditions as it thinks fit and for such period as it thinks fit; or

(*b*) refuse the application.

(4) A certificate issued under this section in respect of premises to which this Act applies being any part of a dwelling-house or of a residential unit in any building shall not have any force or effect in respect of any person who immediately prior to the issue of the certificate was the

lessee of the dwelling-house or of any part of the dwelling-house or of the residential unit or of any other residential unit in the building.

(5) The trust may revoke or vary any certificate issued under this section and may at any time extend the period of any such certificate. Amended by 51, 1951, s. 30 (a).

* * * * * * * * * * * Subsec (6) repealed by 51, 1951, s. 30 (b).

(7) In this section "residential unit" means any part of a building which is or has been designed, whether originally or otherwise, for occupation as a residence independently of any other part of the building and "owner" includes a tenant for life and the survivor of two or more joints tenants or tenants in common. Amended by 51, 1951, s. 30 (c).

(8) Every certificate issued pursuant to regulation 79 of the National Security (Landlord and Tenant) Regulations before the commencement of this Part shall have the same effect as if issued by the trust under this section, and may be revoked or varied by the trust.

69. If at the expiration of the period of any certificate issued or continued in force under section 67 or section 68, the lessee continues in possession of the premises to which the certificate applies, then the following provisions shall apply:— Operation of exclusion certificate. Inserted by 51, 1951, s. 31.

I. At any time within one month after the expiration of the said period a notice to quit the premises may be given to the lessee by the lessor and the provisions of this Part shall not apply with reference to the notice to quit:

II. After the expiration of the period of the notice to quit but within three months after the expiration of the period of the certificate, proceedings may be commenced by the lessor for the recovery of the possession of the premises from the lessee or for the ejectment of the lessee therefrom and the provisions of this Part shall not apply with respect to those proceedings nor, for the purpose of those proceedings, to the premises.

70. (1) All proceedings before any court under the National Security (Landlord and Tenant) Regulations which were pending at the commencement of this Part for the recovery of possession of any premises to which this Act Continuance of existing proceedings. Inserted by 5, 1948, s. 6.

applies or for the ejectment of any lessee therefrom may be continued as if those proceedings had been commenced under this Part.

(2) Any notice to quit in respect of premises to which this Act applies which was given before the commencement of this Part pursuant to Part III. of the National Security (Landlord and Tenant) Regulations shall have the same force and effect as if given under this Part.

(3) All rules of court made pursuant to the Local Courts Act, 1926-1947, with respect to proceedings under the National Security (Landlord and Tenant) Regulations shall *mutatis mutandis* apply to proceedings under this Part.

Regulations. Inserted by 5, 1948, s. 6.

71. (1) The Governor may make regulations—

(*a*) prescribing grounds upon which notices to quit premises to which this Act applies may be given by lessors, and for that purpose may vary or delete any of the prescribed grounds set out in section 42 and may prescribe additional grounds;

(*b*) prescribing any period for which any notice to quit shall be given and for that purpose may prescribe periods different to those prescribed by section 43.

Inserted by 51, 1951, s. 32.

(2) The Governor may make regulations prescribing forms of notices to quit which may be given by any lessor in pursuance of section 42, and, without limitation of the right of a lessor to give a notice to quit in any other form, any notice to quit in a form prescribed by regulation shall be deemed to be sufficient notice of all matters referred to therein.

PART VI.

PART VI.

PROTECTED PERSONS.

Interpretation. Inserted by 9, 1949, s. 15, and substituted by 51, 1951, s. 33.

72. (1) In this Part, unless the context otherwise requires—

"discharged member of the forces" means, subject to subsection (2) of this section, a person who, having

Part VI. Section 22 of the Landlord and Tenant (Control of Rents) Act Amendment Act, 1949, provides that in any proceedings in any court which were commenced before the passing of that Act and in which the decision of the court was not announced before the passing of that Act, the provisions of that Act are to be construed as if those provisions had been enacted before the commencement of those proceedings

been a member of the forces, has been discharged from the forces for a period not exceeding five years or has ceased to be engaged on war service for a period not exceeding five years:

"member of the forces" means a member of the Defence Force engaged on war service and includes any person on active service during any such war service with the naval, military, or air forces of the United Kingdom or of any other part of the King's Dominions (other than the Commonwealth of Australia):

"pension" means a pension (other than a service pension) under the Australian Soldiers' Repatriation Act, 1920-1949, and includes a pension payable under any law of the United Kingdom or of any other part of the King's Dominions (other than the Commonwealth of Australia) providing for payment of pensions to members or former members of the naval, military, or air forces thereof:

"protected person" means, subject to subsections (2) and (3) of this section—

(*a*) a discharged member of the forces;

(*b*) a war pensioner;

(*c*) the wife of a war pensioner who is residing with her husband;

(*d*) the widow of any member of the forces who is wholly or partly dependent for her support upon a pension paid to her in consequence of the death of her husband whilst engaged on or as a result of war service:

"war pensioner" means, subject to subsection (3) of this section, a person who, having been a member of the forces and having been discharged from the forces or having ceased to be engaged on war service, is receiving a pension in respect of incapacity arising from war service of an amount of at least fifty per centum of the amount which would be payable as pension for total and permanent incapacity:

"war service" means—

(*a*) the service during any war in which His Majesty became engaged on or after the third day of September, nineteen hundred and thirty-nine but before the passing of the Landlord and Tenant (Control of Rents) Act Amendment Act, 1951, of a member of the citizen forces when called up for war service under the Defence Act, 1903-1949, or during continuous training under that Act, the Naval Defence Act, 1910-1949, or the Air Force Act, 1923-1941;

(*b*) the continuous service under any of those Acts of any person who volunteers and is accepted for such service during any such war;

(*c*) the continuous service during any such war of a person called upon to serve in the defence force in pursuance of any Act or of any regulations under an Act of the Commonwealth of Australia;

(*d*) the service during any such war of a member of the permanent forces;

(*e*) the continuous service during any such war of a person called upon to serve in the naval, military, or air forces of the United Kingdom or of any other part of the King's Dominions (other than the Commonwealth of Australia).

Inserted by 39, 1952, s. 10.

(1a) For the purposes of this Part the Korean War and any operations under a British commander for the suppression of unlawful violence in Malaya shall be deemed to be a war in which His Majesty became engaged on or after the third day of September, nineteen hundred and thirty-nine but before the passing of the Landlord and Tenant (Control of Rents) Act Amendment Act, 1951.

(2) A person shall not be deemed to be a discharged member of the forces unless that person was—

(*a*) immediately prior to his discharge;

(*b*) for a continuous period of not less than three months during the period of six months immediately prior to his discharge; or

(*c*) for a total period of not less than twelve months during his period of war service,

required, by reason of his war service, to live in premises other than premises occupied by him, or by a member of the household to which he belongs, as a home.

(3) A person shall not be deemed to be a war pensioner unless that person was—

(*a*) immediately prior to his discharge;

(*b*) for a continuous period of not less than three months during the period of six months immediately prior to his discharge; or

(*c*) for a total period of not less than twelve months during his period of war service,

required, by reason of his war service, to live in premises other than premises occupied by him, or by a member of the household to which he belongs, as a home and unless that person—

(*d*) resided within the Commonwealth at any time within three years before the commencement of his war service.

(4) Any reference in this section to any Act of the Commonwealth shall be deemed to include a reference to any amendment thereof.

Rights of protected persons as to recovery of possession of premises. Inserted by 9, 1949, s. 15.

73. (1) The provisions of Part V. of this Act relating to the termination of tenancies, the recovery of the possession of premises and the ejectment of lessees from premises, and any provisions incidental to those provisions, shall extend to all premises to which this Act applies of which a protected person is the lessee but the said provisions shall be construed subject to the provisions of this section.

(2) The provisions of paragraph (*c*) of subsection (1) of section 49 shall not apply in relation to any premises of which a protected person is the lessor, unless the lessee of the premises is a protected person.

(3) In the application of the provisions of this Act to a lessee who is a protected person, section 42 shall be read as if for paragraph (*a*) of subsection (6) there were substituted the following paragraph:—

"(*a*) that the lessee has failed to pay the rent in respect of a period of not less than twenty-eight days."

Amended by 50, 1950, s. 6 (4), by 51, 1951, s. 34 (a), (b), and by 25, 1953, s. 14 (a).

(4) Notwithstanding the provisions of Part V. of this Act, an order shall not be made for the recovery of possession of any premises from a protected person, or for the ejectment from any premises of a lessee (being a protected person) on any ground specified in paragraph (*g*), (*h*), (*i*), (*j*), (*k*), (*l*), (*l*1), (*m*) or (*n*) of subsection (6) of section 42 unless the court making the order is satisfied—

(*a*) that reasonably suitable alternative accommodation (in this section referred to as "the alternative accommodation") is, or has been whether before or after the date upon which notice to quit was given, available for the occupation of the protected person in lieu of the premises in respect of which the order is sought (in this section referred to as "the premises at present occupied"); or

(*b*) that within a period of twelve months of the bringing of the action the premises have been offered for sale to the protected person at a price approved by the principal administrative officer for the purposes of the administration of the provisions of the Prices Act, 1948, relating to land transactions or at a price which in the opinion of the court is a fair price for the premises subject to the lease of the lessee, and the protected person, without reasonable cause, has failed to accept the offer; or

(*c*) that the protected person has sublet the premises in respect of which the order is sought and is permanently residing elsewhere.

Amended by 50, 1950, s. 6 (4), by 51, 1951, s. 34 (c), (d), and by 25, 1953, s. 14 (b)

(5) Where a tenancy has been lawfully determined and any person claiming under the lessee and actually in possession of the premises or any part thereof is a protected person, an order for the ejectment of persons from those premises or for the recovery of possession of those premises shall, if the order is made on any ground specified in paragraph (*g*), (*h*), (*i*), (*j*), (*k*), (*l*), (*l*1), (*m*), or (*n*) of subsection (6) of section 42 not be enforced against the protected person unless the court is satisfied—

s. 73. (5) DALBY v. GAZZARD (1949) 78 C.L.R. 375; 23 A.L.J. 290. The words "claiming under the lessee" do not extend to persons who are merely let into possession by a lessee whose tenancy has been determined. The possession of the person claiming under the tenant must be founded on a right or title good as against him and depending on the continued existence of his tenancy.

HANKIN v. CLAYTON (1952) S.A.S.R. 6. Held that "fair price" for premises is not what would be the price of the premises if sold tenanted or what would be the price if sold with vacant possession, but what is a price fair to both lessor and lessee. Since this decision the section has been amended to provide that the price is to be a fair price subject to the lease of the lessee.

(*a*) that reasonably suitable alternative accommodation (in this section referred to as "the alternative accommodation") is, or has been whether before or after the date upon which notice to quit was given, available for the occupation of the protected person in lieu of the premises in respect of which the order is sought (in this section referred to as "the premises at present occupied"); or

(*b*) that within a period of twelve months of the bringing of the action the premises have been offered for sale to the protected person at a price approved by the principal administrative officer for the purposes of the administration of the provisions of the Prices Act, 1948, relating to land transactions or at a price which in the opinion of the court is a fair price for the premises subject to the lease of the lessee, and the protected person, without reasonable cause, has failed to accept the offer; or

(*c*) that the protected person has sublet the premises in respect of which the order is sought and is permanently residing elsewhere.

* * * * * * * * * * *

Subsec. (6) repealed by 51, 1951, s. 34 (e).

(7) The provisions of subsections (3), (4) and (5) of this section shall not apply in relation to the premises of which a protected person is the lessor.

Amended by 51, 1951, s. 34 (f), (g).

Letting of vacant houses to protected persons.

Inserted by 9, 1949, s. 15.

74. (1) A protected person may, if he thinks fit, apply in writing to a local court for a warrant authorizing and requiring the delivery of possession to the applicant of any dwelling-house which is unoccupied or about to become unoccupied.

(2) An application under subsection (1) may be made by the protected person personally or by some person authorized by him in writing to act as his agent for the purposes of this section.

(3) A copy of an application under subsection (1), together with a notice of hearing, shall be served on—

(*a*) the owner of the dwelling-house; or

(*b*) any person who ordinarily acts as an agent in relation to the dwelling-house or to whom the rent of the dwelling-house is ordinarily paid,

either personally or by registered letter sent to the place of business or abode of the owner or person.

Subsec. (4) repealed by 51, 1951, s. 35.

* * * * * * * * * * *

Inserted by 63, 1949, s. 3.

(5) Where the owner of a dwelling-house or his agent has advertised the proposed sale by auction of the dwelling-house no person shall make an application under this section in respect of that dwelling-house until the expiration of three months after the day on which the advertisement is first published; and an application made in contravention of this subsection shall not be heard or determined by the court.

Inserted by 63, 1949, s. 3.

(6) In this section and the subsequent sections of this Part, the term "dwelling-house" includes any building which has been constructed or adapted for use as a place of habitation and whether or not the building is so used at the time an application is made under this section in respect thereof.

When dwelling-house deemed to be unoccupied. Inserted by 9, 1949, s. 15.

75. For the purposes of section 74—

Para. (a) amended by 39, 1952, s. 11 (a), (b).

(*a*) a dwelling-house shall be deemed to be unoccupied notwithstanding that the owner has, after a copy of an application under subsection (1) of that section has been served as provided by subsection (3) of that section, permitted a person to enter into occupation of the dwelling-house and, in any such case, the court may grant the application notwithstanding that the person in occupation of the dwelling-house is not before the court on the hearing of the application;

Amended by 39, 1952, s. 11 (c), (d).

(*b*) a dwelling-house shall be deemed to be unoccupied notwithstanding that the owner has, after a copy of an application under subsection (1) of that section has been served as provided by subsection (3) of that section, entered into occupation of the dwelling-house;

(*c*) a dwelling-house shall not be deemed to be occupied by reason only of the fact that it is furnished;

Inserted by 63, 1949, s. 4.

(*d*) a dwelling-house shall not be deemed to be occupied by reason only of the fact that it is used as a warehouse, store, office, shop, factory, or other business premises, unless the whole or a substantial part of it was so used at the passing of the Landlord and Tenant (Control of Rents) Act

Amendment Act (No. 2), 1949, and was so used continuously from that time until the day on which the application was made;

(*e*) a dwelling-house may be deemed by the court to be unoccupied if it is occupied irregularly and the court is satisfied that the dwelling-house is not used as the permanent and sole dwelling-house of the occupant and that another dwelling-house is occupied as the principal dwelling-house of the occupant;

(*f*) a dwelling-house shall be deemed to be about to become unoccupied if the court is satisfied that the occupant of the dwelling-house, at the time of the service of the notice of application, is about to vacate the dwelling-house, notwithstanding any arrangement (other than an arrangement for the occupation of the dwelling-house by a protected person or by a person such as is referred to in subsection (5) of section 76) entered into, whether before or after the service of the notice, in respect of the occupation of the premises after the then existing occupancy ceases.

Hearing of application. Inserted by 9, 1949, s. 15, and amended by 63, 1949, s. 5.

76. (1) Upon the hearing of an application under section 74 the court shall take into consideration, in addition to all other relevant matters—

(*a*) any hardship which would be caused to the owner or to any other person by the granting of the application;

(*b*) any hardship which would be caused to the applicant or to any other person by the refusal to grant the application; and

(*c*) the character of the applicant and his suitability as a tenant of the premises,

and, unless the court is satisfied that there is reasonable cause why the application should not be granted, the court shall grant the application.

(2) An averment in the application under section 74 that a dwelling-house is unoccupied shall be *prima facie* evidence of the fact so averred.

(3) If the dwelling-house is about to become unoccupied, the court may postpone the execution of the warrant until such time as it thinks fit.

(4) The fact that the dwelling-house is ordinarily leased for holiday purposes only shall not be a ground for refusing to grant the application.

(5) An application shall not be granted under this section—

(*a*) if the owner of the dwelling-house reasonably needs the dwelling-house for his own occupation or for the occupation of some married member of his family or of some married person who resides with him or is wholly or partly dependent on him for his support;

(*b*) if the dwelling-house was erected or acquired for the accommodation of a particular person or class of persons and the dwelling-house is reasonably needed for the occupation of that person or a person of that class;

(*c*) if the dwelling-house has not previously been occupied and is reasonably needed for the occupation of the owner of the dwelling-house;

(*d*) if the dwelling-house is a newly erected dwelling-house which—

(i) was erected by the owner for the purposes of occupation by him or for the purposes of sale; and

(ii) has not been unoccupied for a period exceeding two months; or

(*e*) if the owner of the dwelling-house has agreed to let the dwelling-house to a protected person and the agreement provides that the protected person shall take possession of the dwelling-house forthwith if unoccupied or forthwith upon it becoming unoccupied.

(6) The court shall specify in the warrant the person or persons by whom it may be executed.

Provisions where several applications made in respect of same dwelling-house.
Inserted by 9, 1949, s. 15.

77. (1) Where more than one application is made under section 74 in respect of the same dwelling-house, the person on whom the applications were served shall forthwith notify each other applicant of the other application or applications, together with the name and address of the other applicant or applicants, and the court shall hear and determine all the applications at the same time and for that purpose may adjourn the hearing of any application or applications.

(2) Where two or more applications are heard at the same time, the court shall take into consideration the degree of hardship which would be caused to each applicant or to any other person by the refusal to grant the application and, where the degree of hardship is the same in the case of two or more applicants or other persons, may in addition to the other matters referred to in section 76, take into consideration the priority of service of the applications under section 74 of this Act.

Enforcement of warrants. Inserted by 9, 1949, s. 15.

78. A warrant granted by a court under section 76 of this Act may be enforced in the same manner as a warrant of possession granted by that court may be enforced.

Rent of dwelling-house. Inserted by 9, 1949, s. 15.

79. (1) Upon delivery of possession of a dwelling-house to a protected person under a warrant granted under section 76 the protected person shall be deemed to be a tenant of the owner of the dwelling-house.

(2) The rent to be paid for any dwelling-house of which possession has been so obtained shall be—

(*a*) where the rent is, as at the commencement of the tenancy, fixed or determined by or under this Act—that rent or such rent (not exceeding the rent so fixed or determined) as is agreed upon between the owner and the tenant; or

(*b*) in any other case—such rent as is agreed upon between the owner and the tenant or, in default of agreement, as is determined by the trust pursuant to Part III.,

but nothing in this subsection shall be deemed to prevent the subsequent alteration, subject to this Act, of any rent so agreed upon or fixed.

Meaning of "owner." Inserted by 9, 1949, s. 15.

80. For the purposes of sections 74 to 79 (inclusive) the expression "owner", in relation to the dwelling-house which is the subject of a lease or sublease, means—

(*a*) where the dwelling-house is unoccupied—the lessee or sublessee immediately entitled to possession of the dwelling-house; and

(*b*) where the dwelling-house is about to become unoccupied—the person immediately entitled to possession of the dwelling-house upon its becoming unoccupied.

Application of Part. Inserted by 9, 1949, s. 15, and amended by 50, 1950, s. 12.

81. (1) Any person (in this section referred to as "the claimant") who desires to do, or to continue or complete the doing of, any act against any person (in this section referred to as "the respondent") in respect of the possession of any premises may, if the respondent is resident in Australia and is not, to the knowledge of the claimant, a protected person, serve on the respondent, in the manner provided by this section, a notice in the prescribed form requiring the respondent to inform the claimant, within fourteen days after the receipt of the notice, whether or not the respondent is a protected person within the meaning of this Part and the grounds upon which the respondent claims to be a protected person within the meaning of this Part.

(2) A notice under subsection (1) shall be served personally or by registered letter sent to the respondent's last place of abode known to the claimant.

(3) If, within the period specified in subsection (1) of this section, a statutory declaration by the respondent or by some person having knowledge of the facts stating that the respondent is a protected person within the meaning of this Part and stating the grounds upon which the respondent claims to be a protected person within the meaning of this Part is not furnished to the claimant, then notwithstanding that the respondent is, or at any subsequent time becomes, a protected person within the meaning of this Part, this Part shall not apply in respect of the doing, or in respect of the continuance or completion of the doing, of an act of the kind referred to in subsection (1) of this section, provided the claimant commences to do, or to continue or complete the doing of, the act within three weeks after the expiration of the period specified in that subsection.

(4) For the purposes of subsection (3) where the doing of any act is dependent on the completion of any preliminary act, the commencement of the doing or the continuance or completion of the doing, of the preliminary act shall be deemed to be the commencement of the doing of the first-mentioned act.

(5) If the claimant produces evidence (supported by statutory declaration) to the satisfaction of an officer thereto authorized in writing by the Attorney-General that the respondent—

(*a*) has abandoned the property in respect of which the claimant desires to do, or to continue or complete the doing of, any act; or

(*b*) cannot be found and that the claimant has made reasonable efforts to ascertain his whereabouts, and that the claimant is not aware that the respondent is a protected person,

the officer may issue to the claimant a certificate to that effect and thereupon this Part shall not apply in respect of the doing, or in respect of the continuance or completion of the doing, of the act by the claimant.

(6) A certificate purporting to be issued in pursuance of subsection (5) shall, in the absence of proof to the contrary, be deemed to have been duly issued.

Exemptions from application of Part. Inserted by 9, 1949, s. 15.

82. Nothing in this Part shall apply to any dwelling-house in respect of which a certificate of exemption under section 67 or section 68 is in force.

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Part VII., inserted by 9, 1949, s. 17 and repealed by 25, 1953, s. 15 (1).

PART VIII.

MISCELLANEOUS.

Penalty for demanding rent in excess of that fixed. Amended by 51, 1951, s. 36.

96. (1) Any person who, whether as principal or agent or in any other capacity, in any rent book or similar document, without reasonable excuse, makes any entry showing or purporting to show any lessee as being in arrear in respect of any sum which by virtue of this Act is irrecoverable, shall be guilty of an offence and liable to a penalty not exceeding fifty pounds.

(2) Any person who, whether as principal or agent or in any other capacity, without reasonable excuse, demands or, without reasonable excuse, receives as rent in respect of any premises to which this Act applies any sum which by virtue of this Act is irrecoverable, shall be guilty of an offence and liable to a penalty not exceeding fifty pounds.

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s. 96. DAVIES v. O'SULLIVAN (No. 2) (1949) S.A.S.R. 208, affirming DAVIES v. O'SULLIVAN (1948) S.A.S.R. 297. Meaning of the word "wilfully" as used in subsection (2) discussed. Since this decision the section has been amended by the substitution of the words "without reasonable excuse" for the word "wilfully."

WEBB v. RADCLIFFE (1955) S.A.S.R. 184. Where the rent of a house was fixed by the South Australian Housing Trust and the owner subsequently converted the house into two flats (which were not entirely self-contained and required the use in common of the laundry, lavatory and bathroom) and let both to the same tenant at a rent in excess of that fixed, held that he had committed an offence against section 96 (2).

(3) Any person who is knowingly a party to any contract or arrangement under which any sum is paid or agreed to be paid to that person as rent for any premises to which this Act applies shall, if that sum is, by virtue of this Act, irrecoverable, be guilty of an offence and liable to a penalty not exceeding fifty pounds.

Duty to give receipt for rent.
Inserted by 9, 1949, s. 19.

97. (1) Any person who, whether as principal or agent, receives any payment of rent of any premises to which this Act applies shall, at the time of receiving the payment or within twenty-four hours of the making of the payment, give or cause to be given to the person making the payment a receipt (whether by way of an entry in a rent book or by a separate document) for the payment specifying the amount paid, the period in respect of which the payment is made, and the premises in respect of which the payment is made.

(2) Any person who commits any contravention of this section shall be guilty of an offence and liable to a penalty not exceeding twenty pounds.

(3) If pursuant to any arrangement made between the person paying the rent and the person to whom it is payable, any rent payable as mentioned in subsection (1) is paid into a bank to the credit of the person to whom it is payable (whether as principal or agent), the provisions of subsection (1) shall not apply in respect of that payment or rent.

Record of rents.
Amended by 51, 1951, s. 37.

98. (1) Any lessor of any premises to which this Act applies who fails, by himself or his agent, to keep or cause to be kept, a record showing the rent received in respect of those premises shall be guilty of an offence and liable to a penalty not exceeding twenty pounds.

(2) Any lessor of any premises to which this Act applies or any agent of any such lessor who, without reasonable excuse, makes or, without reasonable excuse, allows to be retained, in any record showing the rent of those premises, any false entry in a material particular shall be guilty of an offence and liable to a penalty not exceeding fifty pounds.

Penalty for threats and boycotts.

99. (1) Any person who, by any threat, endeavours to dissuade or prevent a lessor or lessee from making or prosecuting any application to the trust or appeal to the

s. 99. WRIGHT v. CURNOW (1947) S.A.S.R. 225. Held that an assignment of a lease was not an act or thing done for the purpose of imposing a detriment or disadvantage on a landlord within the meaning of a provision of the National Security (Landlord and Tenant) Regulations corresponding with subsection (3) of section 99.

local court under this Act, shall be guilty of an offence and liable to a penalty not exceeding fifty pounds.

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Subsec. (2) repealed by 51, 1951, s. 38.

(3) Any person who does or procures to be done, any act or thing for the purpose of imposing any detriment or disadvantage upon a lessor or lessee because the lessor or lessee has made an application to the trust under this Act or has prosecuted an appeal to a local court under this Act, shall be guilty of an offence and liable to a penalty not exceeding fifty pounds.

Provisions relating to purchase of furniture, etc.

Amended by 50, 1950, s. 13.

100. (1) Any person who, whether as principal or agent or in any other capacity—

(*a*) requires, gives or receives, or offers, promises or agrees to give or receive, any bonus, premium or sum of money other than rent in consideration of, or in association with—

(i) the grant, acceptance, assignment, or transfer of any lease; or

(ii) the renewal or extension of a lease or the continuance of a letting; or

(iii) any agreement for a lease or for the renewal, extension, assignment, or transfer of a lease; or

(iv) his consenting to a sublease,

of any premises to which this Act applies; or

(*b*) makes it a condition of the granting of any lease of any premises to which this Act applies, that the lessee shall purchase any furniture or other goods; or

(*c*) pays, gives, or recovers, or attempts to pay, give, or recover any consideration for obtaining or making available a key of any premises to which this Act applies,

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

s. 100. WRIGHT v. CURNOW (1947) S.A.S.R. 225. Held that an assignment was not a "sub-lease" within the meaning of subsection (1).

BISCHOF v. TROTTER (1948) 76 C.L.R. 520. The provisions of section 100 (1) (*a*) (i.) apply not only to a transaction which is completed by the grant of a lease, but also to a proposed transaction or one not so completed.

Inserted by 25, 1953. s. 16.

(1*a*) This section shall not apply with respect to any sum of money which is required, given or received or offered, promised or agreed to be given or received on the sale of any goods comprising the stock in trade of any business and which is substantially equal to the fair value of those goods.

(2) Any amount paid in contravention of this section may, at any time within six months after the date of payment, be recovered by the person who paid it from the person to whom it was paid, or if the person to whom it was paid is the lessor of the premises and the person by whom it was paid is the lessee of the premises may, without prejudice to any other method of recovery, be deducted by the lessee from any rent payable within such six months by him to such lessor.

Inserted by 51, 1951, s. 39.

(3) A complaint in respect of any offence against this section shall be made within twelve months from the time when the matter of complaint arose.

Refusal to let premises to applicant with family.

Amended by 38, 1946, s. 6.

101. (1) Any person who refuses or causes any person to refuse to let any dwelling-house to any person on the ground that it is intended that a child shall live in the dwelling-house shall be guilty of an offence and liable to a penalty not exceeding fifty pounds.

(2) Any person who states his intention, whether by advertisement or otherwise, not to let any dwelling-house to any person if it is intended that a child shall live in the dwelling-house shall be guilty of an offence and liable to a penalty not exceeding fifty pounds.

(3) In any proceedings for an offence against this section, where it is proved that a person has refused, or caused any person to refuse, to let any dwelling-house to any person, it shall lie upon the first-mentioned person to prove that the refusal was for some reason other than that it was intended that a child should live in the dwelling-house.

Inserted by 38, 1946, s. 6 (g), and amended by 51, 1951, s. 40.

(4) Notwithstanding the definition of "dwelling-house" in section (4), in this section "dwelling-house" means any premises which are constructed or adapted for use for the purpose of residence.

Persons not to interfere with use or enjoyment of premises.

Inserted by 5, 1948, s. 7.

102. (1) Any person who, without the consent of the lessee of premises to which this Act applies, or without reasonable cause (proof whereof shall lie upon the defendant), does, or causes to be done, any act, or omits, or causes to be omitted, any act whereby the ordinary use or enjoyment by the lessee of the premises or of any furniture or other goods leased

therewith, or of any conveniences usually available to the lessee, or of any service supplied to or provided in connection with the premises is interfered with or restricted, shall be guilty of an offence and liable to a penalty not exceeding fifty pounds.

(2) Where the lessor, or any agent or servant of the lessor, has been convicted of an offence arising under subsection (1), the court may order the lessor to do such things as are necessary to enable the lessee to resume the ordinary use or enjoyment of the premises, furniture, goods, conveniences, or service, and the lessor shall comply with the provisions of the order. Any lessor against whom an order is made as aforesaid who fails or neglects to comply with the order shall be guilty of an offence and liable to a penalty not exceeding fifty pounds.

Amended by 51, 1951, s. 41.

(3) For the purpose of this section, conveniences shall be deemed to be usually available to the lessee where, prior to the use of the conveniences having been interfered with or restricted without his consent, he has been allowed, at all times during the tenancy to use those conveniences as he desired or he has been allowed to use those conveniences at times agreed to by the lessor and lessee or at times equivalent to those times.

(4) In this section the term "premises to which this Act applies", in addition to having the meaning ascribed to it by section 5, includes any caravan (within the meaning of Part IV.) the maximum rent (within the meaning of Part IV.) of which is fixed pursuant to Part IV. and any land with respect to which the maximum rent (within the meaning of Part IV.) is fixed pursuant to Part IV.

For the purposes of this section the hirer of any such caravan shall be deemed to be the lessee thereof and the owner of any such caravan or of any such land shall be deemed to be the lessor thereof respectively and the letting (within the meaning of Part IV.) of any such caravan and any arrangement with respect to land such as is referred to in the definition of "rent" with respect to land in section 28 shall be deemed to be a tenancy.

103. (1) No person shall levy or make any distress for rent of a dwelling-house.

Suspension of right to distrain for rent.

Inserted by 5, 1948, s. 7.

(2) Any person who commits any contravention of subsection (1) shall, without limitation of any other liability occasioned thereby, be guilty of an offence and liable to a penalty not exceeding fifty pounds.

Provision for payment of rent on sale of premises.
Inserted by 20, 1955, s. 8.

103a. If the lessor under any lease of any premises to which this Act applies—

(*a*) transfers, conveys or assigns his interest as lessor to any other person; and

(*b*) notice of the transfer, conveyance or assignment and of the name and address of such other person is not given to the lessee,

any payment of rent or tender of payment of rent under the lease by the lessee to the lessor by whom the transfer, conveyance or assignment is made or to a person to whom the rent has been previously customarily paid shall be deemed to be a valid payment or tender of payment, as the case may be, of that rent.

Notice of rent, etc., to be displayed in certain cases.

104. (1) If the rent of any part of a dwelling-house which is separately leased is fixed under this Act, the trust may from time to time give notice in writing to the lessor directing that during such time as is stated in the notice, the amount of the rent so fixed shall be shown on a notice or placard kept displayed in the said part of the dwelling-house.

(2) If any lessor to whom notice is given as aforesaid wilfully fails to comply with any such direction he shall be guilty of an offence and liable to a penalty not exceeding ten pounds.

Powers of entry and inspection.
Amended by 51, 1951, s. 42 and by 25, 1953, s. 17.

105. (1) For the purposes of this Act, any member of the trust or any officer or inspector of the trust authorized in writing for the purpose by the trust—

(*a*) may enter into and upon any premises to which this Act applies (which or any part of which is leased) at any reasonable time for the purpose of examining the premises;

(*b*) may require any person being the lessor or lessee or a former lessor or lessee of any premises to which this Act applies or being the agent of any such

s. 105. PELHAM v. HARRIS (1944) S.A.S.R. 224. Held, (1) that the telephone may be used by an officer of the South Australian Housing Trust for the purpose of requiring answers to questions; (2) that the requirements of section 105 that an officer must be authorized in writing is descriptive of the person qualified to ask the questions, and that there was no obligation to produce the written authority to the person questioned; (3) that the person questioned had been "required" to answer notwithstanding that the questions were put in a precatory way and not an informative form. An offence under section 105 is complete if it is established that (*a*) an answer to a question such as prescribed by the section has been required by an authorized person of a person of one of the classes specified therein as liable to be questioned; and (*b*) that person has refused to answer the question.

lessor or lessee, to answer any question relating to any lease thereof, or to the accommodation provided under any such lease, or to the rent payable under or any conditions of any such lease, or to the rent payable in respect of the premises at the first day of August, nineteen hundred and forty-two, or at any other date, or as to use of the premises for the purpose of accommodating lodgers and the amounts paid for such use;

(*c*) may require any person being the lessor or lessee or a former lessor or lessee of any premises to which this Act applies or being the agent of any of such lessor or lessee, to produce any rent book, receipt, or other document in his possession or power for the purpose of ascertaining the rent paid under any lease thereof or the rent payable in respect of the premises at the first day of August, nineteen hundred and forty-two, or at any other date, and may examine and make copies of any such rent book, receipt, or document.

(2) Any person who—

(*a*) refuses admission to any premises to which this Act applies to any member of the trust or any officer or inspector of the trust authorized as aforesaid or who obstructs or hinders any such member, officer, or inspector; or

(*b*) refuses to answer any question put by any such member, officer, or inspector as provided by paragraph (*b*) of subsection (1) hereof or who wilfully gives any false answer to any such question; or

(*c*) refuses or omits to produce any rent book, receipt, or document in his possession or power when required by any such member, officer, or inspector so to do as provided by paragraph (*c*) of subsection (1) hereof,

shall be guilty of an offence and liable to a penalty not exceeding twenty pounds.

Penalty for refusing to disclose name of lessor.

106. If the occupier of any premises to which this Act applies when requested by any member of the trust or any officer or inspector of the trust authorized in writing for the purpose by the trust, to state the name of the lessor of the premises, refuses or wilfully omits to disclose or wilfully

mis-states the same, he shall be guilty of an offence and liable to a penalty not exceeding twenty pounds.

Contract to avoid Act.

107. (1) Any contract or arrangement, whether oral or in writing, the purpose or effect of which is either directly or indirectly to defeat, evade, or prevent the operation of this Act, shall be null and void.

Inserted by 39, 1952, s. 12.

(2) If pursuant to any agreement, licence or arrangement of any kind whatsoever (not being a lease and whether oral or in writing and whether made before or after the passing of the Landlord and Tenant (Control of Rents) Act Amendment Act, 1952) any person in consideration of a payment or payments made or to be made to any other person is entitled or authorized to occupy any premises or any part of any premises for the purpose of residence, then, for the purposes of this Act, that agreement, licence or arrangement shall be deemed to be a lease of the premises or part thereof, the person to whom the payment or payments are made or are to be made shall be deemed to be the lessor of the premises or part thereof, the person by whom the payment or payments are made or are to be made shall be deemed to be the lessee of the premises or part thereof, and any such payment shall be deemed to be rent paid or payable in respect of the premises or part thereof:

Provided that if any such agreement, licence, or arrangement was made before the seventeenth day of September, nineteen hundred and fifty-two, the only provisions of this Act which shall apply with respect to that agreement, licence, or arrangement shall be the provisions of this Act relating to the control of rents.

Power of court to make order for inspection of leased premises.

Inserted by 50, 1950, s. 14.

108. (1) The lessor of any premises to which this Act applies may by summons make application to a local court for an order under this section. Notwithstanding that no other proceedings have been instituted or are pending, any such summons shall be issued in the same form and manner as an interlocutory summons and, subject to any direction of the court, the proceedure with respect to such a summons shall *mutatis mutandis,* be followed.

(2) If upon the hearing of any such application the local court is of opinion—

(*a*) that the lessee of the premises or any person acting on his behalf has, without reasonable cause, refused to permit the lessor or any agent of the lessor or any person acting under the authority of the lessor to enter and inspect the premises;

(*b*) that the purpose of the proposed entry and inspection is reasonable;

(*c*) that, if the lease of the premises is in writing, such an order would not be contrary to the provisions of the lease,

the court may make an order under this section.

(3) If upon the hearing of any such application the local court is of opinion—

(*a*) that the lessee of the premises or any person acting on his behalf has, without reasonable cause, refused to permit the lessor or any person acting under the authority of the lessor to enter the premises and to carry out therein any repairs, renovations or decoration work;

(*b*) that the carrying out of the repairs, renovations or decoration work is reasonably necessary;

(*c*) that, if the lease of the premises is in writing, such an order would not be contrary to the provisions of the lease,

the court may make an order under this section.

(4) Every such order made in pursuance of subsection (2) shall provide—

(*a*) that the persons named in the order or that persons of the class named therein, or both, shall have the right to enter and inspect the premises during such hours as are specified in the order;

(*b*) that the right so given shall be exercised only during the period specified in the order,

and the order may also contain such conditions as to exercise of the rights thereby given as the court thinks proper.

If thought proper by the court, any such order may provide that the lessor or any person acting on his behalf may place upon the premises a notice stating that the premises are for sale and particulars relating to the sale.

(5) Every such order made in pursuance of subsection (3) shall provide—

(*a*) that the persons referred to in the order shall have the right to enter the premises during such hours as are specified in the order and that the said persons may carry out such repairs, renovations or decoration work as is specified in the order;

(*b*) that the right so given shall be exercised only during the period specified in the order,

and the order may also contain such conditions as to the exercise of the rights thereby given as the court thinks proper.

(6) If the lessee of the premises, without reasonable cause, fails to comply with the order that failure shall be deemed to be a failure to observe a condition of the lease of the premises.

Amended by 51, 1951, s. 43.

(7) Any proceedings under this section shall be conducted in such manner as the court from time to time thinks fit and in any such proceedings the court shall not be bound by the rules of evidence and may inform itself in such manner as it thinks fit. The costs of any such proceedings shall be in the discretion of the court.

(8) The power given by section 117 to make rules of court shall include power to make rules of court regulating the making and hearing of applications under this section and generally regulating proceedings under this section.

Right of lessor to inspect premises. Inserted by 51, 1951, s. 44.

109. (1) The lessor of any premises to which this Act applies may give at least forty-eight hours' notice to the lessee of the premises that it is the intention of the lessor to inspect the premises on a day specified in the notice and during such period as is specified in the notice being not more than one hour in the daytime between the hours of nine o'clock in the morning and six o'clock in the afternoon. After the expiration of forty-eight hours after the giving of the notice aforesaid the lessor may enter and inspect the premises on the day and during the period specified in the notice.

(2) The power given by subsection (1) may be exercised from time to time but, if any such inspection is made, this section shall not be deemed to authorize a further inspection until the expiration of six months from the time of the last preceding inspection.

(3) If the lessee to whom notice is given as aforesaid, without reasonable excuse, refuses to permit the lessor to enter or inspect the premises as required by this section or hinders the lessor during any such inspection, he shall be deemed to have failed to observe a condition of the lease of the premises.

(4) Nothing in this section shall limit the power of a local court to make an order under section 108 or diminish

any right of the lessor to enter the premises under any term or condition of the lease of the premises.

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Section 109a, inserted by 25 1953, s. 18, and repealed by 41, 1954, s. 10.

Service of notices.

110. (1) Any notice required by this Act to be given to or served upon any person may be given or served—

(*a*) by delivering the same to such person; or

(*b*) by leaving the same at his usual or last known place of abode or business with some person thereat who is apparently over the age of fourteen years; or

(*c*) by sending the same by post to such person at his usual or last known place of abode or business.

(2) Any notice required by this Act to be given to or served upon any person may, if the person is a company or body corporate or the trust, be given or served—

(*a*) by delivering the same to the manager or secretary thereof; or

(*b*) by leaving the same at the office or place of business thereof with some person thereat who is apparently over the age of fourteen years; or

(*c*) by sending the same by post to the company or body corporate or the trust at its office or place of business.

(3) Where any notice by the trust is required by this Act to be given to or served upon a person whose address is unknown to the trust, it may be given or served by publishing it or a notice substantially to the same effect once in the *Gazette* and once in a daily newspaper circulating generally in South Australia.

Notice to lessor or lessee.

111. (1) Any notice required by this Act to be given to or served upon a lessor under the lease of any premises to which this Act applies shall be deemed to have been duly given or served if it is given to or served upon the person to whom the rent payable under the lease is customarily paid by or on behalf of the lessee.

(2) Any notice required by this Act to be given to or served upon a lessee under the lease of any premises to which this Act applies shall be deemed to have been duly given or served if it is given to or served upon the person by whom

the rent payable under the lease is customarily paid on behalf of the lessee.

(3) If two or more persons are lessors under any lease of any premises to which this Act applies, it shall be a sufficient compliance with any provision of this Act requiring any notice to be given to or served upon such lessors, if such notice is given to or served upon any one of such lessors.

(4) If two or more persons are lessees under any lease of any premises to which this Act applies, it shall be a sufficient compliance with any provision of this Act requiring any notice to be given to or served upon such lessees, if such notice is given to or served upon any one of such lessees.

Continued operation of notice.

112. Any notice required by this Act to be given to or served upon any lessor or lessee shall, if the same has once been duly given to or served upon such lessor or lessee, be binding on all persons claiming by, from, or under such lessor or lessee and all subsequent lessors or lessees to the same extent as if given to or served upon such person claiming as aforesaid or subsequent lessors or lessees respectively.

Supply of particulars as to rent of premises.

113. Upon application in writing describing any premises, and upon payment of a fee of one shilling, the trust shall give or send by post to the person so applying a statement in writing as to whether any determination or order fixing the rent of the premises is in force and the amount and other particulars of such rent.

Exercise of powers by trust.

114. Notwithstanding the provisions of the South Australian Housing Trust Act, 1936-1940, any of the powers conferred by this Act upon the trust may be exercised by any three members of the trust if one of those members is the chairman or a deputy chairman of the trust.

Effect on guarantee of fixing rent.

115. If the payment of the rent of any premises to which this Act applies is guaranteed and subsequently to the giving of the guarantee, the rent of the premises is fixed under this Act, then, if the rent so fixed is less than the amount so guaranteed, the guarantee shall be construed as if the amount guaranteed to be paid was the amount fixed as the rent under this Act; but in any other case the fixing of the rent under this Act shall not affect the guarantee.

Regulations.

116. The Governor may make regulations providing for the execution of any matter or thing arising under and consistent with this Act and not expressly provided for in this Act, and

for more fully carrying out the objects and purposes of this Act, and for guarding against evasions and violations of this Act.

Rules of Court. Amended by 5, 1948, s.8.

117. The powers conferred by section 28 of the Local Courts Act, 1926-1936, shall include power to frame rules for carrying into effect or supplementing the provisions of this Act relating to appeals to local courts and for regulating the procedure to be followed in proceedings under Part V. of this Act and otherwise for carrying the said Part into effect.

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Section repealed by 9, 1949, s. 10.

Facilitation of proof.

119. (1) In any prosecution or other legal proceedings under this Act no proof shall be required—

(*a*) of the persons constituting or the proper constitution of or the extent of the jurisdiction of the trust;

(*b*) of any authority to prosecute;

(*c*) of the particular or general appointment of any officer or inspector of the trust,

unless evidence is given to the contrary.

(2) If any determination is made by the trust fixing the rent of any premises and notice thereof is published in the *Gazette* all notices required to be given and all other matters required to be done before the making of the determination shall, unless the contrary is shown, be deemed to have been given or done.

Inserted by 50, 1950, s. 15.

(3) In any prosecution under this Act the allegation in the complaint that a specified place is situated within any specified part of the State shall be *prima facie* evidence of the fact so alleged.

Inserted by 25, 1953, s. 19.

(4) If in any prosecution under this Act or in any proceedings to recover possession of any premises from the lessee or for the ejectment of the lessee therefrom (whether the proceedings are taken under this Act or otherwise), proof is given that the premises or a substantial part of the premises is leased for the purpose of residence, the premises shall be presumed to be premises to which this Act Act applies and this Act shall be presumed to apply to the lease thereof unless sufficient evidence is given to the contrary.

Premises used for purpose of residence.

120. If any premises to which any lease relates are used for the purpose of residence, then for the purposes of this Act, the premises shall, unless the contrary is shown, be deemed to have been let for the purposes of residence.

Documents of trust.
Amended by 38, 1946, s.7.

121. (1) All documents purporting to be issued or written by or under the direction of the trust and to be signed by the chairman, deputy chairman, secretary, assistant secretary or acting secretary of the trust shall be received as evidence in all courts of law, and shall be deemed to be issued or written by or under the direction of the trust without further proof, unless the contrary is shown.

(2) All courts shall take judicial notice of the signature of the chairman, deputy chairman, secretary, assistant secretary or acting secretary of the trust where such signature is attached for the purpose of verifying any document whatsoever under this Act.

Summary proceedings for offences.

122. All proceedings for offences against this Act shall be disposed of summarily.

Duration of Act.
Inserted by 38, 1946, s. 8, (1), and amended by 30, 1947, s. 4, by 5, 1948, s. 9, by 9, 1949, s. 21, by 50, 1950, s. 16, by 51, 1951, s. 45, by 39, 1952, s. 13, by 25, 1953, s. 20, by 41, 1954, s. 11, and by 20, 1955, s. 9.

123. This Act shall continue in operation until the thirty-first day of December, nineteen hundred and fifty-six, but the expiration of this Act shall not render recoverable any rent which during the continuance of this Act was irrecoverable nor affect the right of any lessee to recover any sum which during the continuance of this Act was under this Act recoverable by him.

TABLES OF ACTS OF THE PARLIAMENT OF SOUTH AUSTRALIA.

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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

Title of Act.	Year.	Number.
Railway Acts—*continued.*		
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
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

Title of Act.	Year.	Number.
Railway Acts—*continued.*		
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
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

Title of Act.	Year.	Number.
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
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
Supply Act (No. 1), 1955	1955	1
Supply Act (No. 2), 1955	1955	5
Supply Act (No. 3), 1955	1955	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
The Young Women's Christian Association of Port Pirie Incorporated (Port Pirie Parklands) Act, 1955	1955	19

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 1955 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	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
Draught Stallions Act, 1932	Draught Stallions Act Repeal Act, 1955
Draught Stallions Act Amendment Act, 1933	Draught Stallions Act Repeal Act, 1955
Employers' Liability Act, 1934	Wrongs Act Amendment Act, 1944
Fertilizers Act, 1918	Agricultural Chemicals Act, 1955
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

Title of Act Repealed.	Title of Repealing Act.
Kowulka Railway Act, 1922	Kowulka Branch Railway Act, 1948
Land Agents Act, 1925	Land Agents Act, 1955
Land Agents Act, 1927	Land Agents Act, 1955
Land Agents Act Amendment Act, 1933	Land Agents Act, 1955
Land Agents Act Amendment Act, 1950	Land Agents Act, 1955
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
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
Pest Destroyers Act, 1919	Agricultural Chemicals Act, 1955
Pest Destroyers Act, 1934	Agricultural Chemicals Act, 1955
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 Officers Salaries Act, 1953	Statutes Amendment (Public Salaries) Act, 1955
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

Title of Act Repealed.	Title of Repealing Act.
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
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, 1954 Appeal Cases, 90 Commonwealth Law Reports, 1955 South Australian State Reports, and 25 South Australian Industrial 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

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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, and amended by No. 3, s. 2, 1955, p. 6 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

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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, by No. 7, s. 3, 1951, p. 12, and by No. 3, s. 3, 1955, p. 6 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.

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Births and Deaths Registration Act, 1936 (Vol. 1, p. 345)—*continued.*	Fifteenth schedule. Enacted by No. 44, s. 21, 1947, p. 118
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, and by No. 45, s. 2, 1955, p. 141 s. 14. Amended by No. 45, s. 3, 1955, p. 141 s. 18. Amended by No. 23, s. 3, 1948, p. 112, and by No. 45, s. 4, 1955, p. 142 s. 27. Amended by No. 23, s. 4, 1948, p. 113 s. 28. Substituted by No. 45, s. 5(1), 1955, p. 142 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. 68. Amended by No. 45, s. 6, 1955, p. 142 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 *Ross Chenoweth Ltd. v. Hayes* (1955) S.A.S.R. 66 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, and *Gazette* 29th September, 1955, p. 715

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Building Act, 1923-1940 (1940, p. 353) —*continued.*	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
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 the 1954 volume, p. 241. *See also* the following paragraph.
Bush Fires Act, 1933-1952 (1954, p. 241)	s. 4. Amended by No. 58, ss. 2, 16, 1955, pp. 206, 215 s. 5. Amended by No. 58, ss. 3, 16, 1955, pp. 207, 215 s. 5c. Enacted by No. 58, s. 4, 1955, p. 207 s. 5d. Enacted by No. 58, s. 4, 1955, p. 207 s. 7. Amended by No. 58, ss. 5, 16, 1955, pp. 208, 215 s. 8. Amended by No. 58, ss. 6, 16, 1955, pp. 208, 215 s. 9. Amended by No. 58, s. 16, 1955, p. 215 s. 11. Amended by No. 58, s. 7, 1955, p. 208 s. 12. Amended by No. 58, ss. 8, 16, 1955, pp. 209, 215 s. 12a. Amended by No. 58, s. 16, 1955, p. 215 s. 13. Amended by No. 58, s. 16, 1955, p. 215 s. 13a. Substituted by No. 58, s. 9, 1955, p. 209 s. 14. Amended by No. 58, s. 16, 1955, p. 215 s. 15. Amended by No. 58, s. 16, 1955, p. 215 s. 15a. Amended by No. 58, s. 16, 1955, p. 215 s. 15b. Amended by No. 58, s. 16, 1955, p. 215 s. 16. Amended by No. 58, s. 16, 1955, p. 215 s. 17. Amended by No. 58, s. 16, 1955, p. 215 s. 17a. Amended by No. 58, s. 16, 1955, p. 215 s. 17b. Enacted by No. 58, s. 10, 1955, p. 210 s. 18. Amended by No. 58, s. 16, 1955, p. 215 s. 19. Amended by No. 58, ss. 11, 16, 1955, pp. 210, 215 s. 20. Amended by No. 58, s. 16, 1955, p. 215 s. 21. Amended by No. 58, s. 16, 1955, p. 215 s. 21a. Enacted by No. 58, s. 12, 1955, p. 210 s. 22. Amended by No. 58, s. 16, 1955, p. 215 s. 23. Amended by No. 58, s. 16, 1955, p. 215 s. 23a. Amended by No. 58, s. 16, 1955, p. 215 s. 28a. Amended by No. 58, s. 16, 1955, p. 215 s. 29. Amended by No. 58, s. 13, 1955, p. 211 s. 29d. Amended by No. 58, s. 16, 1955, p. 215 s. 29e. Amended by No. 58, s. 16, 1955, p. 215 s. 29f. Enacted by No. 58, s. 14, 1955, p. 215 ss. 37 to 48. Enacted by No. 58, s. 15, 1955, pp. 212-215
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

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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, by No. 4, s. 3, 1950, p. 6, and by No. 30, s. 3, 1955, p. 97
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 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

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The Companies Act, 1934-1935 (Vol. 1, p. 597)—*continued.*	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) 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

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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, and by No. 3. s. 4, 1955, p. 7 s. 65. Amended by No. 4, s. 3, 1951, p. 7, by No. 28, s. 3, 1953, p. 76, and by No. 3, s. 5, 1955, p. 7 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 Second schedule. Substituted by No. 59, s. 3, 1955, p. 218 Third schedule. Substituted by No. 59, s. 3, 1955, p. 218
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, *Gazette* 5th May, 1955, p. 1051, and *Gazette* 30th June, 1955, p. 1549 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 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

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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 s. 66a. Enacted by No. 25, s. 5, 1941, p. 91 s. 144. Amended by No. 26, s. 11, 1944, p. 69 s. 145. Amended by No. 26, s. 12, 1944, p. 69 s. 152. Amended by No. 26, s. 13, 1944, p. 69 s. 153. Amended by No. 26, s. 14, 1944, p. 69

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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
Dangerous Drugs Act, 1934 (Vol. 2, p. 372)	s. 4. Amended by No. 31, s. 3 (1), 1955, p. 98 s. 5. Amended by No. 31, s. 4, 1955, p. 99 s. 6a. Enacted by No. 31, s. 5, 1955, p. 100 s. 7. Amended by No. 31, s. 6, 1955, p. 100 s. 10. Amended by No. 31, s. 7, 1955, p. 100 s. 12. Amended by No. 31, s. 8, 1955, p. 100
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
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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 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

Act Affected.	How Affected.
Education Act, 1915-1935 (Vol. 2, p. 525) —*continued.*	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 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. 8. Substituted by No. 52, s. 3, 1955, p. 159 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, by No. 43, s. 2, (1), 1950, p. 121, and by No. 52, s. 4, 1955, p. 160 s. 74. Amended by No. 43, s. 2 (2), 1950, p. 121 s. 75. Amended by No. 52, s. 5, 1955, p. 160 s. 76. Amended by No. 52, s. 6, 1955, p. 161 s. 80. Substituted by No. 43, s. 3, 1950, p. 122, and amended by No. 52, s. 7, 1955, p. 161 s. 81. Amended by No. 26, s. 3, 1941, p. 98, and by No. 52, s. 8, 1955, p. 161 s. 86. Amended by No. 26, s. 4, 1941, p. 98, and by No. 52, s. 9, 1955, p. 161 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. 123. Amended by No. 52, s. 10, 1955, p. 161 s. 125. Amended by No. 26, s. 6, 1941, p. 99 s. 136. Amended by No. 52, s. 11, 1955, p. 162 s. 137. Amended by No. 52, s. 12, 1955, p. 162 s. 138. Repealed by No. 52, s. 13, 1955, p. 162 s. 154. Amended by No. 26, s. 7, 1941, p. 99 ss. 155a to 155c. Enacted by No. 52, s. 14, 1955, pp. 162-164 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

Act Affected.	How Affected.
Electricity Trust of South Australia Act, 1946 (1946, p. 5)—*continued.*	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
Encroachments Act, 1944 (1944, p. 59)	s. 2. *Bolton and another v. Clutterbuck and others* (1955) S.A.S.R. 253
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. 13. Amended by No. 26, s. 3, 1955, p. 85 s. 17. Repealed by No. 26, s. 4, 1955, p. 86 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) *R. v. Hackett* (1955) S.A.S.R. 137 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, and by No. 26, s. 5, 1955, p. 86 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

Act Affected.	How Affected.
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
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. 1 8)	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

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Friendly Societies Act, 1919-1936 (Vol. 3, p. 178)—*continued.*	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, by No. 23, s. 4, 1953, p. 56, and by No. 14, s. 3, 1955, p. 48 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. Substituted by No. 14, s. 4, 1955, p. 48
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. 38. Substituted by No. 17, s. 3, 1955, p. 55 ss. 39 and 40. Repealed by No. 17, s. 3, 1955, p. 55 s. 40a. Enacted by No. 17, s. 4, 1955, p. 56 s. 41. Amended by No. 17, s. 5, 1955, p. 56 s. 43. Amended by No. 17, s. 6, 1955, p. 56 s. 44. Repealed by No. 17, s. 7, 1955, p. 56 s. 45 Substituted by No. 17, s. 8, 1955, p. 56 s. 45a. Enacted by No. 33, s. 11, 1950, p. 99 s. 45b. Enacted by No. 17, s. 9, 1955, p. 56 s. 46. Amended by No. 17, s. 10, 1955, p. 58 s. 49. Amended by No. 17, s. 11, 1955, p. 59 s. 50. Amended by No. 17, s. 12, 1955, p. 59 s. 51. Repealed by No. 17, s. 13, 1955, p. 59 s. 55. Amended by No. 4, s. 8, 1954, p. 9 s. 56. Enacted by No. 17, s. 14, 1955, p. 59 First schedule. Amended by No. 33, s. 12, 1950, p. 99 and by No. 4, s. 9, 1954, s. 9 Second schedule. Repealed by No. 17, s. 15, 1955, p. 59

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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
Harbo 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. 71b. Enacted by No. 50, s. 3, 1955, p. 155 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, No. 34, 1943, p. 96, No. 48, 1947, p. 139, No. 14, 1950, p. 34, No. 39, 1950, p. 114, No. 45, 1951, p. 102, No. 15, 1952, p. 31, No. 18, 1953, p. 45, No. 14, 1954, p. 33, and No. 27, 1955, p. 87, and with notes of judicial decisions, is reprinted in this volume, p. 267.
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
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Local Government Act 1934-1936 (Vol. 5, p. 1)—*continued.*	s. 892. Repealed by No. 2424, s. 105, 1938, p. 230 s. 896. Repealed by No. 48, s. 20, 1952, p. 144 ss. 900 to 906. Repealed by No. 2424, s. 105, 1938, p. 230 Third schedule. Repealed by No. 16, s. 8 (10), 1946, p. 59 Fourth schedule. Repealed by No. 16, s. 8 (10), 1946, p. 59 Fifth schedule. Amended by No. 2424, ss. 14 (2), and 106 (1), 1938, pp. 204, 230, by No. 43, s. 26, 1939, p. 277, and by No. 16, s. 5 (2) and (3), 1946, p. 57 Eleventh schedule. Amended by No. 43, s. 27, 1939, p. 278, and by No. 16, ss. 23 (2) and 65, 1946, pp. 75, 98 Fourteenth schedule. Amended by No. 2424, s. 71 (11) and (12), 1938, p. 221, by No. 16, ss. 49 (5), and 65, 1946, pp. 90, 98, and by No. 51, s. 21, 1948, p. 223 Eighteenth schedule. Amended by No. 2424, s. 106, pp. 90, 98 (2), 1938, p. 230 Nineteenth schedule. Amended by No. 2424, s. 107, 1938, p. 230, by No. 16, ss. 9 (5), 64 (7), and 65, 1946, pp. 60, 97 and 98, by No. 51, s. 21, 1948, p. 223, and by No. 48, ss. 19 (2), and 20, 1952, p. 144 Twenty-second schedule. Enacted by No. 2424, s. 108, 1938, p. 231
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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. 19 Amended by No. 42, s. 3, 1955, p. 124 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. 40. Amended by No. 42, s. 4, 1955, p. 125 s. 44a. Amended by No. 42, s. 5, 1955, p. 125 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. 63. *Mobley v. Bond* (1955) S.A.S.R. 198 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 s. 105. *Dixon v. O'Sullivan* (1951) S.A.S.R. 104 *Crowley v. O'Sullivan* (1952) S.A.S.R. 260 *Kenny v. O'Sullivan* (1953) S.A.S.R. 45 *Maddaford v. Brown* (1953) S.A.S.R. 169 s. 111. Repealed by No. 57, s. 12, 1954, p. 177 Second schedule. Amended by regulations *Gazette* 26th July, 1951, p. 212

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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
Maintenance Act, 1926-1936 (Vol. 5, p. 461)	This Act as amended by No. 2360, 1937, p. 63, and No. 2360, 1937, p. 132, and with notes of judicial decisions, is reprinted in the 1937 volume, p. 173. *See also* the following paragraph.
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 *Rule v. Colquhoun* (1955) S.A.S.R. 222 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 s. 112. Amended by No. 44, s. 15, 1941, p. 192, and by No. 31, s. 9, 1950, p. 89 s. 113. Amended by No. 44, s. 16, 1941, p. 192 *R. v. Jorgenson* (1953) S.A.S.R. 90 s. 117. Repealed by No. 44, s. 17, 1941, p. 192 s. 122a. Enacted by No. 44, s. 18, 1941, p. 192 s. 123. Amended by No. 31, s. 10, 1950, p. 89 s. 126. Amended by No. 40, s. 3, 1946, p. 185

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Marriage Act, 1936 (Vol. 5, p. 653)....	This Act, as amended by No. 18, 1941, p. 62, No. 51, 1941, p. 245, and No. 7, 1944, p. 13, and with notes of judicial decisions, is reprinted in the 1944 volume, p. 214. *See also* the following paragraph
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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. 175, and No. 20, 1949, p. 67, and with notes of judicial 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. 11. Amended by No. 3, s. 11, 1955, p. 8 s. 17. Amended by No. 47, s. 3, 1951, p. 121, and by No. 3, s. 12, 1955, p. 8 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

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Public Service Act, 1936-1949 (1949, p. 351)—*continued.*	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
Public Service Act Amendment Act, 1942 (1942, p. 83)	s. 4. Amended by No. 12, s. 3, 1945, p. 43
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. 3. Amended by No. 8, s. 3, 1955, p. 33 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. 11. Amended by No. 3, s. 12, 1955, p. 8 s. 12. Amended by No. 8, s. 4, 1951, p. 13 s. 25. Amended by No. 8, s. 4, 1955, p. 34 s. 25a. Enacted by No. 2, s. 3, 1940, p. 3, and amended by No. 8, s. 5, 1955, p. 34 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

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The Real Property Act, 1886-1936 (Vol. 7, p. 59)—*continued.*	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, and by No. 37, s. 3, 1955, p. 111 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. Sunstituted by No. 11, s. 3, 1950, p. 23, and amended by No. 37, s. 4, 1955, p. 112 s. 22. Amended by No. 23, s. 7, 1946, p. 116, and by No. 37, s. 5, 1955, p. 112 s. 22a. Amended by No. 23, s. 8, 1946, p. 117 s. 23. Amended by No. 23, s. 9, 1946, p. 117, by No. 11, s. 4, 1950, p. 24, and by No. 37, s. 6, 1955, p. 113 s. 23b. Enacted by No. 23, s. 10, 1946, p. 118 s. 25. Amended by No. 37, s. 7, 1955, p. 113
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. 21. *Hanlin and another v. O'Sullivan* (1954) S.A.S.R. 286 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 *Grimwood v. Campbell* (1955) S.A.S.R. 313 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

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Renmark Irrigation Trust Act, 1936 (Vol. 7, p. 217)—*continued.*	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 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

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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 the 1954 volume, p. 274. *See also* the following paragraph.
Road Traffic Act, 1934-1954 (1954, p. 274)	s. 4. Amended by No. 56, s. 4, 1955, p. 192 s. 7. Amended by No. 56, s. 5, 1955, p. 193 s. 7b. Amended by No. 56, s. 6, 1955, p. 193 s. 8d. Enacted by No. 34, s. 3, 1955, p. 104 s. 9. Amended by No. 34, s. 4, 1955, p. 105 s. 27. Amended by No. 56, s. 7, 1955, p. 193 s. 38a. Amended by No. 56, s. 8, 1955, p. 194 s. 38d. *Commissioner of Police v. Brady* (1954) S.A.S.R. 314 s. 42. Amended by No. 56, s. 9, 1955, p. 194 s. 42c. Amended by No. 56, s. 10, 1955, p. 194 s. 48. *Ainsworth v. O'Sullivan* (1955) S.A.S.R. 323 s. 58. *O'Sullivan v. Thurmer* (1955) S.A.S.R. 76 s. 70d. *Knott v. Royal Exchange Assurance of London* (1955) S.A.S.R. 33 s. 85. Amended by No. 56, s. 11, 1955, p. 195 s. 88. Amended by No. 56, s. 12, 1955, p. 195 s. 90. Amended by No. 56, s. 13, 1955, p. 195 s. 96. Amended by No. 56, s. 14, 1955, p. 195 s. 99. Substituted by No. 56, s. 15, 1955, p. 196 s. 101. Amended by No. 56, s. 16, 1955, p. 196 s. 102. Amended by No. 56, s. 17, 1955, p. 196 s. 105. Amended by No. 56, s. 18, 1955, p. 196 s. 122. Amended by No. 56, s. 19, 1955, p. 196 s. 123. Amended by No. 56, s. 20, 1955, p. 197 s. 127a. *Edwards v. Chard* (1954) S.A.S.R. 310 s. 130b. Amended by No. 56, s. 21, 1955, p. 197 s. 130e. Enacted by No. 56, s. 22, 1955, p. 198 s. 131. *Samuels v. Sharp* (1954) S.A.S.R. 275 s. 133. Amended by No. 56, s. 23, 1955, p. 199 s. 136a. Enacted by No. 56, s. 24, 1955, p. 200 s. 141. Substituted by No. 56, s. 25, 1955, p. 200 s. 161. Amended by No. 56, s. 26, 1955, p. 200 s. 174. Amended by No. 56, s. 27, 1955, p. 201 s. 177. Amended by No. 56, s. 28, 1955, p. 202 s. 178. *Georgeff v. Ryan* (1954) S.A.S.R. 234 s. 180. Amended by No. 56, s. 29, 1955, p. 202
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
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

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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, 1942, 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 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

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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. 74. Amended by No. 24, s. 3, 1955, p. 81 s. 74a. Enacted by No. 24, s. 4, 1955, p. 81 s. 75. Amended by No. 24, s. 5, 1955, p. 82 s. 75a. Enacted by No. 48, s. 8, 1946, p. 223, and repealed by No. 24, s. 6, 1955, p. 82 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
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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
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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

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Stock Foods Act, 1941 (1941, p. 118)	s. 8. Amended by No. 18, s. 2, 1948, p. 99 s. 15. Amended by No. 10, s. 2, 1944, p. 22 s. 16. Amended by No. 10, s. 3, 1944, p. 22
Stock Medicines Act, 1939 (1939, p. 133)	s. 3. Amended by No. 54, s. 37, 1955, p. 182
Subdivided Land Debts Act, 1932-1934 (Vol. 8, p. 83)	s. 15. *Lake Beach Estate Limited v. Mitchell* (1939) S.A.S.R. 209, reversing *Lake Beach Estate Limited v. Mitchell* (1938) S.A.S.R. 280
Succession Duties Act, 1929-1936 (Vol. 8, p. 90)	This Act, as amended by No. 21, 1939, p. 112, No. 62, 1940, p. 309, and No. 23, 1942, p. 65, and with notes of judicial decisions, is reprinted in the 1942 volume, p. 144. *See also* the following paragraph
Succession Duties Act, 1929-1942 (1942, p. 144)	s. 4. Amended by No. 51, s. 3, 1952, p. 152 *Ashby and another v. The Commissioner of Succession Duties (South Australia)* (1942) 67 C.L.R. 284; 16 A.L.J. 259, reversing *Ashby and another v. The Commissioner of Succession Duties* (1942) S.A.S.R. 102 *Elder's Trustee and Executor Company Limited v. The Commissioner of Succession Duties* (1945) S.A.S.R. 34 s. 8. *In re Murphy, deceased* (1951) S.A.S.R. 28 s. 9a. Enacted by No. 49, s. 3, 1954, p. 134 s. 9b. Enacted by No. 57, s. 3, 1955, p. 203 s. 10a. Enacted by No. 28, s. 2, 1943, p. 73 s. 12. Amended by No. 51, s. 4, 1952, p. 152 s. 13a. Enacted by No. 49, s. 3, 1951,p. 135 s. 20. Amended by No. 51, s. 5, 1952, p. 153

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Supreme Court Act, 1935-1936 (Vol. 8, p. 168)	s. 7. Amended by No. 13, s. 3, 1952, p. 28 s. 9. Amended by No. 38, s. 3, 1944, p. 178 s. 11. Amended by No. 12, s. 3, 1955, p. 42

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Surplus Revenue Act, 1938 (1938, p. 79)	s. 3a. Enacted by No. 37, s. 3, 1951, p. 83 s. 3b. Enacted by No. 37, s. 3, 1951, p. 84
Surveyors Act, 1935 (Vol. 8, p. 216)....	s. 14. Substituted by No. 20, s. 2, 1948, p. 101 s. 16. Amended by No. 20, s. 3, 1948, p. 101 s. 17. Amended by No. 20, s. 4, 1948, p. 102 s. 47. Amended by No. 29, s. 2, 1949, p. 90 Third schedule. Amended by No. 29, s. 3, 1949, p. 90
Survival of Causes of Action Act, 1940 (1940, p. 313).	s. 3. *Sellick v. De Young* (1955) S.A.S.R. 191
Swine Compensation Act, 1936 (Vol. 8, p. 234)	s. 4. Amended by No. 29, s. 2, 1940, p. 82, by No. 20, s. 2, 1946, p. 107, and by No. 11, s. 2, 1951, p. 17 s. 5. Amended by No. 20, s. 3, 1946, p. 107 s. 6. Amended by No. 29, s. 3, 1940, p. 82, by No. 20, s. 4, 1946, p. 108, by No. 38, s. 2, 1951, p. 85, and by No. 23, s. 2, 1954, p. 71 s. 7. Amended by No. 20, s. 5, 1946, p. 108 s. 8. Amended by No. 29, s. 4, 1940, p. 82, by No. 20, s. 6, 1946, p. 108, and by No. 23, s. 3, 1954, p. 71 s. 9. Amended by No. 29, s. 5, 1940, p. 83 s. 12. Amended by No. 29, s. 6, 1940, p. 83 s. 13. Amended by No. 29, s. 7, 1940, p. 83 s. 14. Amended by No. 29, s. 8, 1940, p. 84, by No. 38, s. 3, 1951, p. 85, and by No. 23, s. 4, 1954, p. 72 s. 16. Amended by No. 20, s. 7, 1946, p. 108
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Trading Stamp Act, 1924-1935, (Vol. 8, p. 280)	s. 5a (2). *Rex v. Morgan. Ex parte Home Benefits (Proprietary) Limited* (1938) S.A.S.R. 266 *Home Benefits Proprietary Limited v. Crafter Household Benefits Proprietary Limited v. Crafter* (1938-1939) 61 C.L.R. 701; 13 A.L.J. 93
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
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
Trustee Act, 1936-1942 (1942, p. 185)..	s. 5. Amended by No. 5, s. 3, 1950, p. 7 s. 7. Amended by No. 24, s. 3, 1946, p. 119 s. 35b. Enacted by No. 52, s. 3, 1953, p. 152 s. 37. Amended by No. 5, s. 4, 1950, p. 7 s. 41. Amended by No. 5, s. 5, 1950, p. 8 s. 49. *In re James deceased: Bagots Executor and Trustee Company Limited and another v. McGregor and others* (1949) S.A.S.R. 143 s. 59. Amended by No. 5, s. 6, 1950, p. 8
University of Adelaide Act, 1935-1936 (Vol. 8, p. 352)	s. 3. Amended by No. 9, s. 2, 1950, p. 17 s. 12. Amended by No. 10, s. 3, 1942, p. 23 ss. 18a to 18i. Enacted by No. 9, s. 3, 1950, pp. 18-20 s. 24. Amended by No. 10, s. 4, 1942, p. 24 s. 25. Amended by No. 2340, s. 2, 1937, p. 3, and by No. 9, s. 3, 1943, p. 17 s. 26. Amended by No. 2340, s. 3, 1937, p. 3 s. 26a. Enacted by No. 9, s. 3, 1946, p. 34 s. 27. Repealed by No. 2340, s. 4, 1937, p. 4 Third schedule. Repealed by No. 2340, s. 5, 1937, p. 4
Uranium Mining Act, 1949 (1949, p. 54)	s. 2a. Enacted by No. 51, s. 3, 1954, p. 139 ss. 4a to 4l. Enacted by No. 18, s. 3, 1952, pp. 39-45 s. 5. Repealed by No. 18, s. 4, 1952, p. 45 s. 5a. Enacted by No. 22, s. 3, 1951, p. 41
Vermin Act, 1931-1936 (Vol. 8, p. 396)	s. 4. Amended by No. 13, s. 6 (1), 1945, p. 48 s. 9a. Enacted by No. 36, s. 2, 1942, p. 126 s. 12. Amended by No. 7, s. 2, 1953, p. 17 s. 22. Amended by No. 13, s. 2 (2), 1945, p. 44 s. 22a. Enacted by No. 13, s. 2 (1), 1945, p. 44 s. 23. Amended by No. 13, s. 2 (3), 1945, p. 45 and by No. 24, s. 2, 1954, p. 73 s. 25. Amended by No. 13, s. 2 (4), 1945, p. 45 s. 37a. Enacted by No. 36, s. 3, 1942, p. 127

Act Affected.	How Affected.
Vermin Act, 1931-1936 (Vol. 8, p. 396) —*continued.*	s. 46. Amended by No. 36, s. 4, 1942, p. 128 s. 53. Amended by No. 2409, s. 3 (2), 1938, p. 98 s. 56. Substituted by No. 31, s. 2, 1944, p. 92 s. 76. Amended by No. 36, s. 5, 1942, p. 128, and by No. 8, s. 2, 1943, p. 16 s. 120. Amended by No. 13, s. 3, 1945, p. 47 s. 136a. Enacted by No. 13, s. 4, 1945, p. 47 s. 158. Amended by No. 2409, s. 3 (2), 1938, p. 98 ss. 159 to 201. Repealed by No. 2409, s. 3 (2), 1938, p. 98 s. 215. Amended by No. 2409, s. 3 (2), 1938, p. 98 ss. 222 to 224b. Repealed by No. 2409, s. 3 (2), 1938, p. 98 s. 225b. Enacted by No. 24, s. 2, 1939, p. 122 s. 234. Amended by No. 13, s. 5, 1945, p. 48 ss. 245 and 246. Repealed by No. 2409, s. 3 (2), 1938, p. 98 s. 256. Repealed by No. 2409, s. 3 (2), 1938, p. 98 Fifth schedule. Amended by No. 13, s. 2 (5), 1945, p. 45 Sixth schedule. Amended by No. 13, s. 2 (6), 1945 p. 46
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 s. 9. Repealed by No. 2414, s. 3, 1938, p. 133 s. 10. Amended by No. 52, s. 5, 1952, p. 158 s. 10a. Enacted by No. 52, s. 6, 1952, p. 158 s. 17a. Enacted by No. 52, s. 7, 1952, p. 158 s. 28. Amended by No. 52, s. 8, 1952, p. 159 ss. 28a to 28f. Enacted by No. 2414, s. 4, 1938, pp. 133, 134 s. 30a. Enacted by No. 2414, s. 5 (2), 1938, p. 134 s. 31a. Enacted by No. 2414, s. 6, 1938, p. 135 s. 34. Amended by No. 2414, s. 5 (3), 1938, p. 135
Vine, Fruit, and Vegetable Protection Act, 1885-1936 (Vol. 8, p. 525)	s. 6. *Vidovic v. Strickland* (1950) S.A.S.R. 19
Waterworks Act, 1932-1936 (Vol. 8, p. 579)	s. 4, Amended by No. 50, s. 3, 1954, p. 136 s. 7. Repealed by No. 50, s. 4, 1954, p. 136 s. 8. Repealed by No. 50, s. 4, 1954, p. 136 s. 69. Amended by No. 50, s. 5, 1954, p. 136 s. 71. Amended by No. 50, s. 6, 1954, p. 137 s. 89. Amended by No. 50, s. 7, 1954, p. 137 s. 90. Amended by No. 50, s. 8, 1954, p. 137 s. 102. Amended by No. 50, s. 9, 1954, p. 137 s. 103. Amended by No. 50, s. 10, 1954, p. 137 Third schedule. Repealed by No. 50, s. 11, 1954, p. 138
Weights and Measures Act, 1934 (Vol. 8, p. 626)	s. 3. Amended by No. 27, s. 4 (2), 1940, p. 79 s. 6. Substituted by No. 9, s. 2, 1939, p. 27 s. 7. Substituted by No. 9, s. 2, 1939, p. 28 s. 8. Substituted by No. 9, s. 2, 1939, p. 28 s. 8a. Enacted by No. 9, s. 2, 1939, p. 28 s. 8b. Enacted by No. 9, s. 2, 1939, p. 28 s. 10. Repealed by No. 9, s. 3, 1939, p. 28 s. 13. Repealed by No. 9, s. 3, 1939, p. 28 s. 18. Amended by No. 9, s. 4 (1), 1939, p. 28 s. 21. Amended by No. 9, s. 4 (2), 1939, p. 28 s. 26. Amended by No. 9, s. 5, 1939, p. 29 s. 30. Amended by No. 2383, s. 2, 1938, p. 3 and by No. 16, s. 2, 1941, p. 50 s. 32. Amended by No. 9, s. 6, 1939, p. 29, and by No. 16, s. 3, 1941, p. 50 s. 35. Amended by No. 9, s. 7, 1939, p. 29

Act Affected.	How Affected.
Weights and Measures Act, 1934 (Vol. 8, p. 626)—*continued.*	s. 37. Repealed by No. 9, s. 3, 1939, p. 28 s. 38. Amended by No. 9, s. 4 (3), 1939, p. 28 s. 40. Amended by No. 27, s. 2, 1940, p. 77 s. 41. Amended by No. 27, s. 3, 1940, p. 77 s. 45. Amended by No. 9, s. 8, 1939, p. 29 s. 48. Amended by No. 9, s. 9, 1939, p. 30 s. 49. Amended by No. 9, s. 4 (4), 1939, p. 29 s. 55. Substituted by No. 9, s. 10, 1939, p. 30 s. 56. Amended by No. 9, s. 11, 1939, p. 30, and by No. 39, s. 2, 1944, p. 182 s. 56a. Enacted by No. 39, s. 3, 1944, p. 183 and amended by No. 42, s. 3, 1952, p. 121 s. 57. Amended by No. 9, s. 12, 1939, p. 31, by No. 39, s. 4, 1944, p. 184, and by No. 11, s. 2, 1953, p. 23 s. 57a. Enacted by No. 9, s. 13, 1939, p. 31, and amended by No. 11, s. 3, 1953, p. 24 s. 57b. Enacted by No. 27, s. 4 (1), 1940, p. 78 s. 59. Amended by No. 9, s. 4 (5), 1939, p. 29 s. 61. Amended by No. 9, s. 4 (6), 1939, p. 29 s. 65. Amended by No. 16, s. 4, 1941, p. 51 s. 68. Amended by No. 9, s. 14, 1939, p. 31 and by No. 11, s. 4, 1953, p. 25 Second schedule. Repealed by No. 9, s. 15, 1939, p. 31 Third schedule. Amended by No. 9, s. 16, 1939, p. 32
Wheat Industry Stabilization Act, 1954 (1954, p. 224)	s. 8. Amended by No. 18, s. 3, 1955, p. 60 s. 12. Amended by No. 18, s. 4, 1955, p. 61 s. 14 *Loftes v. Taylor* (1955) S.A.S.R. 282
Wheat Price Stabilization Scheme Ballot Act, 1953 (1953, p. 148)	s. 2. Amended by No. 7, s. 3, 1954, p. 15
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

Act Affected.	How Affected.
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. 5. Amended by No. 49, s. 3, 1955, p. 152 s. 7. Amended by No. 24, s. 3, 1951, p. 45, by No. 38, s. 4, 1953, p. 106, and by No. 49, s. 4, 1955, p. 152 s. 16. Amended by No. 24, s. 4, 1951, p. 45, by No. 38, s. 5, 1953, p. 107, by No. 68, s. 3, 1954, p. 235, and by No. 49, s. 5, 1955, p. 153 s. 17. Amended by No. 24, s. 5, 1951, p. 45, by No. 38, s. 6, 1953, p. 107, by No. 68, s. 4, 1954, p. 236, and by No. 49, s. 6, 1955, p. 153 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, by No. 68, s. 5, 1954, p. 236, and by No. 49, s. 7, 1955, p. 153 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, by No. 68, s. 7, 1954, p. 237, and by No. 49, s. 8, 1955, p. 153 s. 69. Amended by No. 49, s. 9, 1955, p. 153 s. 94d. Substituted by No. 68, s. 8 (1), 1954, p. 237 s. 94g. Amended by No. 68, s. 9, 1954, p. 237
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 25th May, 1956. 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 25th May, 1956.

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 ; 23rd June, 1955, p. 1444.
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 ; 9th June, 1955, p. 1325 ; 12th January, 1956, p. 42
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 Chemicals Act, 1955.

Commencement : At 25th May, 1956, this Act had not been brought into operation.

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.

Animals and Birds Protection Act, 1919-1938—*continued.*

(iii.) *Gazette* 29th June, 1933, p. 1093.

(iv.) *Gazette* 13th July, 1933, p. 47; 24th January, 1935, p. 327; 23rd November, 1939, p. 1380.

(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; 23rd June, 1955, p. 1443; 22nd September, 1955, p. 665.

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, 1933-1955.

Commencement of section 5 of the Brands Act Amendment Act, 1955: At 1st May, 1956 this section had not been brought into operation.
Administration: Committed to the Minister of Agriculture *Gazette* 3rd January, 1935, p. 1.
ss. 14 and 18. Notice: *Gazette* 16th February, 1956, p. 301.
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.
Regulations: *Gazette* 15th December, 1955, p. 1442.

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;

Building Act, 1923-1953—*continued.*

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; 18th August, 1955, p. 345.

(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 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; 7th July, 1955, p. 1; 7th July, 1955, p. 2; 27th October, 1955, p. 942; 22nd December, 1955, p. 1504; 19th April, 1956, p. 740; 19th April, 1956, p. 741; 3rd May, 1956, p. 895.

s. 3 (3). Proclamation: *Gazette* 13th January, 1944, p. 17.

s. 119. Proclamations; *Gazette* 24th August, 1950, 0. 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; 29th September, 1955, p. 715.

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, 1933-1955.

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 25th May, 1956, 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* 14th July, 1949, p. 81; 17th May, 1956, p. 965.
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, 1934-1955.

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; 30th June, 1955, p. 1549.

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, 1921-1955.

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; 21st July, 1955, p. 153; 20th October, 1955, p. 877.

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, 1934-1955.

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; 29th March, 1956, p. 609.
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.

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 ; 19th January, 1956, p. 108.

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; 25th August, 1955, p. 409; 26th April, 1956, p. 856.
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 25th May, 1956, 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; 29th 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; 26th May, 1955, p. 1211; 14th July, 1955, p. 61; 28th July, 1955, p. 204; 8th September, 1955, p. 556; 6th October, 1955, p. 787; 26th January, 1956, p. 129; 29th March, 1956, p. 610,

Electoral Act, 1929-1955.

Commencement: 19th December, 1929; *Gazette* 19th December, 1929, p. 1305.
Administration: Committed to the Attorney-General *Gazette* 20th May, 1937 p. 1150.
s. 13. Proclamations: *Gazette* 23rd June, 1949, p. 1816; 8th December, 1955, p. 1273.
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; 26th January, 1956, p. 131
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 Works: *Gazette* 2nd February, 1956, p. 163.
s. 10. Proclamation: *Gazette* 16th September, 1954, p. 694.
s. 11. Proclamations: *Gazette* 16th September, 1954, p. 692: 2nd February, 1956, p. 163.
Regulations: *Gazette* 16th September, 1954, p. 736; 2nd February, 1956, p. 165.

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. 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 ; 1st December, 1955, p. 1244 ; 19th April, 1956, p. 851.

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; 17th November, 1955, p. 1116

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; 26th May, 1955, p. 1209; 3rd November, 1955, p. 997; 15th December, 1955, p. 1339; 12th January, 1956, p. 41.

Fire Brigades Act, 1936-1944—*continued.*

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.

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 ; 8th September, 1955, p. 554 ; 24th November, 1955, p. 1185 ; 12th January, 1956, p. 42 ; 10th May, 1956, p. 928.

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 ; 2nd June, 1955, p. 1257.

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 ; 2nd June, 1955, p. 1263 ; 21st July, 1955, p. 151.

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, 1947-1955.

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, 1924-1955.

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.
s. 45b. Notice specifying 2nd December, 1955, as the day for conversion : *Gazette* 1st December, 1955, p. 1252
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.
s. 5. Proclamation : 16th February, 1956, p. 300.
Regulations : *Gazette*, 16th February, 1956, p. 303.

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.
Regulation under the Fees Regulation Act, 1927, relating to the fees payable under section 21 : *Gazette* 17th November, 1955, p. 1116.

Harbors Act, 1936-1955.

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,

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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.

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.

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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.

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Regulations for adjustments of compasses : *Gazette* 30th May, 1935, p. 1433.

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Regulations for helm orders : *Gazette* 22nd December, 1932, p. 1188.

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s. 5a. Proclamation: *Gazette* 9th February, 1956, p. 223.

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.

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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; 1st March, 1956, p. 419.

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s. 10. Proclamation: 5th July, 1945, p. 1.

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Honey Marketing Act, 1949-1953.

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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.
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; 30th June, 1955, p. 1499.
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.
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Regulations relating to rating for hospital purposes: *Gazette* 19th August, 1920, p. 383.

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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.
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s. 8. Commencement : 16th September, 1948 ; *Gazette* 16th September, 1948, p. 1068.

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Landlord and Tenant (Control of Rents) Act, 1942-1955.

Commencement: 1st January, 1943; *Gazette* 3rd December, 1942, p. 1089.
Commencement of Part V: 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.
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, 1944-1955.

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; 8th December, 1955, p. 1285
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; 25th August, 1955, p. 411; 19th April, 1956, p. 740.
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.

Licensing Act, 1932-1954—*continued.*

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); 14th July, 1955, p. 119 (Albert Park, Bordertown, Brighton, Burnside, Edwardstown, Glandore, Henley Beach, Keswick, Kingscote, Lockleys, Loxton, Mount Gambier, Nailsworth, Northfield, Peterborough, Plympton, Port Pirie, Renmark, Salisbury, Tailem Bend, Tarcoola and Whyalla districts.)
Regulations as to polls under section 62: *Gazette* 22nd December, 1932, p. 1187.
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* 10th March, 1955, p. 549; 31st March, 1955, p. 757.
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 25th May, 1956, 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; 22nd December, 1955, p. 1503.
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; 8th December, 1955, p. 1290; 26th January, 1956, p. 132.
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.

Local Courts Act, 1926-1947—*continued.*

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.

Rules of Court in respect of section 721a of the Local Government Act, 1954: *Gazette* 24th June, 1954, p. 1241; 4th August, 1955, p. 264.

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.

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; 24th November, 1955, p. 1185.

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, 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; 14th July, 1955, p. 59; 11th August, 1955, p. 290; 10th November, 1955, pp. 1057-1058; 22nd December, 1955, p. 1503; 22nd December, 1955, p. 1504.

s. 647. Proclamation: *Gazette* 3rd May, 1894, p. 1009.

Regulations relating to Local Government Auditors' Certificates: *Gazette* 20th February, 1936, p. 459.

Local Government Act, 1934-1954—*continued.*

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; 4th August, 1955, p. 264.

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. 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, 1936-1955.

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; 2nd June, 1955, p. 1269.

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; 28th July, 1955, p. 246.

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, 1922-1955.

Commencement of sections 4(*a*), 5(*a*) and 6 of the Maintenance Order (Facilities for Enforcement) Act Amendment Act, 1955: At 25th May, 1956, these sections had not been brought into operation.

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; 19th April, 1956 p, 740.

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, 1919-1955.

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; 16th June, 1955, p. 1391.
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; 29th March, 1956, p. 611.
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, 1936-1955.

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; 30th June, 1955, p. 1550.

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, 1946-1955.

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, 1920-1955.

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, 1930-1955.

Regulations : 16th October, 1947, p. 1139 ; 9th September, 1948, p 970 ; 3rd June, 1954, p. 1100 ; 12th January, 1956, p. 44.

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 and Wild Life Reserves Act, 1891-1955.

s. 4a. Proclamation : *Gazette* 3rd May, 1956, p. 896.
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, 1934-1955.

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 ; 3rd November, 1955, p. 999.

Noxious Trades Act, 1943-1955.

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 ; 12th April, 1956, p. 707.

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; 18th August, 1955, p. 350; 19th April, 1956, p. 854.

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 ; 22nd December, 1955, p. 1544 ; 26th January, 1956, p. 129.
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 ; 1st September 1955 p. 492.
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 ; 19th May, 1955, p. 1142.
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 ; 29th September, 1955, p. 715.
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, 1945-1955.

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, 1913-1955.

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 ; 22nd March, 1956, p. 567.
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 ; 2nd June, 1955, p. 1270.

Police Offences Act, 1953.

Commencement: 1st March, 1954: *Gazette* 28th January, 1954, p. 155.
Regulations made by the Governor under section 64 and under section 149a of the Police Act, 1936 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, 1952-1955.

Commencement: 13th April, 1953; *Gazette* 2nd April, 1953, p. 634.
Commencement of the Police Regulation Act Amendment Act, 1955: 26th January, 1956, *Gazette* 26th January, 1956, p. 127.
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; 15th September, 1955, p. 604.

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. 38, *Gazette* 10th May, 1956, p. 930; No. 39, *Gazette* 10th May, 1956, p. 930.
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, 1948-1955.

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; 28th July, 1955, p. 211.
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,

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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; 19th May, 1955, p. 1139; 2nd June, 1955, p. 1255; 28th July, 1955, p. 201; 23rd February, 1956, p. 355.

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.

Attache cases. *See* Kit bags.

Automotive greases: *Gazette* Prices Order No. 439, 3rd September, 1953, p. 717.

Bags. *See* Kit bags: 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. 563, 19th April, 1956, p. 743.

Bran and pollard: *Gazette* Prices Order No. 469, 4th February, 1954, p. 204.

Bread—

Adelaide metropolitan area: *Gazette* Prices Order No. 554, 5th January, 1956, p. 7.

beyond Adelaide metropolitan area: *Gazette* Prices Order No. 555, 5th January, 1956, p. 9

rye bread—Adelaide metropolitan area: *Gazette* Prices Order No. 530, 21st July, 1955, p. 139.

wrapped, sales by retail: *Gazette* Prices Order No. 556, 5th January, 1956, p. 8.

Breakfast foods (oats and oatmeal): *Gazette* Prices Order No. 559, 9th February, 1956, p. 228.

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.

Brooms, whisks, mops, brushes (domestic) and broom handles: *Gazette* Prices Order No. 539, 11th August, 1955, p. 292

Brown onions: *Gazette* Prices Order No. 78, 23rd February, 1950, p. 430.

Brushes. *See* Brooms

Builder's hardware: *Gazette* Prices Order No. 60, 17th October, 1949, p. 1011.

Butter: *Gazette* Prices Order No. 531, 28th July, 1955, p. 207.

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.

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Clothing and certain furnishings and household drapery sales by wholesale: *Gazette* Prices Order No. 209, 6th September, 1951, p. 516.
Clothing and household drapery—sales by retail: *Gazette* Prices Order No. 536, 28th July, 1955, p. 209.
Clothing and household drapery—sales by wholesale: *Gazette* Prices Order No. 537, 28th July, 1955, p. 212.
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. 550, 8th December, 1955, p. 1294.
Country areas: *Gazette* Prices Order No. 406, 12th February, 1953, p. 200.
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. 564, 5th April, 1956, p. 671.
Firewood, industrial. *See* Industrial firewood.
Floor coverings. *See* Feltex.
Flour: *Gazette* Prices Order No. 551, 8th December, 1955, p. 1293.
Footwear—
Gazette Prices Order No. 545, 3rd November, 1955, p. 1038.
materials used in the repair of. *See* Materials used in the repair of footwear.
Fruits, canned. *See* Canned fruits.
Funeral services: *Gazette* Prices Order No. 534, 28th July, 1955, p. 208.
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. 528, 7th July, 1955, p. 7; No. 541, 8th September, 1955, p. 556.
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* Goods—miscellaneous: Sugar, golden syrup and treacle.
Goods—Miscellaneous: *Gazette* Prices Order No. 533, 28th July, 1955, p. 213.
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. 527, 7th July, 1955, p. 7.
Hairdressing. *See* Ladies and girls hairdressing.
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.

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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. 544, 3rd November, 1955, p. 1039.
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. 565, 5th April, 1956, p. 670.
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.
Kitbags, attache cases, satchels and the like—Sales by wholesale and retail : *Gazette* Prices Order No. 540, 11th August, 1955, p. 293.
Kitchen utensils. *See* Cooking and kitchen utensils.
Ladies and girls hairdressing : *Gazette* Prices Order No. 535, 28th July, 1955, p. 208.
Lead. *See* Pig lead : Scrap lead.
Leather : *Gazette* Prices Orders No. 145, 15th March, 1951, p. 583 ; No. 160, 7th June, 1951, p. 1268 : No. 533, 28th July, 1955, p. 213.
Liquors—sales by retail : *Gazette* Prices Order No. 426, 4th June, 1953, p. 1377.
Loaf cheese : *Gazette* Prices Order No. 532, 28th July, 1955, p. 206.
Lubricating oils. *See* Mineral lubricating oils.
Malleable pipe fittings manufactured in the Commonwealth of Australia : *Gazette* Prices Order No. 542, 8th September, 1955, p. 557.
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.
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. 566, 12th April, 1956, p. 708.
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.
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Mineral lubricating oils : *Gazette* Prices Order No. 496, 5th August, 1954, p. 293.
Mops. *See* Brooms.
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. 547, 17th November, 1955, p. 1168.
Non-intoxicating drinks—sales by retail—Adelaide metropolitan area : *Gazette* Prices Order No. 548, 24th November, 1955, p. 1190.
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. 562, 22nd March, 1956, p. 572.
Pig lead : *Gazette* Prices Order No. 369, 9th October, 1952, p. 998.
Pillows. *See* Mattresses and pillows.
Pipes. *See* Galvanized and black steel pipes : Goods—Miscellaneous : Malleable pipe fittings.
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.

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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.
Posts. *See* Fencing posts.
Potatoes : *Gazette* Prices Order No. 487, 8th July, 1954, p. 66.
Processed milk products : *Gazette* Prices Order No. 244, 15th November, 1951, p. 1193.
Purses. *See* Travelware, handbags, purses and wallets.
Radiata pine sawn timber : *Gazette* Prices Order No. 483, 22nd April, 1954, p. 811.
Radio receivers, radio gramophones and radiograms : *Gazette* Prices Order No. 138, 22nd February, 1951, p. 406.
Ready-made garments : *Gazette* Prices Orders No. 207, 6th September, 1951, p. 513 ; No. 240, 1st November, 1951, p. 1054.
Retreading and recapping : *Gazette* Prices Order No. 480, 15th April, 1954, p. 771.
Rice (polished) : *Gazette* Prices Order No. 425, 4th June, 1953, p. 1379.
Roofing nails. *See* Galvanized roofing nails.
Rubber articles : *Gazette* Prices Order No. 107, 2nd November, 1950, p. 1070.
Rubber garden hose : *Gazette* Prices Order No. 454, 5th November, 1953, p. 1170.
Rye bread. *See* bread.
Sacks. *See* Secondhand bags and sacks : Secondhand wool sacks.
Safety matches : *Gazette* Prices Order No. 440, 17th September, 1953, p. 770.
Sago and tapioca : *Gazette* Prices Order No. 538, 11th August, 1955, p. 292. *See also* Goods—Miscellaneous.
Salt, loose, fine : *Gazette* Prices Order No. 507, 14th October, 1954, p. 977.
Satchels. *See* Kitbags.
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Sawn Tasmanian timber : *Gazette* Prices Order No. 493, 29th July, 1954, p. 236.
School exercise books and the like—sales by retail : *Gazette* Prices Orders No. 399, 18th December, 1952, p. 1549 ; No. 476, 18th March, 1954, p. 558 ; No. 533, 28th July, 1955, p. 213.
Scrap copper : *Gazette* Prices Order No. 352, 4th September, 1952, p. 727.
Scrap lead : *Gazette* Prices Order No. 370, 9th October, 1952, p. 999.
Secondhand bags and sacks : *Gazette* Prices Order No. 322, 19th June, 1952, p. 1332.
Secondhand wool sacks : *Gazette* Prices Order No. 180, 12th July, 1951, p. 61.
Services (general). *See* Goods and services.
Services (various) : *Gazette* Prices Order No. 202, 6th September, 1951, p. 522.
Sheets tea towels, etc.: *Gazette* Prices Orders No. 124, 21st December, 1950, p. 1859 ; No. 177, 12th July, 1951, p. 60 ; No. 248, 15th November, 1951, p. 1188.
Shirts, collars, flannels, underpants and pyjamas : *Gazette* Prices Orders No. 208, 6th September, 1951, p. 525 ; No. 239, 1st November, 1951, p. 1054.
Smallgoods : *Gazette* Prices Order No. 495, 29th July, 1954, p. 239.
Soap : *Gazette* Prices Order No. 445, 22nd October, 1953, p. 1081.
Solder : *Gazette* Prices Order No. 365, 2nd October, 1952, p. 942.
Soup. *See* Tomato soup.
Steel products (imported) : *See* Basic iron and steel products.
Steel rods. *See* Mild steel rods.
Steel sheets (galvanized and zinc anneal) manufactured in the Commonwealth of Australia : *Gazette* Prices Orders No. 447, 22nd October, 1953, p. 1068 ; No. 465, 21st January, 1954, p. 132 ; No. 512, 16th December, 1954, p. 1472 ; No. 521, 12th May, 1955, p. 1111 ; No. 557, 19th January, 1956, p. 109 ; No. 568, 24th May, 1956, p. 1016.
Sugar, and golden syrup : *Gazette* Prices Order No. 567, 17th May, 1956, p. 968.
Tapioca. *See* Goods—Miscellaneous : Sago and tapioca.
Tea : *Gazette* Prices Order No. 560, 8th March, 1956, p. 462.
Teprac floor coverings. *See* Feltex.
Tiles. *See* Indian terra cotta roofing tiles.
Timber. *See* Fencing posts ; Mouldings : Oregon and hemlock : Radiata pine sawn timber ; Sawn Tasmanian timber : Western Australian hardwood.
Tobacco and cigarettes—sales by retail : *Gazette* Prices Order No. 489, 15th July, 1954, p. 112.
Tomato sauce : *Gazette* Prices Order No. 525, 16th June, 1955, p. 1397.
Tomato soup : *Gazette* Prices Order No. 424, 14th May, 1953, p. 1098.
Travelware, handbags, purses and wallets—
sales by manufacturers : *Gazette* Prices Order No. 267, 6th December, 1951, p. 1401.
sales by wholesale and retail : *Gazette* Prices Order No. 268, 6th December, 1951, p. 1400.

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Tyres and tubes. *See* New tyres and tubes.
Wallets. *See* Travelware, handbags, purses and wallets.
Wattle bark: *Gazette* Prices Order No. 57, 13th October, 1949, p. 914.
Wax matches (waterproof): *Gazette* Prices Order No. 348, 14th August, 1952, p. 512.
Western Australian hardwood: *Gazette* Prices Order No. 494, 29th July, 1954, p. 233.
Wheat. *See* Feed wheat.
Whisks. *See* Brooms.
Wire. *See* Baling wire, etc.; Galvanized barbed wire.
Wire netting. *See* Baling wire, etc.; Fencing wire, etc.
Wool furnishing materials: *Gazette* Prices Order No. 41, 30th June, 1949, p. 1871.
Wool sacks. *See* Secondhand wool sacks.
Woven woollen blankets and travelling rugs manufactured by the Onkaparinga Woollen Company Limited: *Gazette* Prices Orders No. 190, 26th July, 1951, p. 177; No. 272, 13th December, 1951, p. 1457.
Zinc bars, blocks, and ingots: *Gazette* Prices Order No. 371, 9th October, 1952, p. 998.
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; 8th December, 1955, p. 1295.
s. 35 (2). Orders of exemption: *Gazette* 20th January, 1949, p. 115; 22nd September, 1949, p. 764.
Regulations: *Gazette* 3rd March, 1949, p. 537; 19th May, 1949, p. 1420; 15th June, 1950, p. 1273; 5th April, 1951, p. 735; 20th September, 1951, p. 740; 1st April, 1954, p. 667.
Notice pursuant to regulation 6: *Gazette* 22nd June, 1950, p. 1277 (lead and scrap lead).

Primary Producers Assistance Act, 1943.

Commencement: 1st January, 1944; *Gazette* 23rd December, 1943, p. 810.
Administration: Committed to the Minister of Lands *Gazette* 25th February, 1954, p. 400.

Primary Producers' Debts Act, 1935-1943.

Administration: Committed to the Minister of Lands *Gazette* 25th February, 1954, p. 400.
Regulations: *Gazette* 11th July, 1935, p. 75; 18th June, 1936, p. 1210.

Prisons Act, 1936-1954.

Commencement: 1st June, 1937; *Gazette* 25th March, 1937, p. 645.
s. 13. Proclamations: *Gazette* 7th September, 1939, p. 690; 8th August, 1940, p. 221; 26th June, 1952, p. 1381; 19th January, 1956, p. 75; 9th February, 1956, p. 224.
s. 18. Proclamation: *Gazette* 21st September, 1939, p. 813.
General prison regulations: *Gazette* 15th October, 1936, p. 809; 21st July, 1949, p. 207; 26th June, 1952, p. 1386; 21st July, 1955, p. 155, 18th August, 1955, p. 349.
Police prison regulations: *Gazette* 30th August, 1906, p. 453; 13th August, 1908, p. 309.

Proof of Sunrise and Sunset Act, 1923.

Administration: Committed to the Minister of Local Government *Gazette* 20th December, 1923, p. 1435.

Public Charities Funds Act, 1935-1940.

Commencement: 1st June, 1937; *Gazette* 25th March, 1937, p. 643.
Administration: Committed to the Chief Secretary *Gazette* 25th March, 1937, p. 643.
s. 4. Proclamations: *Gazette* 19th December, 1940, p. 1552; 17th June, 1954, p. 1196.

Public Parks Act, 1943.

Administration: Committed to the Minister of Local Government *Gazette* 27th January, 1944, p. 92.

Public Service Act, 1936-1954.

Commencement : 1st June, 1937 ; *Gazette* 25th March, 1937, p. 644.
Commencement of sections 4 to 10 of the Public Service Act Amendment Act, 1948 : 14th June, 1949 ; *Gazette* 2nd June, 1949, p. 1500.
Commencement of section 11 of the Public Service Act Amendment Act, 1948 : 16th December, 1948 : *Gazette* 16th December, 1948, p. 1801.
s. 6. (1). Proclamations : *Gazette* 26th June, 1952, p. 1381 ; 15th December, 1955, p. 1337 ; 1st March, 1956, p. 421 ; 22nd March, 1956, p. 569 ; 19th April, 1956, p. 741.
s. 6 (2). Proclamations : *Gazette* 22nd June, 1944, p. 735 ; 17th July, 1947, p. 93 ; 23rd June, 1949, p. 1829 ; 21st July, 1949, p. 167 ; 23rd February, 1950, p. 427 ; 19th October, 1950, p. 945 ; 7th December, 1950, p. 1365 ; 17th June, 1954, p. 1196.
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.
Regulations : *Gazette* 16th February, 1922, p. 569 ; 13th July, 1922, p. 54 ; 20th March, 1924, p. 711 ; 19th June, 1924, p. 1360 ; 18th October, 1926, p. 965 (Nos. 2-10, inclusive, not now in force) ; 10th May, 1928, p. 964 ; 1st November, 1928, p. 978 ; 14th August, 1930, p. 296 ; 3rd September, 1936, p. 418 ; 12th November, 1936, p. 1065 ; 31st March, 1938, p. 708 ; 13th October, 1938, p. 1032 ; 7th November, 1940. p. 1006 ; 18th December, 1941, p. 1503 ; 20th July, 1944, p. 110 ; 19th April, 1945, p. 595 ; 20th September, 1945, p. 485 ; 14th March, 1946, p. 432 ; 6th May, 1948, p. 928 ; 10th June, 1948, p. 1204 ; 17th March, 1949, p. 653 ; 14th July, 1949, p. 67, 20th October, 1949, p. 999 ; 10th November, 1949, p. 1196 ; 19th January, 1950, p. 108 ; 20th July, 1950, p. 158 ; 5th April, 1951, p. 735 ; 17th May, 1951, p. 1072 ; 21st June, 1951, p. 1371 ; 28th June, 1951, p. 1376 ; 12th July, 1951, p. 58 ; 19th July, 1951, p. 154 ; 15th May, 1952, p. 1060 ; 6th August, 1953, p. 450 ; 13th August, 1953, p. 505 ; 23rd September, 1954, p. 798 ; 7th October, 1954, p. 919 ; 8th September, 1955, p. 559 ; 3rd November, 1955, p. 1000.

Public Supply and Tender Act, 1914-1940.

Commencement . 17th December, 1914 ; *Gazette* 17th December, 1914, p. 1265.
Administration : Committed to the Commissioner of Public Works ; *Gazette* 17th December, 1914, p. 1265.
Regulations : *Gazette* 6th November, 1930, p. 961; 28th May, 1931, p. 855.

Public Works Standing Committee Act, 1927-1955.

Commencement of the Public Works Standing Committee Act Amendment Act, 1951 14th February, 1952 ; *Gazette* 14th February, 1952, p. 329.
Regulations : *Gazette* 5th September, 1940, p. 513 ; 13th December, 1951, p. 1460 ; 14th February, 1952, p. 388 ; 4th February, 1954, p. 194.

Radium Hill Water Supply Agreement Act, 1953.

Commencement : 28th January, 1954 ; *Gazette* 28th January, 1954, p. 155.

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).
Regulations under the Fees Regulation Act, 1927, relating to fees : *Gazette* 24th November, 1927, p. 1229 ; 30th August, 1934, p. 428.

Real Property (Registration of Titles) Act, 1945.

Regulations : *Gazette* 12th September, 1946, p. 486.

Recreation Grounds (Regulations) Act, 1931-1935.

Regulations as to the Adelaide Oval : *Gazette* 18th August, 1932, p. 273.
Regulations as to Mortlock Park : *Gazette* 2nd November, 1933, p. 931.
Regulations as to the Norwood Oval : *Gazette* 19th January, 1933, p. 70.
Regulations as to the Unley Oval : *Gazette* 15th June, 1933, p. 1007 ; 29th January, 1948, p. 229.

Redhill to Port Augusta Railway Agreement Act, 1935.

Commencement: 20th December, 1935; *Gazette* 19th December, 1935, p. 1445.

Registration of Business Names Act, 1928-1955.

Commencement: 1st October, 1928; *Gazette* 27th September, 1928, p. 686.
Regulations: *Gazette* 27th September, 1928, p. 688; 28th May, 1942, p. 791; 1st March, 1956, p. 422.

Registration of Deeds Act, 1935.

Rules and regulations: *Gazette* 13th February, 1919, p. 325; 29th November, 1945, p. 811.

Registration of Dogs Act, 1924-1948.

Administration: Committed to the Minister of Local Government *Gazette* 18th December 1924, p. 1561.
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.
Regulations: *Gazette* 22nd January, 1925, p. 100; 9th February, 1928, p. 261.

Renmark Irrigation Trust Act, 1936-1954.

Commencement: 1st June, 1937; *Gazette* 25th March, 1937, p. 643.
Administration: Committed to the Minister of Irrigation *Gazette* 1st February, 1945, p. 145.
By-laws: *Gazette* 15th November, 1923, p. 1177; 24th July, 1930, p. 180.

River Murray Waters Act, 1935-1954.

Commencement: 1st June, 1937; *Gazette* 25th March, 1937, p. 645.
Commencement of River Murray Waters Act Amendment Act, 1948: 7th July, 1949; *Gazette* 7th July, 1949, p. 1.
Commencement of River Murray Waters Act Amendment Act, 1954: 7th April, 1955, *Gazette* 7th April, 1955, p. 807.
Regulations as to the use of surplus water: *Gazette* 23rd August, 1917, p. 481.
Notice as to records to be kept of water diverted from the River Murray: *Gazette* 22nd November, 1917, p. 1144.
Regulations (made by the River Murray Commission) as to tolls for use of lock at Blanchetown: *Gazette* 23rd March, 1922, p. 933.
River Murray traffic regulations: *Gazette* 24th September, 1936, p. 646.
Regulations for protection of locks and barrages: *Gazette* 18th July, 1940, p. 87.

River Torrens (Prohibition of Excavations) Act, 1927-1934.

Administration: Committed to the Commissioner of Public Works *Gazette* 17th June, 1937, p. 1306.

River Torrens Protection Act, 1949.

Commencement: 1st October, 1950; *Gazette* 31st August, 1950, p. 521.
Administration: Committed to the Minister of Works *Gazette* 31st August, 1950, p. 521.
s. 4. Proclamation: *Gazette* 31st August, 1950, p. 521.
Regulations: *Gazette* 12th October, 1950, p. 865.

Road and Railway Transport Act, 1930-1939.

Administration: Committed to the Minister of Railways *Gazette* 12th March, 1931, p. 471.
s. 10. Order: *Gazette* 16th July, 1942, p. 46.
s. 27e. Commencement: 14th March 1940: *Gazette* 14th March, 1940, p. 538.
Regulations: *Gazette* 25th March, 1943, p. 379; 29th September, 1949, p. 837; 18th September, 1952, p. 845.

Roads (Opening and Closing) Act, 1932-1946.

Regulations: *Gazette* 9th December, 1948, p. 1746.
Regulations under the Fees Regulation Act, 1927, relating to fees payable on issue of title, *Gazette* 31st May, 1928, p. 1147.

Road Traffic Act, 1934-1955.

Commencement of the Road Traffic Act, 1934 (except section 110): 2nd January, 1935 *Gazette* 20th December, 1934, p. 1217.

Commencement of section 110 of the Road Traffic Act, 1934: 1st March, 1935; *Gazette* 20th December, 1934, p. 1217.

Commencement of the Road Traffic Act Amendment Act, 1936 (except sections 153 and 154): 1st April, 1937; *Gazette* 18th March, 1937, p. 585.

Commencement of section 153 of the Road Traffic Act Amendment Act, 1936: 3rd December, 1936; *Gazette* 3rd December, 1936, p. 1193.

Commencement of section 154 of the Road Traffic Act Amendment Act, 1936: 1st December, 1937; *Gazette* 18th November, 1937, p. 1345.

Commencement of the Road Traffic Act Amendment Act, 1948 (except sections 4 and 14); 6th January, 1949; *Gazette* 6th January, 1949, p. 1.

Commencement of section 4 of the Road Traffic Act Amendment Act, 1948: 1st June, 1949: *Gazette* 31st March, 1949, p. 839.

Commencement of sections 4 to 27 of the Road Traffic Act Amendment Act, 1951: 20th December, 1951; *Gazette* 20th December, 1951, p. 1554.

Commencement of section 13 of the Road Traffic Act Amendment Act (No. 2), 1953: 1st July, 1954; *Gazette* 14th January, 1954, p. 57.

Commencement of sections 14, 15 and 16 of the Road Traffic Act Amendment Act (No. 2), 1953: 25th January, 1954; *Gazette* 14th January, 1954, p. 57.

Commencement of sections 4 to 29 of the Road Traffic Act Amendment Act (No. 2), 1955; At 25th May, 1956, these sections had not been brought into operation.

Administration of Parts I, II, and III: Committed to the Treasurer *Gazette* 20th December, 1934, p. 1217.

Administration of Parts IV and V: Committed to the Minister of Local Government *Gazette* 20th December, 1934, p. 1217.

Adminstration of Parts IIA and VI: Committed to the Treasurer *Gazette* 18th March, 1937, p. 586.

Administration of Part VII: Committed to the Minister of Local Government *Gazette* 18th March, 1937, p. 586.

s. 36a. Proclamation declaring 1st February, 1954, as the day on which the 1939-1945 war ceased: *Gazette* 28th January, 1954, p. 155.

s. 71. Proclamations: 27th January, 1938, p. 165; 10th February, 1938, p. 293.

s. 110. Proclamations: *Gazette* 25th April, 1940, p. 867; 11th November, 1943, p. 603; 27th October, 1955, p. 941.

s. 110a. Commencement: 1st July, 1954; *Gazette* 14th January, 1954, p. 57.

s. 130a. Notices: *Gazette* 26th January, 1939, p. 315; 9th February, 1939, p. 378; 2nd March, 1939, p. 553; 9th March, 1939, p. 590; 31st August, 1939, p. 558; 23rd November, 1939, p. 139; 18th January, 1940, p. 74; 8th February, 1940, p. 218; 15th February, 1940, pp. 372 and 373; 14th March, 1940, p. 549; 23rd May, 1940, p. 1111; 8th August, 1940, p. 224; 24th October, 1940, p. 843; 28th November, 1940, p. 1218; 19th December, 1940, p. 1555; 20th February, 1941, p. 259; 13th March, 1941, p. 372; 22nd May, 1941, p. 743; 3rd July, 1941, p. 3; 15th January, 1942, p. 70; 23rd November, 1944, p. 723; 17th May, 1945, p. 679; 4th October, 1945, p. 525; 24th January, 1946, p. 121; 21st March, 1946, p. 479; 9th May, 1946, p. 865; 15th August, 1946, p. 291; 12th September, 1946, p. 452; 27th February, 1947, p. 763; 8th May, 1947, p. 1429; 15th May, 1947, p. 1467; 10th July, 1947, p. 69; 16th October, 1947, p. 1127; 11th December, 1947, p. 1968; 22nd April, 1948, p. 862; 27th May, 1948, p. 1128; 5th August, 1948, p. 592; 23rd September, 1948, p. 1146; 4th November, 1948, p. 1448; 3rd February, 1949, p. 274; 17th March, 1949, p. 679; 11th August, 1949, p. 370; 17th November, 1949, p. 1269; 23rd February, 1950, p. 457; 23rd March, 1950, p. 653; 6th April, 1950, p. 773; 20th April, 1950, p. 874; 1st June, 1950, p. 1166; 15th June, 1950, p. 1244; 6th July, 1950, p. 20; 17th August, 1950, p. 426; 7th September, 1950, p. 644; 28th September, 1950, p. 740; 19th October, 1950, p. 988; 9th November, 1950, p. 1167; 30th November, 1950, p. 1340; 8th February, 1951, p. 274; 1st March, 1951, p. 486; 8th March, 1951, p. 531; 15th March, 1951, p. 590; 29th March, 1951, p. 690; 5th April, 1951, p. 745; 10th May, 1951, p. 1037; 24th May, 1951, p. 1132; 7th June, 1951, p. 1278; 21st June, 1951, p. 1334; 28th June, 1951, p. 1487; 5th July, 1951, p. 44; 6th September, 1951, p. 538; 13th September, 1951, p. 564; 27th September, 1951, p. 816; 8th November, 1951, p. 1178; 6th December, 1951, p. 1408; 13th December, 1951, p. 1456; 20th December, 1951, p. 1631; 17th January, 1952, p. 117; 24th January, 1952, p. 154; 21st February, 1952, p. 424; 28th February, 1952, p. 493; 20th March, 1952, p. 596; 8th May 1952, p. 1050; 22nd May, 1952, p. 1154; 5th June, 1952, p. 1276; 12th June, 1952, p. 1307; 19th June, 1952, p. 1352; 26th June, 1952, p. 1389; 10th July, 1952, p. 85; 17th July, 1952, p. 133; 7th August, 1952, p. 446; 28th August, 1952, p. 721; 16th October, 1952, p. 1058; 6th November, 1952, p. 1201; 20th November, 1952, p. 1342; 27th November, 1952, p. 1387; 4th December, 1952, p. 1482; 11th December, 1952, p. 1510; 18th December, 1952, p. 1583; 8th January, 1953, p. 19; 15th January, 1953, p. 61; 29th January, 1953, p. 141; 19th February, 1953, p. 293;

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26th February, 1953, p. 383; 5th March, 1953, p. 415; 19th March, 1953, p. 554; 2nd April, 1953, p. 738; 9th April, 1953, p. 909; 23rd April, 1953, p. 992; 28th May, 1953, p. 1322; 11th June, 1953, p. 1433; 25th June, 1953, p. 1514; 23rd July, 1953, p. 341; 30th July, 1953, p. 426; 6th August, 1953, p. 490; 20th August, 1953, p. 543; 3rd September, 1953, p. 721; 1st October, 1953, p. 916; 10th December, 1953, p. 1432; 24th December, 1953, p. 1488; 28th January, 1954, p. 183; 4th February, 1954, p. 198; 8th April, 1954, p. 710; 15th April, 1954, p. 758; 10th June, 1954, p. 1137; 19th August, 1954, p. 393; 9th September, 1954, p. 675; 14th October, 1954, p. 983; 13th January, 1955, p. 38, 11th August, 1955, p. 296, 1st December, 1955, p. 1250; 1st March, 1956, p. 453.

s. 130b. Notices: *Gazette* 15th August, 1940, p. 278; 26th June, 1941, p. 962; 18th September, 1941, p. 617; 28th May, 1942, p. 763; 1st April, 1943, p. 393; 9th December, 1943, p. 756; 13th June, 1946, p. 1087; 17th October, 1946, p. 1002; 2nd October, 1947, p. 973; 30th October, 1947, p. 1353; 2nd September, 1948, p. 909; 7th October, 1948, p. 1240; 28th October, 1948, p. 1348; 7th April, 1949, p. 928; 14th April, 1949, p. 972; 2nd June, 1949, p. 1512,; 16th June, 1949, p. 1790; 21st July, 1949, p. 180; 22nd September, 1949, p. 801; 9th February, 1950. p. 344; 8th June, 1950, p. 1185; 21st September, 1950, p. 710; 28th September, 1950, p. 740; 26th October, 1950, p. 1049; 9th November, 1950, p. 1167; 4th, January, 1951, p. 6; 22nd March, 1951, p. 677; 12th April, 1951, p. 813; 26th April, 1951, p. 961; 9th August, 1951, p. 279; 27th September, 1951, p. 816; 1st November, 1951, p. 1088; 13th March, 1952, p. 576; 20th March, 1952, p. 596; 17th April, 1952, p. 836; 30th October, 1952, p. 1155, 4th December, 1952, p. 1482; 22nd January, 1953, p. 95; 19th March, 1953, p. 554; 13th August, 1953, p. 526; 14th January, 1954, p. 61; 28th January, 1954, p. 183; 4th February, 1954, p. 198; 11th March, 1954, p. 518; 13th May, 1954, p. 991; 22nd July, 1954, p. 162; 2nd September, 1954, p. 522; 13th January, 1955, p. 38; 24th March, 1955, p. 745; 23rd June, 1955, p. 1447; 30th June, 1955, p. 1548; 11th August, 1955, p. 296; 6th October, 1955, p. 828; 22nd March, 1956, p, 570; 10th May, 1956, p. 930.

s. 143. Proclamation: *Gazette* 18th March, 1937, p. 586.

s. 151. Proclamation: *Gazette* 19th October, 1939, p. 1094.

Regulations: *Gazette* 17th September, 1951, p. 613; 24th April, 1952, p. 901; 25th September, 1952, p. 897; 1st April, 1954, p. 667; 6th May, 1954, p. 919; 15th July 1954, p. 104; 11th November, 1954, p. 1160; 25th November, 1954, p. 1264, 23rd December, 1954, p. 1547; 5th May, 1955, p. 1050; 8th September, 1955, p. 558

Rules of Local Court as to appeals under section 32: *Gazette* 4th March, 1937, p. 484.

Sale of Fruit Act, 1915-1935.

Regulations: *Gazette* 3rd December, 1936, p. 1195; 25th December, 1947, p. 2265.

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, 1929-1955.

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* 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.

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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 ; regulation No. 139 : *Gazette* 10th May, 1956, p. 929.
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* 26th January, 1956, p. 130.
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. 273; 2nd February, 1956, p. 218.
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; 28th July, 1955, p. 205.

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, 1929-1955.

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; 19th January, 1956, p. 107.
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, 1926-1955.

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 ; 15th March, 1956, p. 517.
Rules of Court : *Gazette* 12th May, 1932, p. 869.

Supreme Court Act, 1935-1955.

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.
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Administration of Justice Act, 1922—Procedure : Rules dated 25th October, 1922, Not published in the *Gazette*.
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Commencement: At 25th May, 1956, this Act had not been brought into operation.

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Administration: Committed to the Minister of Agriculture *Gazette* 17th February, 1955, p. 301.

s. 2. The Wheat Industry Stabilization Act, 1954, of the Commonwealth came into operation on 30th November, 1954: *Commonwealth Gazette*, 25th November, 1954, p. 3537.

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