ACTS OF THE PARLIAMENT OF SOUTH AUSTRALIA

1950



ACTS

OF

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OF

SOUTH AUSTRALIA

1950

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

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ANNO DECIMO QUARTO

GEORGII VI REGIS.

A.D. 1950.

****

No. 1 of 1950.

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, and for other purposes.

[*Assented to 29th June,* 1950.]

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

1. This Act may be cited as the " Appropriation Act (No. 1), 1950 ". Short title.

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

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 :—

	£
Treasurer, Miscellaneous — Transfer to the Leigh Creek Coal Fund towards working expenses of the field	150,000
Minister of Agriculture, Miscellaneous—Fruit fly destruction—Expenses of	70,000
	220,000

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 purpose 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.

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

J. M. NAPIER, Lieutenant-Governor.

ANNO DECIMO QUARTO

GEORGII VI REGIS.

A.D. 1950.

****

No. 2 of 1950.

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

[*Assented to 29th June,* 1950.]

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), 1950 ". 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-one, any moneys not exceeding in the whole four million pounds. Issue and application of £4,000,000.

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: 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 His Majesty, I hereby assent to this Bill.

J. M. NAPIER, Lieutenant-Governor.

ANNO DECIMO QUARTO

GEORGII VI REGIS.

A.D. 1950.

****

No. 3 of 1950.

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

[*Assented to* 31*st August,* 1950.]

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), 1950 ".

Issue and application of £4,000,000.

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-one, in addition to any moneys so issued and applied pursuant to the Supply Act (No. 1), 1950, any moneys not exceeding in the whole four 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, 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 His Majesty, I hereby assent to this Bill.

J. M. NAPIER, Lieutenant-Governor.

ANNO DECIMO QUARTO

GEORGII VI REGIS.

A.D. 1950.

****

No. 4 of 1950.

An Act to amend the Coal Act, 1947-1949.

[*Assented to 28th September,* 1950.]

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, 1950".

(2) The Coal Act, 1947-1949, as amended by this Act, may be cited as the "Coal Act, 1947-1950".

(3) The Coal Act, 1947-1949, 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. 19 of the principal Act—Duration of Act.

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

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

J. M. NAPIER, Lieutenant-Governor.

ANNO DECIMO QUARTO

GEORGII VI REGIS.

A.D. 1950.

***

Amendment of s. 41 of principal Act—Vesting order as to stock and choses in action.

5. Section 41 of the principal Act is amended by striking out paragraph 1. of subsection (1) and inserting in lieu thereof the following:—

1. Where the Supreme Court appoints or has appointed a trustee or where a trustee has been appointed out of court under any statutory or express power:

Amendment of s. 59 of principal Act—Audit of trustees accounts.

6. Section 59 of the principal Act is amended by striking out the words "audit the accounts so filed" in the last line and inserting in lieu thereof the words "cause the accounts so filed to be audited by an accountant in public practice holding a certificate from the Companies Auditors and Liquidators Board employed by the Public Trustee for that purpose".

Application of Act.

7. The amendments made by this Act shall apply to trusts created either before or after the commencement of this Act.

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

J. M. NAPIER, Lieutenant-Governor.

ANNO DECIMO QUARTO

GEORGII VI REGIS.

A.D. 1950.

****

No. 6 of 1950.

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 28th September,* 1950.]

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, 1950 ".

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 nineteen million five hundred 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-one million pounds.

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

(3) If the amount mentioned in any line of the 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 for works and purposes mentioned in the schedule shall not exceed twenty-one million 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 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.

Duration of Act.

8. Upon the commencement of an Act authorizing the raising and expenditure of loan money for the financial year 1951-1952, 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 and 7, shall cease.

Power to borrow under Public Purposes Loan Act, 1948.

9. Section 4 of the Public Purposes Loan Act, 1948, shall be construed as though at the time of the enactment thereof the words " five hundred and twenty-eight thousand " had been inserted after the word " million " in the first line thereof.

Commencement of Act.

10. This Act shall come into operation on the first day of the month following the month in which this Act is assented to by the Governor.

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

J. M. NAPIER, Lieutenant-Governor.

SCHEDULE.

Amounts Proposed to be Expended from the Loan Fund.

Loan Undertakings.	Estimated Expenditure.
	£
STATE BANK.	
Advances for Homes	700,000
Loans to Producers	180,000
Advances to Settlers	15,000
Loans for Fencing and Water Piping	15,000
Vermin-Proof Fencing	10,000
Advances to State Bank	400,000
Advances to State Bank Act, 1925-1941, Part VIA.—For loans to Primary Producers	50,000
Loans for Water Conservation	15,000
HIGHWAYS AND LOCAL GOVERNMENT.	
Roads and Bridges	100,000
LANDS.	
Land Repurchased for Closer Settlement	35,000
Crown Lands Development Act	180,000
Agricultural Graduates, Purchase of Land for	30,000
IRRIGATION AND DRAINAGE.	
Irrigation and Reclamation of Swamp Lands	209,000
Lessees Reclaimed Swamp Lands, Loans to	1,000
South-Eastern Drainage	310,000
WOODS AND FORESTS.	
Afforestation and Timber Milling	930,000
RAILWAYS.	
Railway Accommodation	1,700,000
HARBORS BOARD.	
Harbors Accommodation	587,000
ENGINEERING AND WATER SUPPLY.	
Morgan-Whyalla Water Main	3,000
Adelaide and Millbrook Water District	1,500,000
Adelaide Sewers	432,500
Country Water Districts	350,000
Barossa Water District	80,000
Beetaloo, Bundaleer, and Baroota Water District	382,000
Tod River Water District	300,000
Warren Water District	80,000
Water Conservation	45,000
River Murray Weirs, Dams, Locks, Etc.	116,000
Metropolitan Floodwaters	1,500
Glanville Pipe Works	5,500
Engineering and Water Supply—Plant, Machinery, Etc.	750,000

Amounts Proposed to be Expended from the Loan Fund—continued.

Loan Undertakings.	Estimated Expenditure.
ARCHITECT-IN-CHIEF.	£
Hospital Buildings	350,000
School Buildings	685,050
Police and Courthouse Buildings	77,000
Agricultural College	32,000
Other Government Buildings	170,000
MISCELLANEOUS.	
Expenses and Discounts of Floating Conversion Loans	100,000
Produce Department—Buildings and Plant	58,000
Settlement of Discharged Soldiers on the Land, 1914-1918	10,000
South Australian Housing Trust—War time and Post-war Housing	3,000,000
Lower River Broughton Irrigation Trust—Loan to	6,850
Leigh Creek Coal Field	650,000
Electricity Trust of South Australia—Loan to	4,600,000
Enfield General Cemetery—Advances to	3,600
Purchase of Stores	350,000
Temporary and Emergency Housing Accommodation	700,000
Industries Development Act—Advances under	100,000
Municipal Tramways Trust—Loan to	300,000
Public Parks Act—Purchase of Land	50,000
Mines—Plant, Machinery, Etc.	225,000
Printing and Stationery—Plant, Machinery, Etc.	20,000
Total	£21,000,000

ANNO DECIMO QUARTO

GEORGII VI REGIS.

A.D. 1950.

****

No. 7 of 1950.

An Act to amend the Prices Act, 1948-1949.

[*Assented to 12th October,* 1950.]

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, 1950 ".

(2) The Prices Act, 1948-1949, as amended by this Act, may be cited as the " Prices Act, 1948-1950 ".

(3) The Prices Act, 1948-1949, 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. 53 of the principal Act—Duration of Act.

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

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

J. M. NAPIER, Lieutenant-Governor.

ANNO DECIMO QUARTO

GEORGII VI REGIS.

A.D. 1950.

****

No. 8 of 1950.

An Act to enable the Governments of foreign States to own and dispose of land in South Australia, and for purposes incidental thereto.

[*Assented to 12th October,* 1950.]

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 " Real Property (Foreign Governments) Act, 1950 ".

Interpretation.

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

" foreign State " means any State other than South Australia, including any sovereign State, any State of the Commonwealth, any State forming part of any other federal State, and any State under the dominion or protection of His Majesty or of any other State ;

" land " means any estate or interest in land ;

" representative " means diplomatic representative, consul, or consular officer.

Power of foreign Governments to hold land.

3. (1) Subject to this Act the Government of a foreign State or a minister or member of any such Government shall be capable of owning and being registered as the owner of land in South Australia, and of conveying, transferring, mortgaging, demising, and being a party to any other disposition of such land.

(2) In any instrument which relates to land in South Australia—

(*a*) the Government of a foreign State shall be described by the words "The Government of ", the blank space being filled by the name of that State:

(*b*) a minister or member of the Government of a foreign State shall be described by his official title including or followed by the name of that State.

Consent to assurances of lands to foreign Governments.

4. An instrument granting, conveying, transferring or demising land to the Government of a foreign State or to a minister or member of the Government of a foreign State shall not have any effect or be registered, deposited, or enrolled pursuant to any Act, unless it contains or has endorsed thereon a statement by the Minister of Lands that he consents to the transaction evidenced or effected by that instrument.

Execution of instruments.

5. (1) An instrument granting, conveying, transferring, demising, mortgaging or otherwise dealing with land or an acceptance of a transfer of land may be executed on behalf of the Government of a foreign State or on behalf of a minister or member of the Government of a foreign State by a representative of that Government resident within the Commonwealth.

(2) A certificate, signed by the Minister of Lands and certifying that a person named therein is a representative of the Government of a foreign State and is resident in the Commonwealth, shall, if contained in or endorsed on any instrument relating to land, be accepted by the Registrar-General as conclusive evidence of the fact so certified.

(3) The Minister of Lands on request made to him by or on behalf of a foreign State, and if satisfied as to the facts to be certified, shall give a certificate such as is mentioned in subsection (2) of this section.

Foreign States deemed to be bodies corporate.

6. (1) For purposes of owning and dealing with land pursuant to this Act the Government of a foreign State or a minister or member of the Government of a foreign State shall be deemed to be a body corporate.

(2) Where any instrument relating to land in South Australia contains a reference to any such Government, minister or member, that reference shall be deemed to be a reference to the persons for the time being constituting that Government or, as the case may be, to the person for the time being holding or acting in the office of that minister or member.

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

J. M. NAPIER, Lieutenant-Governor.

ANNO DECIMO QUARTO

GEORGII VI REGIS.

A.D. 1950.

****

No. 9 of 1950.

An Act to amend the University of Adelaide Act, 1935-1946.

[*Assented to 12th October,* 1950.]

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 " University of Adelaide Act Amendment Act, 1950 ".

(2) The University of Adelaide Act, 1935-1946, as amended by this Act, may be cited as the " University of Adelaide Act, 1935-1950 ".

(3) The University of Adelaide Act, 1935-1946, is hereinafter called the " principal Act ".

Amendment of principal Act, s. 3— Interpretation.

2. Section 3 of the principal Act is amended by adding at the end thereof the following additional definition :—

" University grounds " means—

(*a*) the lands in the City of Adelaide and in the municipality of Mitcham which are used by the University for purposes of education or scientific research or both ;

(*b*) the Waite Park in the municipality of Mitcham ; and includes

(*c*) all roads, ways, tracks, paths, open spaces and buildings on, and appurtenances to the said lands and park.

Amendment of ibid—

3. The principal Act is amended by inserting therein after section 18 thereof the following sections :—

Power to make by-laws.

18a. (1) The council may make by-laws for all or any of the following purposes :—

(*a*) to prohibit persons from trespassing on the University grounds ;

(*b*) to prevent damage to the University grounds and any fixtures, chattels, trees, shrubs, bushes, flowers, gardens and lawns on or in those grounds ;

(*c*) to regulate speed at which vehicles may be driven on the University grounds ;

(*d*) to prohibit the dangerous or careless driving of vehicles on the University grounds ;

(*e*) to prohibit the driving on the University grounds of vehicles the weight of which when laden exceeds the amount prescribed in the by-laws ;

(*f*) to prescribe the route to be followed by traffic on roads, ways, or tracks within the University grounds and the specific gates which may be used for the entrance and exit of vehicles and pedestrians and to require the observance of one-way traffic rules on specified roads, ways, or tracks ;

(*g*) to regulate the parking, ranking, placing and arranging of vehicles on University grounds and to empower authorized persons to remove any vehicle from the University grounds without assigning any reason ;

(*h*) generally to regulate traffic of all kinds on the University grounds ;

(*i*) to prohibit disorderly conduct or indecent language by persons on the University grounds and to empower authorized persons to remove from those grounds persons guilty of disorderly conduct or indecent language thereon ;

(*j*) to prohibit, restrict or regulate the consumption of alcoholic liquor on the University grounds and the bringing of alcoholic liquor on to those grounds, and to empower authorized persons to remove from the University grounds any intoxicated person and to search the University grounds and vehicles thereon for alcoholic liquor and to seize any liquor reasonably

suspected of having been brought on to the University grounds contrary to any by-law ;

(*k*) to empower the council to confiscate any liquor brought on to the University grounds contrary to any by-law ;

(*l*) to prevent persons from climbing on fences or buildings or walking over gardens or lawns on the University grounds ;

(*m*) to regulate the conduct of open air and indoor meetings held on the University grounds ;

(*n*) to prevent the interruption of lectures or meetings by noise or unseemly behaviour on the University grounds whether in or outside of buildings and to prevent undue noise from motor vehicles on the University grounds ;

(*o*) to prescribe fines recoverable summarily not exceeding twenty pounds for any contravention of any by-law ; and

(*p*) to empower the University to recover summarily compensation for any damage done to the University grounds.

(2) The council may declare in any such by-law that it shall apply to a part only of the University grounds specified therein, and it shall so apply accordingly.

(3) In this section " authorized person " means a person appointed by the council to be an authorized person for the purposes of this section.

(4) The council may appoint any person to be an authorized person for purposes of this section, and may, at will, revoke any such appointment.

Mode of making by-laws.

18b. No by-law shall be made—

(*a*) except at a meeting of the council of which at least fourteen days' prior notice in writing has been sent by post to each member of the council specifying the by-laws intended to be proposed ; or

(*b*) unless a majority of all the members of the council vote at the meeting in favour of the proposed by-law.

Confirmation of by-laws.

18c. (1) Every by-law—

(*a*) shall be submitted to the Governor for confirmation and shall be of no force unless confirmed ;

(*b*) after confirmation shall be published in the *Gazette* at the expense of the University ;

(*c*) shall, subject to subsection (2) hereof, take effect from the day of that publication or from any later day fixed by the by-law ; and

(*d*) shall be laid before each House of Parliament within the first fourteen sitting days of that House after the said publication.

(2) If either House of Parliament passes a resolution disallowing any by-laws of which resolution notice has been given at any time within fourteen sitting days of that House after the by-law has been laid before it the by-law shall thereupon cease to have any effect, but without affecting the validity or curing the invalidity of anything done or omitted in the meantime. This subsection shall apply although all the fourteen sitting days, or some of them do not occur in the same session of Parliament as that in which the by-law is laid before the House.

(3) When a resolution has been passed as mentioned in subsection (2) hereof notice of the resolution shall forthwith be published in the *Gazette*.

Conditions precedent.

18d. When a by-law has been confirmed by the Governor and published in the *Gazette* all conditions precedent to the making thereof shall be conclusively deemed to have been fulfilled.

Notice of by-laws.

18e. (1) The council shall set out the substance of all its by-laws respecting traffic on a notice board at each entrance which leads directly from a road or street to the University grounds and is ordinarily used by vehicular traffic.

(2) Failure to comply with subsection (1) of this section shall not affect the validity or operation of any by-law.

Non-application of s. 38 of Acts Interpretation Act.

18f. The provisions of section 38 of the Acts Interpretation Act, 1915, shall not apply to by-laws made under this Act.

Saving of other provisions.

18g. No by-laws under this Act shall take away or restrict any liability, civil or criminal, arising under any provision of any other Act or at common law.

Allegation in complaint to be evidence.

18h. In any proceedings for any contravention of any by-law the allegation in the complaint that any place was on the University grounds shall be *prima facie* evidence of the fact alleged.

Contravention of by-laws by students.

18i. Where a contravention of any by-law made by the Council in exercise of the powers conferred by section 18a of this Act has been committed by any student of the University, the Council, instead of charging him with such contravention in a court of summary jurisdiction, may direct that he be charged with such contravention before the Board of Discipline, and the Board of Discipline, if it finds such offence to be proved, may punish the offender in any of the ways mentioned in the Statute made by the Council prescribing the functions and powers of the Board of Discipline.

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

J. M. NAPIER, Lieutenant-Governor.

ANNO DECIMO QUARTO

GEORGII VI REGIS.

A.D. 1950.

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No. 10 of 1950.

An Act to amend the Food and Drugs Act, 1908-1949.

[*Assented to 19th October,* 1950.]

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 "Food and Drugs Act Amendment Act, 1950".

(2) The Food and Drugs Act, 1908-1949, as amended by this Act may be cited as the "Food and Drugs Act, 1908-1950".

(3) The Food and Drugs Act, 1908-1949, is hereinafter referred to as "the principal Act".

Amendment of principal Act, s. 51—Time for laying complaint.

2. Subsection (1) of section 51 of the principal Act is hereby repealed.

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

J. M. NAPIER, Lieutenant-Governor.

ANNO DECIMO QUARTO

GEORGII VI REGIS.

A.D. 1950.

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No. 11 of 1950.

An Act to amend the Registration of Business Names Act, 1928-1946.

[*Assented to 19th October,* 1950.]

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, 1950".

(2) The Registration of Business Names Act, 1928-1946, as amended by this Act, may be cited as the "Registration of Business Names Act, 1928-1950".

(3) The Registration of Business Names Act, 1928-1946, is hereinafter referred to as "the principal Act".

Amendment of principal Act, ss. 9 and 11—

Time for giving notices.

2. (1) Section 9 of the principal Act is amended by striking out the words "fourteen days" in the second line thereof and by inserting in lieu thereof the words "one month".

(2) Section 11 of the principal Act is amended by striking out the words "fourteen days" in the third line and in the sixth line thereof and by inserting in lieu thereof in each case the words "one month".

Re-enactment of principal Act, s. 21—

3. Section 21 of the principal Act is amended so as to read as follows:—

Removal of name from register on business name ceasing to be used.

21. (1) If any firm, individual or corporation registered under this Act ceases to carry on business or abandons the use of the business name, the persons who were partners in

the firm at the time when it ceased to carry on business or abandoned the business name or the corporation or the individual or, if he is dead, his personal representatives, shall, within one month after the business has ceased to be carried on or the business name has been abandoned, give notice in writing, either by post or by delivering the same to the registrar, that the firm corporation, or individual has ceased to carry on business or, as the case may be, that the business name has been abandoned: Provided that if as a result of a sale, transfer or other disposition of the business, any person mentioned as aforesaid gives notice to the registrar in pursuance of section 11 of this Act it shall not be necessary to give notice under this section in respect of that transaction.

(2) No fee shall be payable in respect of any notice given under this section.

(3) If any person required by subsection (1) of this section to give notice to the registrar fails to do so within the time specified by subsection (1) of this section, he shall be liable to a penalty not exceeding twenty pounds.

Amendment of principal Act, s. 23—Carrying on business under certain circumstances.

4. Section 23 of the principal Act is amended by striking out subsection (2) thereof and by inserting in lieu thereof the following subsection:—

(2) If any firm, individual, or corporation carries on business under any business name such as is referred to in subsection (1) or subsection (1a) of this section, and which is not registered pursuant to this Act, then every partner in the firm or, as the case may be, the individual or corporation shall be guilty of an offence and liable to a penalty not exceeding five pounds for every day during which the business is so carried on.

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

J. M. NAPIER, Lieutenant-Governor.

ANNO DECIMO QUARTO

GEORGII VI REGIS.

A.D. 1950.

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No. 12 of 1950.

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-one, and for other purposes.

[*Assented to 26th October,* 1950.]

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), 1950."

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 seventeen million, three hundred and fifty-seven thousand, nine hundred and seventeen pounds.

Appropriation of General Revenue.

Estimates, 1950-51.

3. (1) Out of the sum of four million pounds issued under the authority of the Supply Act (No. 1), 1950, and the sum of four million pounds issued under the authority of Supply Act (No. 2), 1950, and the said sum of seventeen million, three hundred and fifty-seven thousand, nine hundred and seventeen 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-one the sum of twenty-five million, three hundred and

fifty-seven thousand, nine hundred and seventeen pounds, the said amount being appropriated as follows, viz. :—

	£
Legislative Council	5,566
House of Assembly	7,203
Parliamentary Library	2,980
Joint House Committee	4,623
Electoral	15,546
Government Reporting	16,183
Parliamentary Standing Committee on Public Works	1,602
Parliamentary Committee on Land Settlement	3,465
Legislature, Miscellaneous	22,358
State Governor's Establishment	2,925
Chief Secretary	9,507
Statistical	30,133
Audit	28,110
Printing and Stationery	125,752
Police	775,002
Sheriff and Gaols and Prisons	83,795
Hospitals	1,739,444
Children's Welfare and Public Relief	301,195
Central Board of Health	36,097
Chief Secretary, Miscellaneous	546,775
Attorney-General	5,917
Registrar of Companies	5,770
Crown Solicitor	15,707
Parliamentary Draftsman	3,384
Public Trustee	28,535
Supreme Court	32,021
Adelaide Local Court	18,853
Adelaide Police Court	18,299
Country and Suburban Courts	24,120
Coroners	2,437
Registrar-General of Deeds	55,831
Attorney-General, Miscellaneous	3,672
The Treasury	18,548
Superannuation	22,539
Motor Vehicles	85,526
Agent-General in England	10,299
Land Tax	50,414
Stamp and Succession Duties	18,486
Publicity and Tourist Bureau and Immigration	104,533
Prices Control	62,952
Building Materials	13,371
Interest and Exchange	720,000
Unclaimed Moneys—Repayment of	200
Treasurer, Miscellaneous	3,421,078
Lands	350,194
Botanic Garden	24,330
Government Motor Garage	14,038
Advances to Settlers, Vermin Proof Fencing and Loans for Fencing and Water Piping	9,734
Minister of Lands, Miscellaneous	17,719
Public Works (Office of the Minister)	4,454
Engineering and Water Supply	1,022,991
Architect-in-Chief	77,333

	£
Government Offices	56,109
Cemetery	10,425
Public Stores	66,138
Aborigines	57,601
Public Works	401,440
Minister of Works, Miscellaneous	19,863
Education	2,856,610
The Libraries	55,484
The Museum	18,241
The Art Gallery	9,624
Observatory	1,375
Minister of Education, Miscellaneous	239,199
Industry	35,659
Factories and Steam Boilers	30,005
Minister of Industry, Miscellaneous	2,675
Minister of Agriculture	5,933
Agriculture	354,123
Agricultural College	64,090
Produce	162,959
Fisheries and Game	10,294
Chemistry	22,893
Primary Producers' Assistance	15,754
Minister of Agriculture, Miscellaneous	46,352
Department of Lands—Irrigation and Drainage	255,253
Minister of Irrigation, Miscellaneous	3,031
Mines	479,264
Harbors Board	724,308
Minister of Marine, Miscellaneous	5,370
Railways	9,202,800
Transport Control Board	11,852
Minister of Railways, Miscellaneous	7,862
Highways and Local Government	92,920
Minister of Local Government, Miscellaneous	10,865
Total	£25,357,917

(2) If—

(*a*) during the financial year ending on the thirtieth day of June nineteen hundred and fifty-one 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, 1936-1947 (as amended by the Public Finance Act, 1949), 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, 1920-1949, 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-two.

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-one notwithstanding that the payment is—

(*a*) in respect of a period prior to the first day of July, nineteen hundred and fifty; 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, 1936-1949, 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 His Majesty, I hereby assent to this Bill.

J. M. NAPIER, Lieutenant-Governor.

ANNO DECIMO QUARTO

GEORGII VI REGIS.

A.D. 1950.

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Appropriation of one million pounds.

4. (1) For the purpose of making grants under section 3 of this Act there may be issued and applied out of the general revenue of the State any moneys not exceeding in the aggregate one million pounds.

(2) This Act without further appropriation shall be sufficient authority for such issue and application of money and for making grants under section 3 of this Act.

Report on schemes under section 3.

5. Every annual report prepared by the Electricity Trust under section 25 of the Electricity Trust of South Australia Act, 1946-1949, shall include a report on schemes approved and money expended under section 3 of this Act.

Subsidies to municipal and district councils.

6. (1) A municipal or district council or any two or more of such councils jointly may submit to the Minister of Local Government (in this section called " the Minister ") a scheme proposing that the council or councils shall establish, purchase, enlarge, extend or improve any electricity undertaking carried on or intended to be carried on by it or them, or shall do any two or more of those things.

(2) Any such scheme shall set out particulars of the work to be done and the transactions to be entered into, the estimated capital cost of the scheme, and the amount of money to be borrowed by the council submitting the scheme, or in the case of a joint scheme, by each council which is a party to the scheme.

(3) The Minister may refer any such scheme to the Electricity Trust for investigation and report and the Electricity Trust shall investigate and report to the Minister on every scheme so referred to it.

(4) Upon receipt of the report of the Electricity Trust the Minister may at his discretion—

(*a*) approve or disapprove of the scheme :

(*b*) request the council or councils which submitted the scheme to amend it or to include further particulars therein ;

(*c*) approve or disapprove of any scheme as so amended or added to.

(5) If the Minister approves of a scheme—

(*a*) the council or, in the case of a joint scheme, each council which is a party thereto, may borrow the amount of money which, according to the terms of the scheme, is to be borrowed by that council ;

(*b*) the Treasurer may make a grant to the council of half of the actual capital expenditure by the council on the scheme, but not exceeding half of the estimated capital cost of the scheme as approved.

(6) Any such grant may be made in instalments as payments become due from time to time by the council.

(7) In this Act, "district council" includes the Renmark Irrigation Trust.

Amendment of approved schemes.

7. (1) If the amount of money which, according to the terms of an approved scheme, is to be borrowed by any council or councils is insufficient to pay half of the cost of executing the scheme or if, for any other reason, the Minister deems it desirable to amend the scheme, he may, on the application of the council or councils concerned and on the advice of the Electricity Trust, approve of amendments of the scheme so as to provide for all or any of the following things :—

(*a*) the borrowing of additional money :

(*b*) any alteration or modification of, or addition to the work to be done or the transactions to be entered into under the scheme :

(*c*) any alteration of the estimated capital cost of the scheme.

(2) Any such amended scheme may be carried into operation under section 6 of this Act in lieu of the scheme as originally approved.

Financial provision for schemes.

8. (1) This Act without any further consents or authority shall be sufficient authority for a council to borrow money under section 6 or 7 of this Act and for the Treasurer to make grants for any scheme approved under either of those sections.

(2) Any money required by the Treasurer to make grants under section 6 or 7 of this Act shall be issued and applied out of the general revenue of the State.

Subsequent purchase of undertaking.

9. When the Treasurer has made a grant under section 6 or 7 of this Act and the Electricity Trust subsequently seeks to obtain a loan from the Treasurer for the purchase of the electricity undertaking in respect of which the grant was made,

or seeks to obtain the Treasurer's consent to a loan for that purpose, the Treasurer, in determining the amount of any loan to be so made or consented to by him, may take into account the amount of the said grant.

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

J. M. NAPIER, Lieutenant-Governor.

ANNO DECIMO QUARTO

GEORGII VI REGIS.

A.D. 1950.

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No. 14 of 1950

An Act to amend the Health Act, 1935-1947.

[*Assented to 2nd November,* 1950.]

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, 1950".

(2) The Health Act, 1935-1947, as amended by this Act, may be cited as the "Health Act, 1935-1950".

(3) The Health Act, 1935-1947, is hereinafter referred to as "the principal Act".

Amendment of principal Act, s. 101—Dogs at slaughter-houses.

2. Section 101 of the principal Act is amended—

(*a*) by inserting after the word "or" in the third line thereof the words "shall keep, or permit to be kept, or allow to be, in or about any slaughter-house".

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

(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.

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

C. W. M. NORRIE, Governor.

ANNO DECIMO QUARTO

GEORGII VI REGIS.

A.D. 1950.

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No. 15 of 1950.

An Act to amend the Building Materials Act, 1949.

[*Assented to 2nd November*, 1950.]

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

Short titles.

1. (1) This Act may be cited as the " Building Materials Act Amendment Act, 1950 ".

(2) The Building Materials Act, 1949, as amended by this Act, may be cited as the " Building Materials Act, 1949-1950 ".

(3) The Building Materials Act, 1949, is hereinafter referred to as " the principal Act ".

Amendment of principal Act · 4— Control of use of essential building materials.

2. Section 4 of the principal Act is amended—

(*a*) by striking out subparagraphs (*a*) and (*b*) of paragraph 1. of subsection (2) thereof and by inserting in lieu thereof the following subparagraphs :—

(*a*) the total area of the dwellinghouse does not exceed or if completed will not exceed twelve and a half squares ; and

(*b*) the total cost of the construction of the dwellinghouse (including the total cost of the construction of any outbuildings appurtenant to the dwellinghouse the construction of which is commenced prior

to the completion of the construction of the dwellinghouse) does not exceed or if completed will not exceed—

(i.) if the total area of the dwellinghouse does not exceed or if completed will not exceed ten and a half squares—one thousand seven hundred pounds ;

(ii.) if the total area of the dwellinghouse is more than ten and a half squares but does not exceed or if completed will not exceed eleven and a half squares—one thousand eight hundred pounds ;

(iii.) if the total area of the dwellinghouse is more than eleven and a half squares but does not exceed or if completed will not exceed twelve and a half squares—one thousand nine hundred pounds ; and

(*b*) by inserting after the word "hundred" in the fifth line of paragraph II. of subsection (2) thereof the words "and fifty";

(*c*) by inserting after the word "any" in the second line of paragraph III. of subsection (2) thereof the word "completed";

(*d*) by inserting after the word "hundred" in the eighth line of paragraph III. of subsection (2) thereof the words "and fifty";

(*e*) by inserting after the word "any" in the second line of paragraph IV. of subsection (2) thereof the word "completed";

(*f*) by inserting after the word "hundred" in the last line of paragraph IV. of subsection (2) thereof the words "and fifty".

Amendment of principal Act. s. 8— Direction by Minister.

3. Section 8 of the principal Act is amended—

(*a*) by inserting at the end of subsection (1) thereof the following passage :—

Without limitation of any other power conferred on the Minister by this section, the Minister may from time to time, by notice in writing given to any seller, direct that the seller shall sell or dispose of any essential building material (other

than any essential building material which has been manufactured outside the Commonwealth) of any kind specified in the notice and in his possession or disposition to such persons or classes of persons or for such purposes as are specified in the notice. Any such direction shall be in force for such period as is stated in the direction and the direction may be given subject to such conditions as the Minister deems necessary and may also require the seller to supply to the Minister such periodical returns relating to the sale or other disposal of any such essential building materials by the seller as are specified in the direction and during such period as is so specified.

(*b*) by inserting after the word " section " in the sixth line of subsection (5) thereof the words " or who fails to supply any return required to be supplied by him pursuant to any direction of the Minister given in accordance with this section ".

Amendment of principal Act, s. 20—Disclosure of information to Minister.

4. Section 20 of the principal Act is amended—

(*a*) by inserting after the word " notice " in the fourth line thereof the words " all or any of the following, namely :—";

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

(*c*) by adding at the end of subsection (1) thereof the words " the quantities of any such essential building material in the possession or custody of the said person at any time specified in the notice, and the persons to whom during any period specified in the notice the person to whom the notice has been given has sold or disposed of any essential building materials, the quantity so sold or disposed of and the time of such sale or disposal ".

Amendment of principal Act, s. 29—Duration of Act.

5. Section 29 of the principal Act is amended by striking out the word " fifty " in the third line thereof and by inserting in lieu thereof the word " fifty-one ".

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

C. W. M. NORRIE, Governor.

ANNO DECIMO QUARTO

GEORGII VI. REGIS.

A.D. 1950.

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No. 16 of 1950.

An Act to amend the Stamp Duties Act, 1923-1947.

[*Assented to 2nd November,* 1950.]

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

Short titles.

1. (1) This Act may be cited as the " Stamp Duties Act Amendment Act, 1950 ".

(2) The Stamp Duties Act, 1923-1947, as amended by this Act, may be cited as the " Stamp Duties Act, 1923-1950 ".

(3) The Stamp Duties Act, 1923-1947, 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 s. 48a of the principal Act—

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

Licences for duty paid cheques.

48a. (1) The Treasurer, at his discretion, may issue to any bank a licence enabling that bank to issue to its customers cheque forms having the words " Stamp duty paid " printed thereon.

(2) Every such licence—

(*a*) shall be in such form and contain such terms, conditions, limitations and restrictions as the Treasurer thinks fit ;

(*b*) in particular shall contain such conditions as the Treasurer thinks proper with respect to the payments of duty at the rate fixed in respect of cheques by this Act, which the bank holding the licence shall make to the Treasurer in respect of cheque forms issued by that bank;

(*c*) shall be revocable at any time at the will of the Treasurer.

(3) A cheque form issued by a bank pursuant to a licence in force under this section shall be deemed to be duly stamped under this Act.

(4) Any money due to the Treasurer by a bank in accordance with a licence issued under this section may be recovered by the Treasurer by action brought by him in his corporate name in any court having jurisdiction in common law actions up to the amount claimed.

(5) The power to make regulations conferred on the Governor by section 112 of this Act shall include power to make regulations with respect to the printing and control of cheque forms for use under this section, and generally with respect to licences and the duties of persons holding licences under this section.

(6) In this section " bank " means—

(*a*) any bank carrying on the business of banking in the State, including any bank owned or carried on by the Crown in right of the Commonwealth or the State; and

(*b*) any company or other corporation which holds money on current account on behalf of its customers or clients and pays such money on unconditional written orders payable on demand and addressed by such customers or clients to the company or corporation:

" cheque " includes any such unconditional written order as mentioned in paragraph (*b*) of the definition of " bank " in this section.

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

C. W. M. NORRIE, Governor.

ANNO DECIMO QUARTO

GEORGII VI REGIS.

A.D. 1950.

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No. 17 of 1950.

An Act to make further and better provision for the creation and management of State forests and matters incidental thereto.

[*Assented to 2nd November*, 1950.]

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 "Forestry Act, 1950".

Interpretation.

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

"the board" means The Forestry Board created by this Act;

"the Conservator" means the Conservator of Forests holding office under this Act;

"forest reserve" means—

(*a*) any land vested in the Minister of Forests, or held by him under licence;

(*b*) any land which either before or after this Act has been reserved for a forest reserve, and has not ceased to be so reserved;

"the Minister" means the Minister of Forests;

"property" means real and personal property.

Repeal.

3. The Woods and Forests Act, 1882-1935, is repealed.

Administration.

Administration by Minister.

4. This Act shall, except as otherwise provided, be administered by the Minister.

Incorporation of Minister.

5. (1) The Minister shall by the name of "Minister of Forests" be a body corporate with perpetual succession and a common seal, and subject to this Act, shall have power in his corporate name to purchase, take, hold and dispose of property and may sue and be sued in his corporate name.

(2) The common seal of the Minister shall be judicially noticed and when it appears on a document shall be presumed to have been properly affixed thereto.

The Forestry Board.

6. (1) The Governor may appoint a board to be called "The Forestry Board".

(2) The board shall consist of three members. The Conservator shall, by virtue of his office be a member of the board, and the other two members shall be appointed on the nomination of the Minister for such period and on such terms and conditions as the Governor determines.

(3) The Governor shall appoint one of the members of the board to be the chairman of the board.

(4) Until other appointments are made under this section the members of the Forestry Board in office at the time of the passing of this Act shall constitute the board.

(5) Subject to this Act, the proceedings and business of the board shall be conducted in such manner as the board determines.

Officers.

7. (1) The Governor may, in accordance with the Public Service Act, 1936-1949, appoint a Conservator of Forests and such other officers as are required for the administration of this Act.

(2) The Conservator and other officers so appointed shall be subject to the Public Service Act, 1936-1946.

(3) The Conservator shall be a person holding a degree or diploma in forestry or some other qualification in forestry approved by the Public Service Commissioner as adequate for the purposes of this Act.

(4) The Minister may appoint such other employees as are required for the administration of this Act.

(5) The Conservator shall be the principal administrative officer of the Minister for the purposes of this Act.

(6) All officers and employees employed at the commencement of this Act in connection with the administration of the Woods and Forests Act, 1882-1935, shall be deemed to have been appointed under this Act.

Power of Minister to delegate.

8. (1) The Minister may, by writing signed by him, delegate to the board or to the Conservator any powers, authorities,

duties and functions (except this power of delegation) conferred or imposed on him by this Act.

(2) A delegation under this section—

(*a*) shall be revocable at will ;

(*b*) shall not prevent the exercise of any power, authority, duty or function by the Minister.

(3) Any reference in this Act to the Minister shall, in respect of matters as to which any powers, authorities, duties or functions are exercised by the board or the conservator pursuant to a delegation under this section, be deemed to include a reference to the board or conservator as the case may be.

Management of Forests and disposal of products.

Control of forest reserves.

9. Subject to this Act, the Minister shall control and manage every forest reserve.

Leases of forest reserves.

10. (1) The Minister, on the recommendation of the board, may grant a lease of the whole or any part of any forest reserve, being land which is not required for operations carried on by the Minister under this Act.

(2) Every such lease shall reserve such rent and contain such terms, covenants, and conditions as the Minister approves on the recommendation of the board.

Licences and other interests in forest reserves.

11. (1) The Minister, on the recommendation of the board, may grant a licence, easement, profit a prendre, or other interest in or over the whole or any part of any forest reserve : Provided that a licence for the use and occupation of any such land for grazing or agriculture may be granted by the Minister on the recommendation of the Conservator.

(2) Every such licence, easement, profit a prendre, and interest shall be granted on and be subject to any terms and conditions recommended by the board.

Planting, milling and disposal of timber.

12. The Minister may—

(*a*) plant any forest reserve with trees ;

(*b*) take any action necessary or convenient to be taken to protect any trees in a forest reserve and ensure their proper growth ;

(*c*) on the recommendation of the board establish, maintain, and operate mills, plant and machinery for the milling and treatment of such trees and timber.

Milling and sale of timber.

13. The Minister, on the recommendation of the board, may sell or otherwise dispose of any trees or timber produced in forests under the control of the Minister, and any mill

products produced in the milling or treatment of such trees or timber:

Provided that no sale or contract for the sale of trees or timber shall be made unless the Conservator has certified that trees or timber for such sale are available or can properly be made available from the forests.

Accommodation for employees.

14. The Minister may—

(*a*) build, take on lease or purchase dwellinghouses and sell or let them to officers and employees of the Minister and to other persons for whom he deems it expedient to provide dwellinghouses in order to facilitate operations carried on under this Act:

(*b*) enter into and carry out any other transactions or arrangements for providing living accommodation for such officers and employees and such other persons:

(*c*) make grants of money or do any work or enter into and carry out any transactions or arrangements for the establishment, development and improvement of residential and shopping areas and recreation facilities for such officers and employees and other persons.

Electricity.

15. The Minister may sell electricity generated at any mill established or maintained under this Act.

Ancillary powers of Minister.

16. Subject to this Act, the Minister may, for the purpose of carrying the other provisions of this Act into operation—

(*a*) buy, take on lease or other tenancy, or hire any property;

(*b*) sell, let or otherwise dispose of any property;

(*c*) enter into any transaction and do or execute any act matter or thing which it is necessary or convenient to enter into, do or execute:

Provided that this section shall not authorize the Minister to sell any forest reserve or any part of any such reserve.

Prevention of fire.

17. (1) In this section "authorized person" means the Minister, or any person authorized by the Minister to take action under this section.

(2) For the prevention of fire, an authorized person may cut down, destroy or remove trees, scrub or inflammable material of any kind on any road adjoining a forest reserve.

(3) Before taking any action under subsection (2) of this section on a road within a municipality or district council

district the authorized person shall give the council of that municipality or district council district notice of his intention to do so, and shall consider any representations made to him by the council within one month after the giving of the notice.

(4) Compensation shall not be payable to a council or any other person for any tree, scrub or material cut down, destroyed or removed under this section.

(5) The authorized person shall make good any damage caused by him to any fence or other property by anything done under this section, and shall remove from the road or otherwise dispose of any logs, branches or debris arising from action taken under this section.

Injuries to forest reserves.

18. (1) A person who without the consent of the Minister injures, destroys or interferes with any property belonging to, or under the control or management of, the Minister or the board, shall be guilty of an offence and liable to a fine of not more than one hundred pounds.

(2) If any such property is injured or destroyed by any animal, the owner of the animal shall be deemed to have injured or destroyed that property unless he proves that the injury or destruction was caused by the wilful or negligent act of some other person.

(3) The court by which a person is convicted of an offence against this section may order that person to pay to the Minister compensation for the damage done.

Miscellaneous.

Technical advice and assistance.

19. The board or the Conservator, with the approval of the Minister, may, on terms and conditions approved by the Minister, afford technical advice and assistance on forestry and operations and problems allied therewith to any municipal or district council, or to any other public authority or to persons engaged or about to engage in production or commerce.

Proceedings for offences.

20. Proceedings in respect of offences against this Act shall be disposed of summarily.

Regulations.

21. The Governor may make regulations—

(*a*) with respect to the control, management and protection of forest reserves and all property of the Minister ;

(*b*) prescribing any other matters which it is necessary or convenient to prescribe for the administration and operation of this Act ;

(*c*) prescribing fines recoverable summarily and not exceeding fifty pounds for breach of any regulation.

Financial provision.

22. The money required for the purposes of this Act shall be paid out of money provided by Parliament for those purposes.

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

C. W. M. NORRIE, Governor.

ANNO DECIMO QUARTO

GEORGII VI REGIS.

A.D. 1950.

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No. 18 of 1950.

An Act to amend the Libraries and Institutes Act, 1939-1948.

[*Assented to 2nd November,* 1950.]

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 " Libraries and Institutes Act Amendment Act, 1950 ".

(2) The Libraries and Institutes Act, 1939-1948, as amended by this Act, may be cited as the " Libraries and Institutes Act, 1939-1950 ".

(3) The Libraries and Institutes Act, 1939-1948, is hereinafter referred to as " the principal Act ".

Amendment of principal Act, s. 5— Interpretation.

2. Section 5 of the principal Act is amended by adding at the end of the definition of " council " therein the words " and includes the Renmark Irrigation Trust ".

Amendment of principal Act, s. 65— Powers of inspection.

3. Section 65 of the principal Act is amended by inserting after the word " association " in the first line thereof the words " , the secretary to the association,".

Amendment of principal Act, ss. 67 and 68— Incorporation of institutes.

4. (1) Section 67 of the principal Act is amended so as to read as follows :—

67. An institute may be incorporated pursuant to the Associations Incorporation Act, 1929-1935.

(2) Section 68 of the principal Act is amended by striking out subsections (1) and (2) thereof and by inserting in lieu thereof the following subsections :—

(1) The provisions of the Associations Incorporation Act, 1929-1935, shall apply with respect to the vesting of the property of any institute incorporated under that Act.

(2) Subject to the provisions of subsection (1) of this section, the sealholders of any incorporated institute shall, on complying with the provisions of section 76 of this Act, be deemed to be the trustees of the institute for the purposes of this Act and shall continue in that office as provided by and subject to this Act.

Amendment of principal Act, s. 82—Rules.

5. Section 82 of the principal Act is amended by striking out the words " same has been approved in writing by the council of the association " in the second and third lines of subsection (3) thereof and by inserting in lieu thereof the words " council of the association is satisfied that it is desirable that the rule should be made or, as the case may be, altered or rescinded and unless the council of the association approves thereof in writing ".

Enactment of s. 85a of principal Act and consequential repeal of s.110 of principal Act—Voting rights of members of institutes.

6. (1) The following section is enacted and inserted in the principal Act after section 85 thereof :—

85a. (1) If any resolution is pursuant to this Act to be submitted to any meeting of the members of any institute or if any appointment or election is to be made or carried out by the members of any institute, a member of the institute shall not be entitled to vote upon that resolution or for that appointment or election unless the member—

(*a*) is eighteen or more years of age ; and

(*b*) has paid the full current subscription prescribed to be paid by the rules or by-laws of the institute or as fixed by the committee of the institute pursuant to the rules or by-laws of the institute ; and

(*c*) has been a member for the previous six months ; and

(*d*) complies with the requirements of any relevant rule or by-law of the institute relating to the right of voting of members of the institute.

(2) Any member entitled to vote as aforesaid shall have one vote and no more at any meeting but any such member who is chairman of a meeting shall have a casting vote as well as a deliberative vote.

(2) Section 110 of the principal Act is repealed.

Enactment of s. 89a of principal Act—

7. The following section is enacted and inserted in Division I of Part V of the principal Act after section 89 thereof :—

Regulations.

89a. The Governor, on the recommendation of the council of the association, may make regulations for all or any of the following purposes, namely:—

I. Prescribing the manner in which the funds of institutes may be invested:

II. Prescribing the manner in which any securities of institutes shall be held or deposited:

III. Prescribing the records to be kept of the funds and securities of institutes:

IV. Otherwise for safeguarding the funds of institutes and for securing the proper custody of the property and securities thereof:

V. For fixing penalties for any breach of any regulation not exceeding the sum of twenty pounds for any one offence.

Amendment of principal Act, s. 97—Foreclosure.

8. Section 97 of the principal Act is amended—

(*a*) by striking out the words "three months'" in the sixth line thereof and by inserting in lieu thereof the words "one month's";

(*b*) by striking out the words "three months" in the second line of subsection (3) thereof and by inserting in lieu thereof the words "one month".

Amendment of principal Act, s. 106—Disposal of property of dissolved institute.

9. Section 106 of the principal Act is amended by adding at the end thereof the following subsection:—

(3) If the property of the institute includes any land upon which is erected a hall and the other property of the institute is not sufficient for the payment of the debts of the institute (other than any debt secured by a charge upon the said land) the council of the association may, in any case it thinks fit, with the consent of the Minister, grant a mortgage or other charge upon the said land to secure the payment of the said debts to the extent to which the other property of the institute is insufficient to repay. Unless the said land is vested in the council of the association pursuant to section 107 then, for the purpose of giving effect to this subsection and for that purpose only, the said land shall be deemed to be vested in the council of the association. The land may at any time thereafter be disposed of in manner provided by subsection (2) of this section. Until such time as the land is disposed of as aforesaid the council of the association may from the general funds of the association make any payment of interest necessary to to be made pursuant to the mortgage or charge granted as aforesaid.

10. Section 107 of the principal Act is amended— Amendment of principal Act, s. 107—

Dissolution of institutes.

(*a*) by striking out subsection (1) thereof and by inserting in lieu thereof the following subsection :—

(1) If—

(*a*) the number of the members of the institute whose subscriptions are paid up to the date of the resolution in this section mentioned, is reduced to less than ten ; or

(*b*) the council of the association is satisfied that the institute has not an adequate library or that the library of the institute is not being properly managed,

the council of the association may pass a resolution that, subject to this section, the institute will be dissolved ;

(*b*) by inserting after the word "council" wherever occurring in subsection (3) thereof in every case the words "of the association" ;

(*c*) by inserting after the word "up" in the fourth line of subsection (3) thereof the words "or that the institute has then an adequate library or that the library is then properly managed, as the case may require," ;

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

(4) If notice of a resolution of the council of the association is posted as aforesaid, then during the period of three months after the posting thereof, neither the trustees of the institute nor the committee of the institute shall dispose of or charge any of the assets of the institute or enter into any contract for the purposes of the institute unless the consent in writing of the council of the association is given thereto.

(5) Forthwith after the posting of the notice aforesaid, the committee of the institute shall deliver up to the council of the association the records and books of account of the institute.

(6) Notwithstanding anything in this section or in section 106, the council of the association shall not, except as provided by subsection (3) of section 106, incur any liability with respect to the debts or obligations of any institute.

Amendment principal Act, Division VI of Part V—

Power to demand poll.

11. (1) Section 111 of the principal Act is amended so as to read as follows :—

111. (1) Before making any purchase or accepting any conveyance or transfer as aforesaid the council shall give notice of the proposal. The notice shall state the purpose of the proposal and the amount (if any) to be paid by the council for the purchase, conveyance or transfer and shall be published in the *Government Gazette* and twice in some newspaper circulating in the neighbourhood not less than one month nor more than three months before the purchase is to be completed by the council.

(2) Within one month after the last publication of the notice, the requisite number of ratepayers may in manner provided by section 427 of the Local Government Act, 1939-1949, demand a poll.

(3) In this section the term "requisite number of ratepayers" shall have the meaning given thereto by the said section 427 and the provisions of Part XXI and Part XLIII of the Local Government Act, 1934-1949, shall *mutatis mutandis* apply with respect to the poll.

(2) Subsection (3) of section 109 of the principal Act is repealed.

(3) Section 113 of the principal Act is amended so as to read as follows :—

Certificate of town or district clerk.

113. If after notice as required by section 111 is given no poll is demanded as provided pursuant to that section or if a poll is demanded and held approving of the purchase, conveyance or transfer of the property of the institute, the town clerk or district clerk of the council shall give to the Minister and to the council of the association a certificate accordingly.

Amendment of principal Act, s. 117—Management of transferred institute.

12. Section 117 of the principal Act is amended by striking out subsection (3) thereof and by inserting the following subsection in lieu thereof :—

(3) At least one month before the time for holding the meeting for the annual election of members of the committee by the members of the institute, the secretary of the institute shall give notice in writing to the council of

the time for the holding of the meeting. The election by the council of its proportion of the committee shall take place before the time for holding the meeting stated in the notice aforesaid. If notice is given as aforesaid and the council does not elect its proportion of the committee before the said time, the said proportion may be elected by the members of the institute and shall hold office as if they had been elected by the council.

Enactment of s. 118a of principal Act—

13. The following section is enacted and inserted in Division VI. of Part V. of the principal Act after section 118 thereof :—

Transfer of institute to two or more councils.

118a. (1) If the council of the area in which an institute is situated and the council or councils of any other area or areas desire to combine to purchase or to accept the conveyance or transfer of the real and personal property of the institute, the councils may submit to the Minister a scheme for the purchase, transfer, or conveyance, as the case may be.

(2) The scheme shall be in writing and shall state—

(*a*) the names of the councils submitting the scheme ;

(*b*) the manner in which it is proposed that the real and personal property of the institute shall be held ;

(*c*) the proportion in which each council will contribute to any costs arising out of the acquisition or future management of the institute ;

(*d*) the proportion of members of the committee of the institute which shall be elected by each council ;

(*e*) any other matters deemed necessary by the Minister.

(3) The Minister may in writing approve any such scheme and thereupon the councils joining in the scheme may in relation to the institute do jointly any matter, act or thing which pursuant to this Division or Division VII. of this Part may be done by the council of the area in which the institute is situated, but the provisions of this Part and the said Part VII. shall, *mutatis mutandis*, apply thereto and nothing in this section shall in any wise affect the provisions of this Part and the said Part VII. requiring the passing of any resolution, the giving of any consent, or the holding of any poll.

(4) With the consent in writing of the Minister, the councils being parties to a scheme approved as aforesaid may from time to time in writing vary the provisions of the scheme. Before giving any consent as aforesaid, the Minister shall cause notice of the proposed variation to be given to the institute and shall consider any representations which are, within the time stated for the purpose in the notice, made to the Minister by the institute.

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

C. W. M. NORRIE, Governor.

ANNO DECIMO QUARTO

GEORGII VI REGIS.

A.D. 1950.

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No. 19 of 1950.

An Act to amend the Housing Improvement Act, 1940-1947.

[*Assented to 2nd November,* 1950.]

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 "Housing Improvement Act Amendment Act, 1950".

(2) The Housing Improvement Act, 1940-1947, as amended by this Act, may be cited as the "Housing Improvement Act, 1940-1950".

(3) The Housing Improvement Act, 1940-1947, is hereinafter referred to as "the principal Act".

Amendment of principal Act, s. 16—Powers of housing authority.

2. Section 16 of the principal Act is amended by adding at the end thereof the following subsection:—

(3) Without limitation of any other power conferred by this Act the housing authority, if satisfied that, for the development of any locality in which any housing estate of the housing authority is or is intended to be situated, it is necessary or desirable so to do, may buy any land for any purpose other than the provision of housing and may for any such purpose sell or exchange any land.

Amendment of principal Act, s. 23—Power to declare houses unfit for habitation.

3. Subsection (6) of section 23 of the principal Act is repealed.

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

C. W. M. NORRIE, Governor.

ANNO DECIMO QUARTO

GEORGII VI REGIS.

A.D. 1950.

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No. 20 of 1950.

An Act to amend the Industrial Code, 1920-1949.

[*Assented to 2nd November,* 1950.]

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, 1950".

(2) The Industrial Code, 1920-1949, as amended by this Act, may be cited as the "Industrial Code, 1920-1950".

(3) The Industrial Code, 1920-1949, 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. 5 of the principal Act—Interpretation.

3. Section 5 of the principal Act is amended by striking out the definition of "metropolitan area" therein and inserting in lieu thereof the following definition:—

"metropolitan area" means—

(*a*) 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, West Torrens, Woodville; and

(*b*) the Garden Suburb; and

(*c*) that part of the district council district of Salisbury which lies to the southward of the following line:—Commencing at a point on the western

boundary of the hundred of Port Adelaide (sea coast) being the intersection with the production westerly of the southern boundary of section 327; thence easterly along said production and boundary; south-easterly along the south-western boundaries of sections 3502, 3501, and 3065; easterly along portion of the southern boundary of said section 3065, to the centre of the Little Para River; thence generally north-north-easterly and easterly along said centre of Little Para River to the north-eastern corner of East ward, district council district of Salisbury.

Amendment of s. 140 of the principal Act—Interpretation.

4. Section 140 of the principal Act is amended by striking out the definition of "metropolitan area" therein and inserting in lieu thereof the following definition:—

"metropolitan area" means—

(*a*) 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, West Torrens, Woodville; and

(*b*) the Garden Suburb; and

(*c*) that part of the district council district of Salisbury which lies to the southward of the following line:—Commencing at a point on the western boundary of the hundred of Port Adelaide (sea coast) being the intersection with the production westerly of the southern boundary of section 327; thence easterly along said production and boundary; south-easterly along the south-western boundaries of sections 3502, 3501, and 3065; easterly along portion of the southern boundary of said section 3065, to the centre of the Little Para River; thence generally north-north-easterly and easterly along said centre of Little Para River to the north-eastern corner of East ward, district council district of Salisbury.

Amendment of s. 269a of the principal Act—Quarterly computation of living wage

5. Section 269a of the principal Act is amended—

(*a*) by adding at the end of paragraph (*b*) in the definition of "the amount of the automatic increase or decrease in the Commonwealth basic wage" the

words " or if the President of the Board of Industry gives a certificate under subsection (4a) of this section, the amount of increase or decrease stated in that certificate " ;

(*b*) by inserting therein after subsection (4) the following subsections :—

(4a) If the Commonwealth Court of Conciliation and Arbitration declares a basic wage per week for females which will apply in Adelaide and will be generally automatically increased or decreased on index numbers in accordance with awards applying in Adelaide and made under the Commonwealth Conciliation and Arbitration Act, 1904-1949, the President of the Board of Industry shall as soon as is practicable in each quarter prepare and publish in the *Gazette* a certificate stating the amount by which the Commonwealth basic wage per week for females for Adelaide is generally automatically increased or decreased in that quarter in accordance with the said awards.

If there is no such increase or decrease the certificate shall state that fact.

(4b) If the President of the Board of Industry is of opinion that the coming into operation of a new living wage declared or about to be declared by the Governor or the Board of Industry would substantially coincide with the coming into operation of any living wage as computed under this Act in any quarter, and that in arriving at the amount of the new living wage so declared or about to be declared allowance has been made for any automatic alteration of the living wage which would normally be made in that quarter, the President may refrain from issuing any certificate under subsection (4) or subsection (4a) of this section ; and in the event of no such certificate being issued no quarterly computation of the living wage shall be made in that quarter.

(*c*) by adding after the word " Industry " in the second line of subsection (6) the words " or of the Governor ".

6. The following section is enacted and inserted in the principal Act after section 269a :— Enactment of s. 269b of the principal Act—

Power of Governor to declare living wage.

269b. (1) Subject to this section, the Governor may by proclamation declare any one or more of the following living wages :—

(*a*) the living wage for adult male employees throughout the whole State ;

(*b*) the living wage for adult male employees in any part or parts of the State specified in the proclamation ;

(*c*) the living wage for adult female employees throughout the whole State ;

(*d*) the living wage for adult female employees in any part or parts of the State specified in the proclamation.

(2) A proclamation shall not be made under subsection (1) of this section unless—

(*a*) the Minister is satisfied that the proclamation is desirable in order to avoid unjustifiable differences between rates of wages fixed under Commonwealth and State laws respectively ; and

(*b*) the President of the Board of Industry has recommended that the proclamation be made.

(3) When a proclamation made under subsection (1) of this section is published in the *Gazette* it shall be deemed to be and shall have the same effect in all respects as if it were a determination of a living wage by the Board of Industry published in the *Gazette* pursuant to this Act : Provided that any such proclamation may specify the day on which the living wage thereby declared shall come into force, and that living wage shall come into force accordingly.

(4) A living wage declared under this section shall subject to any increase or decrease thereof under section 269a of this Act remain in force until another living wage in lieu thereof is declared by proclamation under this section or is determined by the Board of Industry under this Part, and comes into force.

(5) Neither this section nor any proclamation in force under this section shall take away any power of the Board of Industry to declare a living wage : Provided that the

Board of Industry shall not make a determination of a living wage for any employees for whom a living wage has been declared by proclamation and is in force, until the expiration of at least six months after the day when the living wage so declared by proclamation came into force.

(6) If the Board of Industry declares a living wage for any employees while such a proclamation is in force but after the expiration of the period mentioned in subsection (5) of this section, that living wage shall notwithstanding the proclamation previously in force, but subject to any proclamation made under subsection (1) of this section after the declaration, be the living wage in relation to employees to whom it applies.

(7) Any reference in this Act to an increase or decrease in the living wage occurring by reason of a determination of the Board of Industry, shall be construed so as to include any increase or decrease occurring in the living wage as a result of a proclamation made under this section.

Amendment of s. 279 of the principal Act—Interpretation.

7. Section 279 of the principal Act is amended by striking out the definition of " metropolitan area " therein and inserting in lieu thereof the following definition :—

" metropolitan area " means—

(*a*) 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, West Torrens, Woodville ; and

(*b*) the Garden Suburb ; and

(*c*) that part of the district council district of Salisbury which lies to the southward of the following line :—Commencing at a point on the western boundary of the hundred of Port Adelaide (sea coast) being the intersection with the production westerly of the southern boundary of section 327 ; thence easterly along said production and boundary ; south-easterly along the south-western boundaries of sections 3502, 3501, and 3065 ; easterly along portion of the southern boundary of said section 3065, to the centre of the Little Para River ; thence

generally north-north-easterly and easterly along said centre of Little Para River to the north-eastern corner of East ward, district council district of Salisbury.

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

C. W. M. NORRIE, Governor.

ANNO DECIMO QUARTO

GEORGII VI REGIS.

A.D. 1950.

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No. 21 of 1950.

An Act to amend the Marriage Act, 1936-1944.

[*Assented to 2nd November,* 1950.]

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 " Marriage Act Amendment Act, 1950 ".

(2) The Marriage Act, 1936-1944, as amended by this Act, may be cited as the " Marriage Act, 1936-1950 ".

(3) The Marriage Act, 1936-1944, is hereinafter referred to as " the principal Act ".

Re-enactment of s. 14 of principal Act—

2. Section 14 of the principal Act is amended so as to read as follows :—

Restrictions on registration of officiating ministers.

14. (1) Subject to subsection (2) of this section, a person shall not be registered as an officiating minister or officiating registrar unless he is a British subject.

(2) In any case where the Minister considers it desirable so to do, the Minister may approve in writing of the registration as an officiating minister or officiating registrar of a person who is not a British subject, but every such registration shall be for such period as the Minister directs and in fixing the period the Minister shall have regard to the time within which the persons so registered would be entitled to the grant of a certificate of naturalization.

(3) If any person who is not a British subject is registered as an officiating minister or officiating registrar (whether so registered before or after the passing of the Marriage Act Amendment Act, 1950) and if at any time (whether before the expiration of any time fixed pursuant to subsection (2) of this section or not) the Minister is of opinion that the officiating minister or officiating registrar could have become entitled to the grant of a certificate of naturalization or could have applied for a certificate of naturalization but has not so become or applied, the Minister may direct the principal registrar to remove the name of the officiating minister or officiating registrar from the roll of officiating ministers or, as the case may be, officiating registrars.

(4) If any person is registered as an officiating minister or officiating registrar for a time fixed pursuant to subsection (2) of this section, the name of the officiating minister or officiating registrar shall, at the expiration of that time, be removed by the principal registrar from the roll of officiating ministers, or, as the case may be, officiating registrars, but any such person may, in conformity with this section or any other provision of this Act, again be registered as an officiating minister or officiating registrar.

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

C. W. M. NORRIE, Governor.

ANNO DECIMO QUARTO

GEORGII VI REGIS.

A.D. 1950.

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No. 22 of 1950.

An Act to amend the Aged and Infirm Persons' Property Act, 1940.

[*Assented to 9th November,* 1950.]

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 " Aged and Infirm Persons' Property Act Amendment Act, 1950 ".

(2) The Aged and Infirm Persons' Property Act, 1940, as amended by this Act, may be cited as the " Aged and Infirm Persons' Property Act, 1940-1950 ".

(3) The Aged and Infirm Persons' Property Act, 1940, is hereinafter referred to as " the principal Act ".

Enactment of ss. 16a and 16b of the principal Act—

2. The following sections are enacted and inserted in the principal Act after section 16 thereof :—

Power of court.
Cf. U.K. 12 & 13 Geo. 5, c. 60, s. 2 (8).

16a. In the exercise of any power to give any direction or make any order under this Act with respect to any protected estate, the court shall have power to make any order for the purpose of preserving, so far as possible in the administration of the protected estate, the quality, tenure and devolution of the property comprised therein.

Interest in property. Cf. U.K. 53, Vict. c. 5, s. 123.

16b. (1) The protected person, his heirs, executors, administrators, next of kin, devisees, legatees and assigns shall have the same interest in any moneys arising from any sale, mortgage, lease or other disposition directed by the court under this Act, which may not have been applied under the powers given by this Act, as he or they would have had in the property, the subject of the sale, mortgage, lease, or disposition if no sale, mortgage, lease or disposition had been made, and the surplus moneys shall be of the same nature as the property sold, mortgaged, leased or disposed of.

(2) In order to give effect to this section, the court may make such orders and direct such conveyances, deeds and things (which may and shall accordingly be executed and done) as the court thinks fit.

(3) The proceeds of any such sale, mortgage, lease or other disposition shall be placed to a special credit for the purpose of identification.

Amendment of principal Act, s. 29— Restriction of testamentary capacity of protected person.

3. Section 29 of the principal Act is amended by inserting therein after subsection (1) thereof the following subsection:—

(1a) The court may make such a direction at any time or from time to time and it may be made on the application of the manager.

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

C. W. M. NORRIE, Governor.

ANNO DECIMO QUARTO

GEORGII VI REGIS.

A.D. 1950.

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No. 23 of 1950.

An Act to amend the Bush Fires Act, 1933-1946.

[*Assented to 9th November,* 1950.]

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, 1950 ".

(2) The Bush Fires Act, 1933-1946, as amended by this Act, may be cited as the " Bush Fires Act, 1933-1950 ".

(3) The Bush Fires Act, 1933-1946, is hereinafter referred to as " the principal Act ".

Amendment of principal Act, ss. 4, 5 and 8—Penalties.

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

(*a*) by striking out the word " two " in the third line of subsection (5) thereof and by inserting in lieu thereof the word " five ";

(*b*) by striking out the word " twenty " in the fourth line of subsection (5) thereof and by inserting in lieu thereof the word " twenty-five ";

(*c*) by striking out the word " five " in the last line of subsection (5) thereof and by inserting in lieu thereof the word " ten ".

(2) Section 5 of the principal Act is amended—

(*a*) by striking out the word " two " in the third line of subsection (2) thereof and by inserting in lieu thereof the word " five " ;

(*b*) by striking out the word " twenty " in the fourth line of subsection (2) thereof and by inserting in lieu thereof the word " twenty-five " ;

(*c*) by striking out the word "five" in the last line of subsection (2) thereof and by inserting in lieu thereof the word "ten".

(3) Section 8 of the principal Act is amended by striking out the word "twenty" in the fourth line of subsection (2) thereof and by inserting in lieu thereof the word "twenty-five".

Amendment of principal Act, s. 4, 5 and 8— Notice of burning.

3. (1) Section 4 of the principal Act is amended by striking out the word "or" in the second line of paragraph IV of subsection (2) thereof and by inserting in lieu thereof the word "and".

(2) Section 5 of the principal Act is amended by striking out the word "or" in the second line of paragraph III of subsection (1) thereof and by inserting in lieu thereof the word "and".

(3) Section 8 of the principal Act is amended by striking out the word "or" in the second line of paragraph III. of subsection (1) thereof and by inserting in lieu thereof the word "and".

Amendment of principal Act, s. 11— Alteration of burning periods, etc.

4. Section 11 of the principal Act is amended by striking out subsection (4) thereof and by inserting in lieu thereof the the following subsection:—

(4) In every case where the Minister is of opinion that the alteration of periods, hours or distances, as the case may be, to be made pursuant to any notice given under this section (whether given by a council or by the Minister) should have effect only for a time to be stated in the notice, the Minister may give directions in writing fixing the time during which the alterations shall continue and the time so fixed shall be stated in the notice aforesaid. Upon the expiration of the time so fixed, the periods, hours or distances, as the case may be, shall revert to the periods, hours, or distances, as the case may be, which applied within the area, or portion thereof, or part of the State, as the case may be, immediately prior to the notice taking effect.

Enactment of s. 13a of principal Act—

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

Warning of day of extreme fire hazard.

Cf. Vic. 5040, 1944, s .41. Cf. Vic. 5191, 1946, s. 29.

13a. Whenever the Minister is of opinion that it is desirable so to do, the Minister may cause to be broadcast from a broadcasting station in the State a warning of the likelihood of the occurrence of weather conditions conducive to the spread of bush fires in the whole of the State or any part or parts of the State and warning all persons against the fire hazard which would be created by the lighting of fires in the open.

Re-enactment of s. 15 of principal Act—

6. Section 15 of the principal Act is amended so as to read as follows:—

Using stationary engine in open.

15. (1) If—

(*a*) any person drives or uses in a stationary position any steam engine or internal combustion engine (other than a steam engine or internal combustion engine which is enclosed on all sides with non-inflammable material); and

(*b*) either—

(i) a space of ground around the engine to a width of twelve feet at least is not cleared of all stubble, scrub, and other inflammable material; or

(ii) some person is not present during the whole time the engine is driven or used; and

(*c*) there is not provided with the engine during the time it is driven or used an effective water spray of the knapsack pattern fully charged with water and a shovel,

the said person if whilst so driving or using the steam engine or internal combustion engine, he fails to comply with the provisions of either or both of paragraphs (*b*) and (*c*) hereof, and also any other person who causes the said person to so drive or use the steam engine or internal combustion engine, shall be guilty of an offence and liable to a penalty of not less than two pounds nor more than twenty pounds.

(2) If—

(*a*) any person drives or uses in a stationary position any internal combustion engine and the engine is enclosed on all sides with non-inflammable material; and

(*b*) any exhaust pipe from the engine projects outside the non-inflammable material; and

(*c*) the engine is not equipped with an effective spark arrester or muffler,

the said person and also any other person who causes the said person to so drive or use the internal combustion engine shall be guilty of an offence and liable to a penalty of not less than two pounds nor more than twenty pounds.

Amendment of principal Act, s. 17—

Use of internal combustion engines.

7. Section 17 of the principal Act is amended—

(*a*) by adding at the end of subsection (1) thereof the words " and a shovel ".

(*b*) by striking out in the first line of subsection (4) the words " If any crop is reaped or cut on any land and " ;

(*c*) by striking out in the second and third lines of subsection (4) the words ", for the purpose of removing the crop," ;

(*d*) by striking out in the third line of subsection (4) the words " the said " and inserting in their place the word " any ";

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

(5) If—

(*a*) any person drives on any land any tractor propelled by an internal combustion engine ; and

(*b*) the tractor is not fitted with an effective spark arrester ; and

(*c*) there is not carried with the tractor whilst so driven an effective water spray of the knapsack pattern fully charged with water ; and

(*d*) the tractor whilst so driven is in contact with any stubble or inflammable material,

the said person, if whilst so driving the tractor he fails to comply with the provisions of either or both of paragraphs (*b*) and (*c*) hereof, and also any other person who causes the said person to so drive the tractor, shall be guilty of an offence and liable to a penalty of not less than two pounds nor more than twenty pounds.

In this subsection " tractor " means any vehicle adapted for use in hauling other vehicles, but not built to carry passengers or loads other than fuel or water for its own consumption.

Amendment of principal Act, s. 19—Throwing live tobacco ash from vehicle.

8. Section 19 of the principal Act is amended by inserting after the word " cigar " the words " or any live tobacco ash ".

Enactment of s. 28b of principal Act—Power to provide sirens.

9. The following section is enacted and inserted in the principal Act after section 28a thereof :—

28b. A council may erect or authorize the erection of any siren in any suitable place for the purpose of being used to give an alarm on the outbreak of any fire and may from time to time test any siren so erected.

10. Section 29 of the principal Act is amended— Amendment of principal Act, s. 29—

(*a*) by striking out the words ", but not exceeding fifteen," in the seventh line of subsection (2) thereof. Appointment of fire control officers.

(*b*) by adding at the end of subsection (2) thereof the following passage :—

The number of additional fire control officers which under this subsection may be authorized to be appointed by the Minister shall not exceed the following :—

Where the area of the council is less than six hundred square miles in extent—fifteen :

Where the area of the council is six hundred square miles or more but is less than eight hundred square miles in extent—twenty :

Where the area of the council is eight hundred square miles or more in extent—twenty-five.

11. The following section is enacted and inserted in the principal Act after section 29d thereof :— Enactment of s. 29e of principal Act—

29e. Any person who in any way wilfully obstructs, hinders, delays, or interferes with any fire control officer in the exercise or discharge of any power or duty of the fire control officer under this Act shall be guilty of an offence and liable to a penalty not exceeding ten pounds or to imprisonment for any term not exceeding two months. Hindering fire control officer. Cf. 2272, 1936, s. 66.

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

C. W. M. NORRIE, Governor.

ANNO DECIMO QUARTO

GEORGII VI REGIS.

A.D. 1950.

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No. 24 of 1950.

An Act to amend the Fruit Fly Act, 1947-1949.

[*Assented to 9th November,* 1950.]

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, 1950 ".

(2) The Fruit Fly Act, 1947-1949, as amended by this Act, may be cited as the " Fruit Fly Act, 1947-1950 ".

(3) The Fruit Fly Act, 1947-1949, is hereinafter referred to as " the principal Act ".

Amendment of principal Act, s. 4—Rights to compensation.

2. Section 4 of the principal Act is amended by inserting after the word " forty-nine " in subsection (2) thereof the words " or the year nineteen hundred and fifty ".

Amendment of the schedule to the principal Act.

3. The schedule to the principal Act is amended by adding thereto the following lines :—

Date of Proclamation.	Date and Page of *Gazette.*
4/8/49	4/8/49, page 294
6/1/50	6/1/50, pages 37 and 38
9/1/50	9/1/50, pages 39 and 40
12/1/50	12/1/50, pages 42 and 43

Date of Proclamation.	Date and Page of *Gazette*.
17/2/50	17/2/50, page 425
27/2/50	27/2/50, page 471
23/3/50	23/3/50, pages 637 and 638
6/4/50	6/4/50, page 725
6/7/50	6/7/50, pages 1 and 2
6/7/50	6/7/50, pages 3 and 4

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

C. W. M. NORRIE, Governor.

ANNO DECIMO QUARTO

GEORGII VI REGIS.

A.D. 1950.

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No. 25 of 1950.

An Act to amend the Mining Act, 1930-1946.

[*Assented to 9th November,* 1950.]

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, 1950 ".

(2) The Mining Act, 1930-1946, as amended by this Act, may be cited as the " Mining Act, 1930-1950 ".

(3) The Mining Act, 1930-1946, 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.

Enactment of s. 20a of the principal Act—

3. The following section is enacted and inserted in the principal Act after section 20 :—

Entry on land for geological survey.

20a. (1) For the purpose of making geological investigations and surveys the Minister, the Government Geologist and any officer of the Crown authorized in writing by the Minister or the Government Geologist may, with or without assistants, vehicles and equipment—

(*a*) enter upon any land ; and

(*b*) conduct geological surveys, inspections and investigations thereon ; and

(*c*) take and remove from the land any geological specimens or samples ; and

(*d*) remain upon the land for such time as is necessary for the purpose of conducting geological surveys, inspections, and investigations.

(2) This section shall apply to all land whether owned or occupied by the Crown or any other person, and irrespective of the tenure thereof.

(3) A person exercising any power under this section shall not unnecessarily impede or obstruct any lawful work or operations being carried out by the owner or occupier of any land.

(4) Any person who interferes with or obstructs any person in the exercise of any power conferred by this section shall be guilty of an offence and liable to a fine not exceeding fifty pounds.

(5) Any person entering upon any land pursuant to this section shall, if requested by the owner or occupier of such land, display his authority to such owner or occupier.

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

C. W. M. NORRIE, Governor.

ANNO DECIMO QUARTO

GEORGII VI REGIS.

A.D. 1950.

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No. 26 of 1950.

An Act to amend the Pawnbrokers Act, 1888-1934.

[*Assented to 16th November,* 1950.]

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 "Pawnbrokers Act Amendment Act, 1950".

(2) The Pawnbrokers Act, 1888-1934, as amended by this Act, may be cited as the "Pawnbrokers Act, 1888-1950".

(3) The Pawnbrokers Act, 1888-1934, is hereinafter referred to as "the principal Act".

Enactment of s. 45a of principal Act—

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

Production of books, etc.

45a. (1) Every pawnbroker shall, upon request, produce to any member of the police force, during all reasonable hours in the day-time, any books or documents which are by this Act required to be kept by the pawnbroker and any pledges in his possession.

(2) Any pawnbroker who is guilty of any contravention of this section shall be guilty of an offence against this Act.

Drafting amendment of s. 34 of principal Act.

3. Section 34 of the principal Act is amended by striking out the figures "1876" in the fifth to last line thereof and by inserting in lieu thereof the figures "1935".

4. Form No. II. in the first schedule to the principal Act is amended by inserting the words "and a half pence" after the word "penny" second occurring in the paragraph commencing "The pawnbroker is entitled to charge" in the Part thereof headed "*B. For a loan of above ten shillings.*" Amendment of first schedule of principal Act.

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

C. W. M. NORRIE, Governor.

ANNO DECIMO QUARTO

GEORGII VI REGIS.

A.D. 1950.

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No. 27 of 1950.

An Act to amend the Metropolitan Milk Supply Act, 1946-1948.

[*Assented to 16th November,* 1950.]

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, 1950 ".

(2) The Metropolitan Milk Supply Act, 1946-1948, as amended by this Act, may be cited as the " Metropolitan Milk Supply Act, 1946-1950 ".

(3) The Metropolitan Milk Supply Act, 1946-1948, 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. 43 of the principal Act and enactment of new ss. 43 and 43a—

3. Section 43 of the principal Act is repealed and the following sections are enacted and substituted in lieu thereof :—

Quotas for milk and cream.

43. (1) The Minister, on the recommendation of the board, shall from time to time make declarations declaring the percentage of any milk or cream specified therein which any person on whom the declaration is binding may during any period mentioned therein sell, either on his own behalf or as agent for another person, for consumption as milk or cream.

(2) A declaration under this section shall be binding on—

(*a*) any persons individually named therein ;

(*b*) any persons belonging to any class of persons indicated therein.

(3) The milk or cream specified in a declaration under this section may, according to the tenor of the declaration, be all milk or cream which during any period specified in the declaration is—

(*a*) purchased or treated by any person on whom the declaration is binding ;

(*b*) in the possession or control of any such person ;

(*c*) on the premises of any such person.

(4) Every declaration made under this section—

(*a*) shall be published in the *Gazette* ;

(*b*) may declare different percentages for different periods ;

(*c*) may be revoked or altered by the Minister on the recommendation of the board by another declaration so published.

(5) A declaration under this section shall not apply to any milk which is sold by retail by the producer thereof and produced within the Metropolitan area in the course of a business carried on by him as a retail milk vendor.

(6) If any person sells milk or cream in contravention of a declaration made under this section he shall be guilty of an offence.

(7) No person other than the board or a person authorised by the board shall take proceedings for breach of this section.

(8) In any proceedings for an offence against this section if it is proved that any milk or cream was sold, that milk or cream shall be deemed to have been sold for consumption as milk or cream unless the seller (whether he sold on his own behalf or as agent) proves that it was used for some purpose other than consumption as milk or cream.

Meaning of "whole milk".

43a. (1) For the purposes of this Act "whole milk" shall mean milk containing substantially the whole of the fats and solids contained in it at the time when it was taken from the cow.

(2) The allegation in any complaint for an offence against this Act that any milk or substance was whole milk shall be *prima facie* evidence of the fact so alleged.

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

C. W. M. NORRIE, Governor.

ANNO DECIMO QUARTO

GEORGII VI REGIS.

A.D. 1950.

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No. 28 of 1950.

An Act to amend the Workmen's Compensation Act, 1932-1947.

[*Assented to 23rd November,* 1950.]

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, 1950".

(2) The Workmen's Compensation Act, 1932-1947, as amended by this Act, may be cited as the "Workmen's Compensation Act, 1932-1950".

(3) The Workmen's Compensation Act, 1932-1947, 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. 18 of the principal Act—Compensation for incapacity.

3. Section 18 of the principal Act is amended by inserting after the words "six pounds" in the first line of subsection (2) the words "in the case of a workman not having a wife or a child under the age of sixteen years totally or mainly dependent on his earnings, and shall not exceed eight pounds in the case of a workman having a wife or any such child so dependent".

4. Section 18a of the principal Act is amended— Amendment of s. 18a of the principal Act—

(*a*) by striking out the word " thirty-five " in the third line of subsection (1) and inserting in lieu thereof the word " fifty " ; Additional compensation in respect of medical expenses.

(*b*) by striking out the word " twenty " in the first line of paragraph (*b*) of subsection (1) and inserting in lieu thereof the word " twenty-five " ;

(*c*) by adding at the end of paragraph " (*b*) " the words " or for the supply of spectacles medicines or any other medical or surgical aids or curative appliances or apparatus ";

(*d*) by striking out the word " ten " in the first line of paragraph (*d*) of subsection (1) and inserting in lieu thereof the word " twenty " ;

(*e*) by striking out the word " thirty-five " occurring in the seventh and ninth lines of subsection (2), and in the second and eighth lines of subsection (3) and inserting in lieu thereof in each case the word " fifty ";

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

(6) Where in any employment personal injury by accident arising out of and in the course of the employment is caused to a workman, and the injury does not disable the workman for at least one day from earning full wages at his work, this section shall apply to the same extent as if the workman were so disabled for at least one day.

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

C. W. M. NORRIE, Governor.

ANNO DECIMO QUARTO

GEORGII VI REGIS.

A.D. 1950.

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No. 29 of 1950.

An Act to amend the Road Traffic Act, 1934-1949.

[*Assented to 30th November,* 1950.]

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, 1950 ".

(2) The Road Traffic Act, 1934-1948, as amended by this Act, may be cited as the " Road Traffic Act, 1934-1950 ".

(3) The Road Traffic Act, 1934-1948, 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. 7b. of principal Act—Permits to drive pending registration.

3. Section 7b of the principal Act is amended by striking out the word " fifty " appearing in paragraph (*a*) thereof and inserting the word " twenty-five " in lieu thereof.

Amendment of s. 9 (10) of principal Act—Registration fee for tractors.

4. Subsection (10) of section 9 of the principal Act is amended by striking out the words " the nearest town not being a town where there is a railway station or port " in the sixth and seventh lines and inserting in lieu thereof the words " any town not more than twelve miles from the land of such primary producer for the purpose of the packing processing or sale of such goods ".

Amendment of s. 38a of principal Act—Suspension of licence and disqualification.

5. Section 38a of the principal Act is amended by inserting at the end of subsection (1a) the following proviso :—

Provided also that—

(*a*) a conviction for an offence committed on or before the sixth day of January, nineteen hundred and forty-nine; or

(*b*) a conviction for an offence committed ten years or more before the commission of a second or subsequent offence against the same section,

shall not be taken into account for the purposes of this subsection.

Repeal of s. 43b of principal Act, and enactment of other provisions—

6. Section 43b of the principal Act is repealed and the following section is enacted and inserted in its place :—

Speed in municipalities an towns.

43b. (1) Any person who drives a motor vehicle on a road in a municipality, town or township at a greater speed than thirty-five miles an hour shall be guilty of an offence.

(2) This section shall not restrict the operation of any other provision of this Act relating to the speed at which motor vehicles may be driven.

Repeal of s. 126 of principal Act and enactment of other provision—

7. Section 126 of the principal Act is repealed and the following section is enacted and inserted in its place :—

Overtaking vehicles and animals.

126. (1) The rider or driver of any vehicle or animal on any road when passing any other vehicle or animal going in the same direction shall—

(*a*) if the driver or rider of that other vehicle or animal has signalled his intention to turn to the right keep on his left hand side of that other vehicle or animal;

(*b*) in any other case keep on his right hand side of that other vehicle or animal.

(2) Any person contravening this section shall be guilty of an offence.

Enactment of s. 127a of principal Act—

8. The following section is enacted and inserted in the principal Act after section 127 thereof :—

Mode of making right turns.

127a. (1) Notwithstanding sections 124, 125, and 126 of this Act, where the driver of a vehicle is about to turn his vehicle to the right from one road to another at an intersection or junction—

(*a*) he shall, except where the road which he is about to leave is a one-way traffic road, so drive his vehicle that when it reaches the intersection or junction it will be as near as practicable to, but

on the left of, the centre of the carriage-way of that road :

(*b*) he shall, where the road which he is about to leave is a one-way traffic road, so drive his vehicle that when it reaches the intersection or junction it will be as near as practicable to the right hand boundary of the carriage-way of that road ; and

(*c*) in every case he shall upon entering the intersection or junction drive his vehicle parallel with the left boundary of the carriage-way of the road which he is leaving until it is as near as practicable to the left boundary of the carriage-way of the road which he is entering ;

(*d*) if there is upon or near any portion of the intersection or junction any vehicle or any animal with which his vehicle if turned to the right might collide, he shall cause his vehicle to stand until it may turn with safety.

(2) Notwithstanding subsection (1) of this section the driver of a vehicle who is about to turn or who turns the vehicle to his right at an intersection or junction shall not drive the vehicle in a position where it is likely to obstruct the progress of any tram car nor allow the vehicle to stand in any such position.

(3) Where the driver of a vehicle turns his vehicle to the right from one road into another at an intersection or junction—

(*a*) if a traffic dome or beacon is placed at or near the centre of the intersection or junction he shall drive his vehicle so as to keep such dome or beacon on his right ;

(*b*) he shall in all circumstances take adequate precautions to prevent his vehicle from colliding with any obstruction which may be upon any portion of the intersection or junction.

(4) This section shall also apply to riders of animals and to the animals ridden by them and for that purpose the expression " driver of a vehicle " and the word " driver " shall be deemed to include a rider of an animal, and the word " vehicle " shall be deemed to include an animal.

Amendment of s. 130a of principal Act—Stop signs.

9. Section 130a of the principal Act is amended by adding at the end thereof the following subsections :—

(12) For the purposes of this section—

(*a*) each carriage-way of a double road shall be deemed to be a separate road ;

(*b*) where a road intersects both carriage-ways of a double road it shall be deemed to form a separate intersection with each such carriage-way ;

(*c*) where a road intersects one carriage-way of a double road and adjoins but does not extend beyond the other carriage-way of that double road it shall be deemed to form an intersection with the first mentioned carriage-way and a junction with the other ;

(*d*) any vehicular track which passes through the strip of land separating the carriage-ways of a double road and joins one carriage-way to the other shall be regarded as a separate road forming a junction with each carriage-way ;

(*e*) a sign erected under this section on a road at the approach to a double road shall operate only as regards the intersection formed by the road first mentioned and the carriage-way nearest to the sign ;

(*f*) a double road means a double road having two carriage-ways separated by a strip of land.

10. Section 131 of the principal Act is amended by adding at the end thereof the following subsection :— Amendment of s. 131 of principal Act—Right of way.

(6) For the purpose of this section—

(*a*) each carriage-way of a double road shall be deemed to be a separate road ;

(*b*) where a road intersects both carriage-ways of a double road it shall be deemed to form a separate intersection with each such carriage-way :

(*c*) where a road intersects one carriage-way of a double road and adjoins but does not extend beyond the other carriage-way of that double road it shall be deemed to form an intersection with the first mentioned carriage-way and a junction with the other ;

(*d*) a double road means a road having two carriage-ways separated by a strip of land.

Causing danger of obstruction.

11. Section 136 of the principal Act is repealed and the following section is enacted and substituted in lieu thereof :—

136. If any person causes or permits any vehicle or animal to remain at rest on any road—

(*a*) in such a position or in such condition or circumstances as to be likely to cause danger to other persons using the road or so as to obstruct the passage of traffic on the road; or

(*b*) in such a position as to obstruct any gate, door or entrance by which vehicles gain access to any land or building, or so as to obstruct any crossing leading from the carriage-way of a road across a footpath to any such gate, door, or entrance,

he shall be guilty of an offence.

Repeal of s. 140 of principal Act and enactment of other provisions—

Duty to give information as to identity of driver.

12. Section 140 of the principal Act is repealed and the following section is enacted and inserted in its place :—

140. (1) Any person shall, when requested by a member of the police force or by an inspector appointed under Part II. of this Act, truly answer any question put to him seeking information which may lead to the identification of the person who was driving any vehicle on any occasion.

(2) Any person who refuses to answer, or fails to answer truly any such question shall be guilty of an offence.

Amendment of s. 157 of principal Act—

Evidentiary provisions.

13. Section 157 of the principal Act is amended by adding after paragraph (*e*) of subsection (2) thereof the following paragraph :—

(*f*) that any intersection, intersecting roads, or part of any intersecting roads was or were within a municipality, town or township named in the complaint.

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

C. W. M. NORRIE, Governor.

ANNO DECIMO QUARTO

GEORGII VI REGIS.

A.D. 1950.

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No. 30 of 1950.

An Act to amend the Homes Act, 1941-1949.

[*Assented to 30th November,* 1950.]

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 "Homes Act Amendment Act, 1950".

(2) The Homes Act, 1941-1949, as amended by this Act, may be cited as the "Homes Act, 1941-1950".

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

Amendment of principal Act, s. 5—Guarantee fund.

2. (1) Subsection (2) of section 5 of the principal Act is amended so as to read as follows:—

(2) Every institution to which a guarantee for the time being in force has been given shall pay into the said fund in each quarter in respect of every loan or the purchase money in respect of every dwelling house for which a guarantee is given, an amount equal to one quarter of one per centum of such part of the loan or purchase money as at the last day of the preceding quarter had been advanced by the institution and for the payment of which the Treasurer was liable under the guarantee.

(2) The amendments made by this section shall be deemed to take effect as from the time of the passing of the principal Act.

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

C. W. M. NORRIE, Governor.

ANNO DECIMO QUARTO

GEORGII VI REGIS.

A.D. 1950.

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No. 31 of 1950.

An Act to amend the Maintenance Act, 1926-1946.

[*Assented to 30th November,* 1950.]

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 Act Amendment Act, 1950 ".

(2) The Maintenance Act, 1926-1946, as amended by this Act, may be cited as the " Maintenance Act, 1926-1950 ".

(3) The Maintenance Act, 1926-1946, 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. 48 of principal Act—Amount payable by relatives for maintenance of children.

3. Section 48 of the principal Act is amended by striking out the words " one pound " in the second line of paragraph (*b*) of subsection (1) and inserting in lieu thereof the words " twenty-five shillings ".

Amendment of s. 54 of principal Act—Confinement expenses.

4. Section 54 of the principal Act is amended by striking out the word " ten " in the second line and inserting in lieu thereof the word " fifteen ".

Amendment of s. 62 of principal Act—Variation of orders.

5. Section 62 of the principal Act is amended—

(*a*) by striking out in the third, fourth and fifth lines of subsection (2) the words "the means and ability of the complainant, and as to the relationship to such child of the persons summoned and as to their several" and inserting in lieu thereof the words "the relationship to such child of the complainant and the persons summoned and as to their respective".

(*b*) by adding at the end of subsection (2) thereof the following proviso: "Provided that this subsection shall not authorize any court of summary jurisdiction to annul any adjudication that any person is the father of an illegitimate child".

Enactment of s. 102a of principal Act—

6. The following section is enacted and inserted in the principal Act after section 102 thereof:—

Power of board as to destitute and neglected children.

102a. (1) Subject to this section, the board, if satisfied that any child under eight years of age is a destitute child or a neglected child may by order in writing place that child in the custody and under the control of the board or in an institution until such child attains the age of eighteen years.

(2) No such order shall be made—

(*a*) with respect to a legitimate child, except with the consent of both parents of that child:

(*b*) with respect to an illegitimate child, except with the consent of the mother of that child:

Provided that if a parent whose consent is required under this subsection is dead or cannot after reasonable enquiry by the board be found, the order may be made without the consent of that parent.

(3) An order made by the board under this section shall be of the like force and effect as if it had been made by the court.

Amendment of s. 103 of principal Act—Uncontrolled children.

7. Section 103 of the principal Act is amended by striking out paragraphs (*c*) and (*d*) thereof.

Consequential repeal of s. 104 of principal Act.

8. Section 104 of the principal Act is repealed.

9. Section 112 of the principal Act is amended by striking out the word "Governor" in the fifth line and inserting in lieu thereof the words "Chief Secretary". Amendment of s. 112 of principal Act—Transfers to reformatory school.

10. Section 123 of the principal Act is amended by striking out at the end thereof the words "imprisonment in a reformatory school" and inserting in lieu thereof the words "detention in an institution for the unexpired portion of the period during which he remains a State child". Amendment of s. 123 of principal Act—Detention of absconders.

11. Section 127 of the principal Act is amended by striking out all words therein after the word "same" in the sixth line. Amendment of s. 127 of principal Act—Apprenticeships.

12. Section 150 of the principal Act is amended by striking out the word "twenty" in the fourth line and inserting in lieu thereof the word "thirty". Amendment of principal Act—Payment for maintenance of State children.

13. Section 157 of the principal Act is amended by adding after the word "shall" in the sixth line the words "except with the consent of the persons controlling the reformatory school". Amendment of s. 157 of principal Act—Private reformatories.

14. Section 158 of the principal Act is amended by adding at the end thereof the following subsection (the previous part of section 158 being read as subsection (1) thereof):— Amendment of s. 158 of principal Act—Private reformatory schools may be abolished.

(2) The Governor, on the request of the persons controlling any private reformatory school or private institution may by proclamation declare that as from a day to be named in the proclamation, it shall cease to be a reformatory school or institution within the meaning of this Act; and it shall so cease accordingly.

15. Section 182 of the principal Act is amended by striking out at the end thereof the words "within three months after the making of the order". Amendment of s. 182 of principal Act—Setting aside of orders.

16. Section 186 of the principal Act is amended by adding after the word "institution" at the end of paragraph (*b*) thereof the words "or by a member or officer of the board". Amendment of s. 186 of principal Act—Duty to leave institutions.

17. Section 188 of the principal Act is amended by striking out the words "benevolent institution" at the end thereof and inserting in lieu thereof the words "school or hospital". Amendment of s. 188 of principal Act—Inspection of homes of persons having care of children under seven years.

Amendment of s. 189 of principal Act—Inspection of homes of illegitimate children under seven years.

18. Section 189 of the principal Act is amended by striking out the words "benevolent institution" at the end thereof and inserting in lieu thereof the words "school or hospital".

Repeal of s. 195 of principal Act—Free passes.

19. Section 195 of the principal Act is repealed.

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

C. W. M. NORRIE, Governor.

ANNO DECIMO QUARTO

GEORGII VI REGIS.

A.D. 1950.

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No. 32 of 1950.

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

[*Assented to 30th November,* 1950.]

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

Short titles.

1. (1) This Act may be cited as the " Public Service Act Amendment Act, 1950 ".

(2) The Public Service Act, 1936-1949, as amended by this Act, may be cited as the " Public Service Act, 1936-1950 ".

(3) The Public Service Act, 1936-1949, is hereinafter referred to as " the principal Act ".

Incorporation.

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

Amendment of s. 28 of principal Act—Salaries of officers.

3. Section 28 of the principal Act is amended by inserting therein after subsection (1) thereof the following subsection :—

(1a) The board may, if it considers it equitable to do so, recommend that any salary recommended by it for an officer of the first division shall be payable as from a day earlier than the day on which that salary is determined by the Governor ; and the Governor may determine that that salary shall be so payable.

Repeal of subsection (1) of s. 30 of principal Act—Obsolete provision.

4. Subsection (1) of section 30 of the principal Act is repealed.

Amendment of s. 29a of principal Act—
Officers temporarily performing duties.

5. (1) Section 29a of the principal Act is amended by striking out in the first and second lines of subsection (2) the words " all or any of the duties of an office other than that " and inserting in their place the words " any duties other than those ".

(2) This section shall be deemed to have commenced on the first day of July, nineteen hundred and fifty.

Enactment of s. 32a of principal Act—
Allowances and overtime.

6. The following section is enacted and inserted in the principal Act after section 32 thereof :—

32a. (1) The board may—

(*a*) fix all or any of the following allowances, to be payable to persons employed under this Act, namely, travelling allowances, allowances in lieu of quarters, meal allowances, allowances for persons required to live away from home in the course of their duties, district or locality allowances and allowances for working on public holidays and week ends, and prescribe the circumstances or conditions in which any such allowances shall be payable :

(*b*) fix the hours to be worked by persons employed under this Act who, pursuant to arrangements approved by the Minister or otherwise, are required to work at hours other than the hours during which officers are ordinarily required to attend at their offices ;

(*c*) fix overtime allowances to be payable to persons employed under this Act and to whom the regulations prescribing overtime do not apply but so that no overtime allowance shall be payable to persons who by reason of the amount of their salaries are not entitled to receive overtime payments under the regulations ;

(*d*) fix the day on and after which any decision of the board under the preceding paragraphs of this subsection shall operate, and any day so fixed may be before or after the day on which the decision is given.

(2) Where an officer occupies as lessee or otherwise for the purpose of residence any building or part of a building belonging to the Government the board may fix the rent or other payment to be made by him for such occupation and may direct that the amount so fixed be deducted from his salary or wages. Before fixing any rent as aforesaid the board shall during such time as the Landlord and

Tenant (Control of Rents) Act, 1942-1950, is in force, obtain a report from the South Australian Housing Trust as to the amount of the rent which should be fixed by the board.

In this subsection " officer " means—

(*a*) a person who is an officer within the meaning of this Act ;

(*b*) any other person employed by the Government of the State to whom the Minister directs that this section shall apply.

(3) This section shall be deemed to have commenced on the first day of January, one thousand nine hundred and fifty.

Amendment of s. 40 of principal Act—Appointments in special circumstances.

7. Section 40 of the principal Act is amended by striking out subsection (2) thereof and inserting in its place the following subsection :—

(2) No such appointment shall be made until the board has certified that in its opinion the person proposed to be appointed has sufficient superiority of qualifications and aptitude for the position to be filled to justify his appointment in preference to any officer who is already employed in the public service and is available for the position.

Amendment of s. 52 of principal Act—Filling of vacancies by appointment of officers in the service.

8. Section 52 of the principal Act is amended by adding at the end thereof the following subsections :—

(11) The relative seniority of persons in the employ of the Government within the meaning of subsection (1) of this section shall be determined in accordance with the following rules :—

(*a*) As between two persons receiving different salaries, he whose salary is the greater shall be regarded as senior :

(*b*) As between two persons receiving equal salaries, he who had the greater salary immediately before their salaries became equal shall be regarded as senior :

(*c*) As between two persons receiving equal salaries and whose salaries have at all times while both have been in the employ of the Government been equal, the person with the greatest length of service shall be senior.

(12) Seniority in salary within the meaning of subsection (4) of this section shall be determined in accordance with the following rules :—

(*a*) As between two officers receiving different salaries, he whose salary is the greater shall be regarded as senior :

(*b*) As between two officers receiving equal salaries he who had the greater salary immediately before their salaries became equal shall be regarded as senior :

(*c*) As between two officers receiving equal salaries and whose salaries have at all times while both have been in the employ of the Government been equal, neither shall be regarded as senior to the other.

(13) Where a person is receiving, whether under section 29a of this Act or under any enactment, regulation or arrangement to the like effect, any additional salary or payment for duties other than those normally appertaining to his office or employment, that additional salary or payment shall not be deemed to be salary for the purposes of this section.

(14) Where a person in the employment of the Government of the State has before the commencement of that employment been previously employed by the Government of the State under contracts or engagements which have terminated for any cause any such previous period of service shall not be taken into account in computing that person's service under this section.

Enactment of s. 56a of principal Act—

9. The following section is enacted and inserted in the principal Act after section 56 thereof :—

Filling of vacancies on resignation or retirement.

56a. Where an officer is on long service leave and—

(*a*) has reached the retiring age ; or

(*b*) will reach the retiring age at or before the expiration of his long service leave ; or

(*c*) has tendered his resignation, which has been accepted,

his position may be filled as if it were vacant.

Amendment of s. 57 of principal Act—

Retirement of officers.

10. Section 57 of the principal Act is amended—

(*a*) by inserting after the word " time " (second occurring) in the fourth line the words " on the recommendation of the board ";

(*b*) by striking out the proviso to subparagraph I. of subsection (1) and the whole of subparagraph II. of that subsection.

Amendment of s. 74 of principal Act—Leave of absence for recreation.

11. (1) Section 74 of the principal Act is amended—

(*a*) by striking out the words " four weeks " in the sixth line of subsection (1) and inserting in lieu thereof the words " thirty days ";

(*b*) by adding after the words " six weeks " in the eleventh line of subsection (1) the words " or in the case of an officer whose ordinary duties require him to work on more than six days in the week, not exceeding sixty days " ;

(*c*) by inserting after the word " directs " in the fourteenth line of subsection (2) the words " and to the extent directed by the Governor ";

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

(3) Leave of absence in accordance with subsection (2) of this section for any period not exceeding twelve weeks in any one financial year may be granted by the Commissioner on behalf of the Minister.

(2) The amendments made by paragraphs (*a*) and (*b*) of subsection (1) of this section shall be deemed to have come into operation on the first day of January, nineteen hundred and fifty.

Amendment of s. 75 of principal Act—Long leave of absence.

12. Section 75 of the principal Act is amended by striking out subsection (11) thereof.

Amendment of s. 75a of principal Act—Special leave.

13. Section 75a of the principal Act is amended by adding at the end thereof the following subsection :—

(5) Leave of absence without pay for any period not exceeding twelve weeks in any one financial year may be granted in accordance with this section by the Commissioner on behalf of the Minister.

Repeal of s. 76 of principal Act, and enactment of other provisions—Rights of transferred officers.

14. Section 76 of the principal Act is repealed and the following section is enacted and inserted in lieu thereof :—

76. (1) Where a person becomes an employee of the Government of the State and his service as such employee is continuous with service as an employee of the Commonwealth or of any other State the continuous service of that person under the Commonwealth or that other State shall for the purposes of leave of absence under section

74 and section 75 of this Act and to the extent directed by the Commissioner be regarded as service in the employment of the Government of the State.

(2) This section shall be deemed to have commenced on the first day of January, nineteen hundred and twenty-four.

Enactment of s. 76a of principal Act—

15. The following section is enacted and inserted in the principal Act after section 76 thereof :—

Payments for leave not taken.

76a. (1) Where an officer who has attained the retiring age retires from the service without having taken all the leave which had been or could have been granted to him under section 75 of this Act the Governor may direct that a cash payment be made to the officer in lieu of the leave not so taken.

The payment shall not exceed the amount of the officer's salary for a period equal to the period of the leave not so taken, calculated at the rate at which he was being paid at the time of retirement.

(2) For the purposes of subsection (1) the retiring age means the age of sixty-five years in the case of a male officer and sixty years in the case of a female officer.

(3) A direction under subsection (1) of this section may be given before or after the retirement of the officer, and a payment under that subsection may be made either before or after that retirement.

(4) Where an officer retires or resigns from the service at any age and has not taken or has not been granted all the leave which could have been granted to him immediately before his retirement or resignation under subsection (1) of section 74 of this Act, the Treasurer may on the recommendation of the Commissioner pay him either on or after his resignation or retirement a sum not exceeding the amount of his salary for a period equal to the period of the said leave at the rate at which he was being paid at the time of his retirement or resignation.

A recommendation or payment under this subsection may be made before or after the officer has retired or resigned.

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

C. W. M. NORRIE, Governor.

ANNO DECIMO QUARTO

GEORGII VI REGIS.

A.D. 1950.

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No. 33 of 1950.

An Act to amend the Gas Act, 1924.

[*Assented to 30th November,* 1950.]

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, 1950 ".

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

(3) The Gas Act, 1924, 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. 18 of principal Act—

3. Section 18 of the principal Act is amended—

(*a*) by striking out subsection (1) and inserting in its place the following subsection :—

Calorific value, etc.

18. (1) If the average calorific value, as defined in this subsection, of gas supplied by the company in any supply area during any calendar month is less than the number of British thermal units for the time being prescribed by the First Schedule to this Act or any variation thereof, the company shall be guilty of an offence and liable to a penalty of not more than two hundred pounds.

For the purposes of this subsection the average calorific value of gas supplied by the company during a calendar month in any supply area shall mean the average of the calorific values of such gas as ascertained from time to time during that calendar month by all the tests of such gas conducted pursuant to this Act and the regulations during that calendar month.

In this subsection "supply area" means the area in which gas is supplied from gasworks situated in the suburbs of Adelaide, or the area in which gas is supplied from gasworks situated in Port Pirie;

(*b*) by striking out the words "calorific value" in the fifth line of subsection (3) thereof.

Amendment of s. 27 of principal Act—

Standard rate of dividend and rate of interest.

4. (1) Section 27 of the principal Act is amended—

(*a*) by striking out the words "Eight Pounds per centum" in the fourth and fifth lines of subsection (1) and inserting in lieu thereof the words "five per cent per annum or such higher rate not exceeding six per cent per annum as is approved by the Treasurer";

(*b*) by striking out the words "seven pounds per centum per annum" in the fourth and fifth lines of subsection (2) and inserting in lieu thereof the words "four and a half per cent per annum or such higher rate as is approved by the Treasurer".

(2) The amendments made by this section shall apply to—

(*a*) profits divided among members of the company after the commencement of the Gas Act Amendment Act, 1950, whether the shares of such members were issued before or after such commencement;

(*b*) interest on money borrowed after such commencement.

Enactment of s. 29a of principal Act—

5. The following section is enacted and inserted in the principal Act after section 29 thereof:—

Effect of Prices Act, 1948-1950.

29a. (1) While the Prices Act, 1948-1950, remains in operation—

(*a*) the company shall be subject to that Act and the maximum price to be charged for gas shall be as fixed in accordance with that Act;

(*b*) sections 30 to 35 (inclusive) of this Act shall not have any operation.

(2) When the Prices Act, 1948-1950 ceases to be in operation, the maximum price of gas in force under that Act in any locality immediately before that Act ceases to operate, shall be deemed to be the standard price of gas for that locality until another standard price is fixed by the President of the Industrial Court.

Amendment of s. 30 of principal Act—Standard price of gas.

6. Section 30 of the principal Act is amended by striking out the words " rate of eight pounds per annum on every one hundred pounds of such capital " in the eighth and ninth lines of subsection (2) and inserting in lieu thereof the words " standard rate ".

Amendment of s. 31 of principal Act—Increase of standard price.

7. Section 31 of the principal Act is amended by striking out the words " rate of eight pounds per annum on every one hundred pounds of the ordinary paid-up capital of the Company " in the ninth, tenth and eleventh lines of subsection (1) and inserting in lieu thereof the words " standard rate ".

Amendment of s. 33 of principal Act—Reduction or increase of dividend.

8. Section 33 of the principal Act is amended by striking out the word " ten " in the twelfth line of paragraph (*b*) and inserting in lieu thereof the word " six ".

Amendment of s. 35 of principal Act—Charge in excess of standard price in certain circumstances.

9. Section 35 of the principal Act is amended by striking out the word " ten " in the fifth line of paragraph (*b*) and inserting in lieu thereof the word " seven ".

Amendment of s. 36 of the principal Act—Rent for standby meter.

10. Section 36 of the principal Act is amended by striking out the word " ten " in the ninth line and inserting in lieu thereof the word " seven ".

Enactment of s. 45a of principal Act—

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

Overdrafts.

45a. The Company may from time to time borrow money on bank overdraft at current rates of interest.

Amendment of First Schedule to principal Act.

12. The First Schedule to the principal Act is amended by striking out the words " and fifty " in the second line of paragraph 1.

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

C. W. M. NORRIE, Governor.

ANNO DECIMO QUARTO

GEORGII VI REGIS.

A.D. 1950.

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No. 34 of 1950.

An Act to amend the Pastoral Act, 1936-1948.

[*Assented to 30th November,* 1950.]

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 " Pastoral Act Amendment Act, 1950 ".

(2) The Pastoral Act, 1936-1948, as amended by this Act, may be cited as the " Pastoral Act, 1936-1950 ".

(3) The Pastoral Act, 1936-1948, is hereinafter referred to as " the principal Act ".

Amendment of principal Act, s. 7—

Additional member of board.

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

(3) Notwithstanding subsection (1) of this section, the Governor may from time to time appoint an additional member of the board and whilst any such person holds his office the board shall consist of four persons, but no person appointed pursuant to this subsection shall hold office for any period after the thirty-first day of December, nineteen hundred and fifty-three.

The Governor may direct that the Public Service Act, 1936-1950, shall not apply with respect to the appointment of the additional member pursuant to this subsection and that the additional member shall not, as such, be subject to the Public Service Act, 1936-1950.

Amendment of principal Act, s. 42a—

Lease of previously unoccupied land.

3. Section 42a of the principal Act is amended by adding at the end thereof the following subsection :—

(3) In any case where it is proposed to grant a lease of land which is not south or east of the River Murray and part of the land has been previously leased as described in subsection (1) of this section and part of the land has not been previously so leased, the Minister, on the recommendation of the board, may direct that the lease shall, subject to the other provisions of this Act, be for a term of forty-two years.

Amendments of principal Act consequential upon change of title of Minister.

4. (1) Subsection (1) of section 6 of the principal Act is amended by striking out the definition of " Commissioner " therein.

(2) Subsection (1) of section 6 of the principal Act is amended by inserting therein after the definition of " lease " the following definition :—

" Minister " means the Minister of Lands :

(3) The principal Act is amended—

(*a*) by striking out the words " Commissioner of Crown Lands " in section 134 thereof and by inserting in lieu thereof the words " Minister of Lands ";

(*b*) by striking out the word " Commissioner " wherever it occurs in the principal Act (other than in section 134 thereof) and by inserting in lieu thereof in every case the word " Minister ";

(*c*) by striking out the word " Commissioner's " wherever it occurs in the principal Act and by inserting in lieu thereof in every case the word " Minister's ".

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

C. W. M. NORRIE, Governor.

ANNO DECIMO QUARTO

GEORGII VI REGIS.

A.D. 1950.

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No. 35 of 1950.

An Act to amend the Succession Duties Act, 1929-1949.

[*Assented to 30th November,* 1950.]

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, 1950 ".

(2) The Succession Duties Act, 1929-1949, as amended by this Act, may be cited as the " Succession Duties Act, 1929-1950 ".

(3) The Succession Duties 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.

Enactment of s. 61a of principal Act—

3. The following section is enacted and inserted in the principal Act after section 61 :—

Objections against assessments.

61a. (1) Subject to this section, any person interested may within twenty-one days from the date of any assessment of the Commissioner lodge with the Treasurer a notice of objection to that assessment.

(2) Every such notice shall state the grounds on which the objector objects to the assessment and such grounds may be matters of law or fact.

(3) The Treasurer after obtaining the opinion of the Crown Solicitor and making such other inquiries and obtaining such other information and advice as he deems proper shall decide every such objection and may confirm or modify the assessment.

(4) In deciding an objection the Treasurer shall not be bound by any rules of practice, procedure or evidence.

(5) No appeal against an assessment shall be heard between the time when a notice of objection is lodged and the time when the objection is decided under this section unless the notice of objection is withdrawn.

(6) When a notice of objection has been lodged, the time within which an appeal may be made under the regulations shall be computed from the day on which the Treasurer's decision on the objection is communicated to the objector.

(7) Except as provided in subsections (5) and (6) of this section the lodging of a notice of objection shall not affect any right of appeal or the hearing of any appeal.

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

C. W. M. NORRIE, Governor.

ANNO DECIMO QUARTO

GEORGII VI REGIS.

A.D. 1950.

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No. 36 of 1950.

An Act to amend the Lottery and Gaming Act, 1936-1949.

[*Assented to 30th November,* 1950.]

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 (No. 1), 1950 ".

(2) The Lottery and Gaming Act, 1936-1949, as amended by this Act, may be cited as the " Lottery and Gaming Act, 1936-1950 ".

(3) The Lottery and Gaming Act, 1936-1949, is hereinafter called " the principal Act ".

Commencement.

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

Incorporation.

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

Enactment of s. 35a of principal Act—

4. The following section is enacted and inserted in the principal Act after section 35 :—

Financial provision.

35a. The money required by the board to defray the expenses incurred by it in the administration of this Act shall be paid :—

(*a*) out of fees retained by the board pursuant to section 37a of this Act ;

(*b*) to the extent to which those fees are insufficient, out of moneys voted by Parliament for the purpose.

5. Section 41 of the principal Act is repealed and the following section is enacted in lieu thereof :— Repeal and re-enactment of s. 41 of principal Act—

Application of commission.

41. (1) The board shall—

(*a*) keep full and true accounts of all money received by it as commission under section 40 ;

(*b*) forthwith upon the receipt of any such money pay it to the Treasurer to be held by him on behalf of the board until it is applied in accordance with this Act.

(2) The board shall apply the commission as follows :—

(*a*) The commission on all bets made on races held outside the State shall be paid to the Treasurer in aid of the general revenue of the State :

(*b*) Out of the commission on bets made in registered premises on horse races held within the State the sum of five thousand pounds in each financial year shall be applied by the board, in such manner as it thinks fit, for the benefit of all or any of the country racing clubs : Provided that if the total commission on such bets made in any financial year is less than five thousand pounds the whole of that commission shall be so applied :

(*c*) The balance of the commission on bets made in registered premises on horse races held within the State shall be paid to the Treasurer in aid of the general revenue of the State :

(*d*) The commission on all bets made on race courses on horse races held within the State shall be divided among the racing clubs in proportion to the amounts of such bets made at race meetings held by each club :

(*e*) The commission on all bets made on trotting grounds (not being bets on horse races held outside the State) shall be divided among the trotting clubs in proportion to the amounts of the bets made at trotting meetings held by each club :

(*f*) The commission on all bets made on coursing events shall be divided among the coursing clubs

in proportion to the amounts of the bets made on coursing events held by each club :

(*g*) All other commission shall be paid to the Treasurer in aid of the general revenue of the State.

(3) Payments under this section to the Treasurer and the racing clubs, trotting clubs and coursing clubs shall be made monthly.

Repeal of s. 44a of principal Act and enactment of other provisions—

6. Section 44a of the principal Act is repealed and the following sections are enacted in lieu thereof :—

Tax upon winning bets.

44a. (1) Subject as hereinafter provided, there shall be charged upon every payment made to any person by a licensed bookmaker in respect of any bet made with him by that person on any race course or trotting ground or on any premises registered under this Part a tax at the rate fixed by subsection (2) of this section : Provided that no tax shall be paid on the amount of any money betted which is refunded in accordance with any rule of the board.

(2) The rate of tax shall be threepence for each ten shillings and threepence for each fractional part of ten shillings of the money chargeable with tax : Provided that where the payment in respect of a bet is less than five shillings, no tax shall be payable.

(3) Whether a bet is made upon credit or not, if any payment is made by a bookmaker in respect of that bet, the tax under this section shall be payable upon the amount of the winnings, plus the amount betted.

(4) If a bookmaker instead of making payment of any amount in respect of a bet sets off the whole or any part of that amount against any sum owing to the bookmaker, or credits the whole or any part of that amount to any person, the amount so set off or credited shall, for the purpose of determining the tax payable under this section, be deemed to be a payment made by the bookmaker at the time of the set off or credit.

(5) Every bookmaker shall deduct from every payment upon which tax is payable under this section the amount of the tax and shall not later than noon on Friday in every week pay to the board a sum equal to the amount of the deductions which during the previous week he was bound under this section to make.

(6) If any bookmaker—

(*a*) fails to make any deduction as required by this section ; or

(*b*) fails to make any payment to the board as required by this section,

he shall be guilty of an offence.

Penalty : For a first offence, one hundred pounds. For a subsequent offence, imprisonment for six months.

(7) The board shall keep full and true accounts of all money received by it pursuant to this section and shall pay all such money to the Treasurer to be held by him on behalf of the board until it is applied in accordance with this Act.

Application of winning bets tax.

44b. (1) The board shall apply the tax received under section 44a in accordance with this section.

(2) One-quarter of the tax received in respect of bets made at a meeting held by a racing club shall be paid to that club : Provided that where a racing club holds a meeting on a course owned by another club one-sixth of the tax on bets made at that meeting shall be paid to the club which held the meeting, and one-twelfth to the club owning the course.

(3) One-fifth of the tax received in respect of bets made at a meeting held by a trotting club shall be paid to that club.

(4) All tax received under section 44a and not payable to a racing club or trotting club pursuant to this section shall be paid to the Treasurer in aid of the general revenue of the State.

(5) Two-thirds of all amounts received by a metropolitan racing club under this section shall be used by that club for increasing stakes above the amount paid by the club on races held in the financial year ended on the thirtieth day of June, nineteen hundred and fifty : Provided that where a race meeting is held by a club at a course owned by another club the whole of the payments made to the club which held the meeting in respect of bets made at that meeting shall be used for increasing stakes as provided in this subsection.

(6) Five-sixths of the amount received by a trotting club in respect of bets made at a trotting meeting held within twenty miles of the General Post Office at Adelaide shall be used by that club for increasing stakes above the amount paid by the club on races held in the financial year

ended on the thirtieth day of June, nineteen hundred and fifty.

(7) Every metropolitan racing club, and every trotting club which holds any trotting meeting within twenty miles of the General Post Office at Adelaide, shall—

(*a*) within two months after the enactment of this section furnish the board with particulars of the stakes paid by it during the period of twelve months ended on the thirtieth day of June, nineteen hundred and fifty ;

(*b*) within two months after the end of each half-year furnish the board with particulars of the stakes paid by it during that half-year.

(8) If the Treasurer is satisfied that a club has not increased stakes as required by this section or has failed to supply the board with information required under this section he may direct that any tax which would otherwise be payable to that club under this section shall not be paid.

(9) Payments under this section to the Treasurer and to the racing and trotting clubs shall be made monthly.

(10) In this section—

" owner " in relation to a course includes a club which is a lessee of the course and the word " own " includes to hold on lease :

" half-year " means period of six months ending on the thirtieth day of June or the thirty-first day of December in every year.

Repeal of s. 48c, of principal Act—Investments.

7. Section 48c of the principal Act is repealed.

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

C. W. M. NORRIE, Governor.

ANNO DECIMO QUARTO

GEORGII VI REGIS.

A.D. 1950.

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No. 37 of 1950.

An Act to amend the Friendly Societies Act, 1919-1946.

[*Assented to 30th November,* 1950.]

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

Short titles.

1. (1) This Act may be cited as the " Friendly Societies Act Amendment Act, 1950 ".

(2) The Friendly Societies Act, 1919-1946, as amended by this Act, may be cited as the " Friendly Societies Act, 1919-1950 ".

(3) The Friendly Societies Act, 1919-1946, is hereinafter referred to as " the principal Act ".

Amendment of principal Act, s. 7—

Objects for which societies may raise funds.

2. Section 7 of the principal Act is amended—

(*a*) by inserting after the word " relief " in the first line of paragraph II. of subsection (1) thereof the word " or " ;

(*b*) by striking out the words " or endowment " in the first line of paragraph II. of subsection (1) thereof ;

(*c*) by inserting after paragraph II. of subsection (1) thereof the following paragraph :—

IIa. For the endowment at any age of the members, their wives, or children :

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

IIIb. For providing payments to legally qualified medical practitioners towards the cost of

medical attendance and treatment of members, their husbands, wives, widows, children, fathers, mothers, brothers, sisters, nephews, nieces, widowed mothers of deceased members, and wards of members (being orphans), or for reimbursing to members payments so made by them or for making payments to members for the purpose of being so paid by them :

Amendment of principal Act, s. 7a—
Payment of hospital, medical, etc., expenses.

3. Section 7a of the principal Act is amended—

(*a*) by striking out the word " or " at the end of subparagraph (*a*) of paragraph I. of subsection (1) thereof and by striking out subparagraphs (*b*) and (*c*) of paragraph I. of subsection (1) thereof ;

(*b*) by inserting after the word " dependents " in the sixth line of paragraph II. of subsection (1) thereof the words " or for reimbursing to members payments so made by them or for making payments to members for the purpose of being so paid by them " ;

(*c*) by striking out subparagraph (*b*) of paragraph II. of subsection (1) thereof.

Amendment of principal Act s. 10—
Laws and rules of society.

4. Section 10 of the principal Act is amended by adding at the end thereof the following subsections :—

(6) A society may from time to time reprint the general laws or rules of the society so that the reprint gives effect to all rescissions of any of the laws or rules and incorporates therein all the alterations and variations thereof. Any such reprint may be submitted to the Public Actuary, who, if satisfied that the reprint is a correct reprint of the general laws or rules of the society, may indorse a certificate upon the reprint to that effect. The society may thereupon, without fee, deposit with the Public Actuary six copies of the reprint signed by the secretary of the society and the reprint shall then be deemed to have been registered by the Public Actuary and subsection (4b) of this section shall apply with respect thereof.

(7) If at any time the Chief Secretary is satisfied that it is desirable that general laws or rules should be made by a society (whether for the purpose of making new laws or rules or for rescinding, altering or varying any existing laws or rules) and that it is not practicable for a meeting of the society to be held for the purpose of making the laws or rules, the Chief Secretary may, on the recommendation of the Public Actuary, by

notice in writing authorize the committee of management of the society to make such general laws or rules or, as the case may be, to rescind, alter or vary such laws or rules as are specified in the notice.

The committee of management shall thereupon be deemed to be empowered, on behalf of the society, to make general laws or rules or to rescind, alter or vary the laws or rules to the extent authorized by the notice and, subject to the following provisions of this subsection, all laws and rules when so made shall, on compliance with the preceding provisions of this section, be deemed to be general laws and rules of the society.

If pursuant to this section any general laws or rules are made by the committee of management of a society, the laws or rules shall be submitted for approval at the first annual general meeting of the society held after the making of the laws or rules.

If the laws or rules are not so submitted or if at the meeting a resolution approving the laws or rules is not carried, then the laws or rules shall, as from the time the general meeting is concluded, be deemed to have been rescinded.

Amendment of principal Act, s. 27a—Appropriation and transfer of surplus funds.

5. Section 27a of the principal Act is amended—

(*a*) by inserting before the word "A" in the first line thereof the words "Notwithstanding the provisions of section 27";

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

vi. Any purpose for which the society may, pursuant to this Act, apply any of its moneys and which is approved by the Public Actuary.

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

C. W. M. NORRIE, Governor.

ANNO DECIMO QUARTO

GEORGII VI REGIS.

A.D. 1950.

****

No. 38 of 1950.

An Act to amend the Constitution Act, 1934-1949.

[*Assented to 30th November,* 1950.]

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, 1950 ".

(2) The Constitution Act, 1934-1949, as amended by this Act, may be cited as the " Constitution Act, 1934-1950 ".

(3) The Constitution Act, 1934-1949, is hereinafter called " the principal Act ".

Incorporation.

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

Amendment of s. 55 of principal Act—Committee on Subordinate Legislation.

3. Section 55 of the principal Act is amended by adding at the end thereof the following subsection :—

(5) The standing orders under paragraph (*g*) of subsection (1) of this section may provide—

(*a*) that the members of the committee constituted under those orders, may remain in office during the period between the dissolution or expiration of the House of Assembly and the appointment of their successors on the committee after the next election ;

(*b*) for the performance as far as possible of the work of the Committee during the said period;

(*c*) for any matters consequential on or incidental to those mentioned in the preceding paragraphs of this subsection.

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

C. W. M. NORRIE, Governor.

ANNO DECIMO QUARTO

GEORGII VI REGIS.

A.D. 1950.

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No. 39 of 1950.

An Act to amend the Health Act, 1935-1950.

[*Assented to 30th November,* 1950.]

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 (No. 2), 1950 ".

(2) The Health Act, 1935-1950, as amended by this Act, may be cited as the " Health Act, 1935-1950 ".

(3) The Health Act, 1935-1950, is hereinafter referred to as " the principal Act ".

Amendment of principal Act, s. 128—
Notification of cases of tuberculosis.

2. Section 128 of the principal Act is amended—

(*a*) by striking out the words " local board of the district in which the person resides " in the sixth and seventh lines thereof and by inserting in lieu thereof the words " Central Board " ;

(*b*) by striking out the words " same local board " in the eighth and ninth lines thereof and by inserting in lieu thereof the words " Central Board ".

Amendment of principal Act, s. 129—
Notification fee.

3. Section 129 of the principal Act is amended—

(*a*) by striking out the words " or section 128 " in the third line thereof ;

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

(2) The Central Board shall pay to every medical practitioner a fee of two shillings for every report made by him to the Central Board under section 128 : Provided that where a report or reports is or are made concerning two or more persons in the same building only one such fee shall be payable.

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

C. W. M. NORRIE, Governor.

ANNO DECIMO QUARTO

GEORGII VI REGIS.

A.D. 1950.

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interest in any moneys arising from any sale, mortgage, lease or other disposition authorized by this Act or directed by the court under this Act which may not have been applied under the powers given by this Act as he or they would have had in the property the subject of the sale, mortgage, lease or disposition if no sale, mortgage, lease or disposition had been made, and the surplus moneys shall be of the same nature as the property sold, mortgaged, leased or disposed of.

(2) In order to give effect to this section, the court may make such orders and direct such conveyances, deeds and things (which may and shall accordingly be executed and done), as the court thinks fit.

(3) The proceeds of any such sale, mortgage, lease or other disposition shall be placed to a special credit for the purpose of identification.

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

C. W. M. NORRIE, Governor.

ANNO DECIMO QUARTO

GEORGII VI REGIS.

A.D. 1950.

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No. 41 of 1950.

An Act to amend the Second-hand Dealers Act, 1919-1949.

[*Assented to 30th November,* 1950.]

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 " Second-hand Dealers Act Amendment Act, 1950 ".

(2) The Second-hand Dealers Act, 1919-1949, as amended by this Act, may be cited as the " Second-hand Dealers Act, 1919-1950 ".

(3) The Second-hand Dealers Act, 1919-1949, is hereinafter referred to as " the principal Act ".

Amendment of principal Act, s. 9a—
Renewal of licences.

2. Section 9a of the principal Act is amended by inserting therein after subsection (7) thereof the following subsection :—

(8) If at least twenty-eight days before the thirty-first day of December in any year, a licensee gives notice in accordance with subsection (1) of his intention to apply for the renewal of his licence but the application for the renewal is not determined on or before such thirty-first day of December, the licence shall, notwithstanding anything to the contrary in this Act, be deemed to be extended until the application is disposed of by the court in accordance with this Act.

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

C. W. M. NORRIE, Governor.

ANNO DECIMO QUARTO

GEORGII VI REGIS.

A.D. 1950.

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No. 42 of 1950.

An Act to amend the Medical Practitioners Act, 1919-1946.

[*Assented to 30th November,* 1950.]

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 "Medical Practitioners Act Amendment Act, 1950 ". Short titles.

(2) The Medical Practitioners Act, 1919-1946, as amended by this Act, may be cited as the " Medical Practitioners Act, 1919-1950 ".

(3) The Medical Practitioners Act, 1919-1946, 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. Section 19 of the principal Act is amended by striking out paragraph (*a*) of subsection (1) and inserting in lieu thereof the following paragraph :— Amendment of s. 19 of principal Act—Qualifications for registration.

(*a*) is the holder of a degree in medicine or surgery which a university in the Commonwealth of Australia or in New Zealand, legally authorized to grant such a degree, has granted to him upon his passing examinations prescribed by that university for that degree.

Enactment of s. 24a of principal Act—

4. The following section is enacted and inserted in the principal Act after section 24 :—

Temporary registration pending conferring of degrees.

24a. (1) Where the board is satisfied on production of a certificate from the registrar of the University of Adelaide that a person has passed the examinations and fulfilled the conditions prescribed by that university for admission to the degrees of Bachelor of Medicine and Bachelor of Surgery, but has not been admitted to those degrees, the board may, upon payment of a fee of ten shillings and sixpence, temporarily register that person as a medical practitioner.

(2) A temporary registration granted under this section shall, unless extended, remain in operation until the expiration of one month after the next meeting of the council and senate of the University of Adelaide held for the purpose of conferring degrees in medicine and surgery takes place or until the person temporarily registered becomes registered under section 19 of this Act, whichever first occurs.

(3) The board may, if it considers that just cause exists for doing so, extend the operation of any such temporary registration for such period as it thinks fit.

(4) While a temporary registration granted under this section remains in force it shall have the same effect in all respects, except as to renewal, as registration granted under section 19 of this Act.

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

C. W. M. NORRIE, Governor.

ANNO DECIMO QUARTO

GEORGII VI REGIS.

A.D. 1950.

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No. 43 of 1950.

An Act to amend the Electoral Act, 1929-1946.

[*Assented to 30th November,* 1950.]

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, 1950 ".

(2) The Electoral Act, 1929-1946, as amended by this Act, may be cited as the " Electoral Act, 1929-1950 ".

(3) The Electoral Act, 1929-1946, is hereinafter referred to as " the principal Act ".

Amendment of ss. 73 and 74 of principal Act—Witness to application for postal vote.

2. (1) Section 73 of the principal Act is amended by striking out the word " elector " in the second line of paragraph (*c*) of subsection (2) thereof and by inserting in lieu thereof the words " authorized witness ".

(2) Section 74 of the principal Act is amended—

(*a*) by striking out the word " elector " in the first line thereof and by inserting in lieu thereof the words " authorized witness ";

(*b*) by striking out the word " elector " in the first line of subsection (2) thereof and by inserting in lieu thereof the words " authorized witness ";

(*c*) by striking out the word " elector " in the first line of subsection (3) thereof and by inserting in lieu thereof the words " authorized witness ".

Re-enactment of s. 80 of principal Act—

3. Section 80 of the principal Act is amended so as to read as follows:—

Authorized witnesses.

80. (1) Subject to subsection (2) of this section, the following persons are authorized witnesses within the meaning of this Act:—

(*a*) All Council electors and Assembly electors; all officers permanently employed in the office of any Commonwealth or State electoral officer or returning officer; all Commonwealth or State electoral registrars; all postmasters or postmistresses or postal officials in charge of post offices of any State; all justices of the peace of any State; all commissioners for taking declarations or affidavits in any State; all adult teachers of any State Education Department; all members of the police force of the Commonwealth or of any State; all legally qualified medical practitioners of any State; all midwives and nurses registered by the Midwives Board or Nurses Board of any State; all officers in charge of quarantine stations of any State; all superintendents of mercantile marine and their deputies while permanently employed in the public service of the Commonwealth or of any State; all naval, military and air force commissioned officers in the service of the Commonwealth; all ministers of religion of any State:

(*b*) All persons or classes of persons employed in the public service of the Commonwealth or of a State who are declared by proclamation to be authorized witnesses within the meaning of this Act.

(2) No person who is a candidate at any election shall be an authorized witness at that election: Provided that nothing in this subsection shall apply to the witnessing of an application for a postal vote certificate and postal ballot-paper.

Amendment of principal Act, s. 118a—Compulsory voting.

4. Section 118a of the principal Act (as enacted by section 3 of the Electoral Act Amendment Act, 1942) is amended—

(*a*) by striking out the words " that district " in the third line of subsection (4) thereof and by inserting in lieu thereof the words " the State ";

(*b*) by inserting after the word " officer " wherever it occurs in subsections (5), (6), (8) and (9) thereof in every case the words " for the State ";

(*c*) by inserting after the word " officer " in the second line of subsection (10) thereof the words " for the Assembly district " and by inserting after the word " officer " wherever elsewhere occurring in the said subsection in each case the words " for the State ".

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

C. W. M. NORRIE, Governor.

ANNO DECIMO QUARTO

GEORGII VI REGIS.

A.D. 1950.

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No. 44 of 1950.

An Act to amend the Abattoirs Act, 1911-1947.

[*Assented to 30th November,* 1950.]

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 " Abattoirs Act Amendment Act, 1950 ".

(2) The Abattoirs Act, 1911-1947, as amended by this Act, may be cited as the " Abattoirs Act, 1911-1950 ".

(3) The Abattoirs Act, 1911-1947, is hereinafter referred to as " the principal Act ".

Amendment of principal Act, s. 46— Borrowing powers.

2. Section 46 of the principal Act is amended by adding at the end thereof the following subsection :—

(3) If at any time any such council is of opinion that the money provided to be expended pursuant to the arrangements made and approved by the Minister under section 13 of this Act and authorized to be borrowed by subsection (2) of this section is insufficient for the purpose, the council may, from time to time, by notice published in the *Gazette*, and in a newspaper circulating in the municipality or district, as the case may be, of the council give notice that it is proposed by the council to borrow such additional amount as is stated in the notice for any purpose mentioned in subsection (1) of this section. Within one month of the last publication of the notice, the requisite number of ratepayers in the municipality

or district may, by writing under their hands delivered to the mayor or chairman or town or district clerk of the council, demand that the question whether or not the amount should be borrowed be submitted to a poll of the ratepayers of the municipality or district, as the case may be.

If such a demand is made, the question shall be submitted to a poll to be held in accordance with the provisions of the Local Government Act, 1934-1949, and the provisions of that Act relating to the conduct of polls, including section 427a thereof, shall apply with respect to the poll.

If no such poll is demanded or if at such a poll the question is or is deemed to be carried, the council may, in accordance with subsection (2) of this section, borrow the amount stated in the notice, and the provisions of subsection (2) of this section shall apply accordingly.

In this subsection the term "requisite number of ratepayers" shall have the meaning ascribed to that term by section 427 of the Local Government Act, 1934-1949.

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

C. W. M. NORRIE, Governor.

ANNO DECIMO QUARTO

GEORGII VI REGIS.

A.D. 1950.

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Government Act, 1934-1949," and inserting in lieu thereof the words " one or more of the prescribed qualifications ";

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

(2*a*) For the purposes of this Act the prescribed qualifications for an auditor shall be—

(*a*) a local government auditor's certificate issued pursuant to Part V of the Local Government Act, 1934-1949 ;

(*b*) membership of the Institute of Chartered Accountants in Australia ;

(*c*) membership of the Federal Institute of Accountants (Incorporated) ;

(*d*) membership of the Commonwealth Institute of Accountants ;

(*e*) membership of the Association of Accountants of Australia Incorporated ;

(*f*) the Diploma in Commerce of the University of Adelaide.

Amendment of s. 24 of principal Act—Vacancies in office of auditor.

5. Section 24 of the principal Act is amended by striking out paragraph IVA. thereof and inserting in lieu thereof the following paragraph :—

IVA. Ceasing to hold at least one of the prescribed qualifications for an auditor :

Amendment of s. 33 of principal Act—Failure to elect auditors and extraordinary vacancies.

6. Section 33 of the principal Act is amended—

(*a*) by inserting after the word " election " in the second line the words " (other than the annual election of an auditor) "; and

(*b*) by striking out the words " or auditor " in the eighth line ; and

(*c*) by adding at the end thereof the following subsection (the previous part of the section being read as subsection (1)) :—

(2) Whenever—

(*a*) the annual election of an auditor fails to be made upon the day appointed by this Act ; or

(*b*) such election being made afterwards becomes void ; or

(*c*) an extraordinary vacancy occurs in the office of auditor,

the trust shall appoint an auditor.

Enactment of ss. 65a-65 of principal Act—

7. The following sections are enacted and inserted in the principal Act after section 65 thereof :—

Power to declare non-ratable land.

65a. (1) Subject to this section, the trust may at any ordinary or special meeting—

(*a*) declare that any land within the district shall be non-ratable land ;

(*b*) revoke any such declaration previously made by the trust.

(2) No land which at the time of the passing of the Renmark Irrigation Trust Act Amendment Act, 1950, is ratable land included in the Assessment Book shall be declared non-ratable except at the request of the owner.

(3) Notwithstanding any other provision of this Act—

(*a*) land which is non-ratable pursuant to any declaration for the time being in force under this section, shall not be ratable land within the meaning of this Act ;

(*b*) no person shall be a ratepayer in respect of such non-ratable land.

(4) The trust may sell water to the owner or occupier of non-ratable land on such terms and conditions as to place of delivery, price, and other matters as the trust fixes.

Payments before supplying of water to new land.

65b. The trust may, before supplying water to any land which is not for the time being included in the Assessment Book, require the owner to pay or undertake to pay to the trust such sum as the trust fixes in respect of any capital expenditure incurred or to be incurred by the trust in connection with the supply of water to that land.

Power of trust to order method of irrigation.

65c. (1) The trust may by order in writing served on the occupier of any ratable land require him to water his land or any specified part thereof only by the method specified in the order.

(2) A person who contravenes an order under this section shall be guilty of an offence against this Act, and liable to a penalty not exceeding one hundred pounds.

Power of trust to order drainage.

65d. (1) Subject to subsections (4) and (5) of this section the trust may by order in writing served on the owner of any ratable land require him to carry out or cause to be carried out within the time and in accordance with the requirements set out in the notice any works specified in the notice being works for draining or improving the drainage of the said ratable land or for the prevention of injury to other land by seepage from the said ratable land.

(2) The order may indicate the times within which the work or any part thereof is to be commenced and completed, and any details as to the place and specifications of the work.

(3) If an owner fails to comply with a requirement of a notice under this section—

(*a*) he shall be guilty of an offence against this Act and liable to a penalty not exceeding one hundred pounds; and

(*b*) the trust may, at its discretion, itself do or cause to be done any work indicated in the notice and in respect of which default has been made, and may by action in any court of competent jurisdiction recover from the said owner the expense incurred by the trust in doing that work.

(4) Before making an order under this section the trust shall give not less than one month's notice in writing to the owner of the ratable land, stating its intention to make the order and the terms thereof.

(5) If the said owner, within twenty-one days after receipt of the notice gives the trust a written notice of objection to the proposed order, the trust shall not make the order until it has given the owner an opportunity of submitting to the trust information and arguments by way of objection against the making of the order, and has considered any information and arguments as submitted.

Enactment of s. 72a of principal Act—

8. The following section is enacted and inserted in the principal Act after section 72 thereof:—

Control of subdivision of irrigated land.

72a. (1) in this section—

"holding" means any continuous area of land or any two or more parcels of land separated only by

roads, track or channels, situated within the district and occupied and used as a single vineyard, orchard or garden :

"subdivide" means to transfer, convey or sell or enter into any other transaction under which any person becomes entitled to the separate occupation of any part of a holding.

(2) If any person subdivides any holding of irrigated land situated within the district without having first obtained the consent of the trust to the proposed subdivision the trust shall have power at its discretion and notwithstanding the other provisions of this Act to refuse to supply water to any part of that holding.

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

C. W. M. NORRIE, Governor.

ANNO DECIMO QUARTO

GEORGII VI REGIS.

A.D. 1950.

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No. 46 of 1950.

An Act to amend the Police Pensions Act, 1929-1949

[*Assented to 30th November,* 1950.]

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

Short titles.

1. (1) This Act may be cited as the " Police Pensions Act Amendment Act, 1950 ".

(2) The Police Pensions Act, 1929-1949, as amended by this Act, may be cited as the " Police Pensions Act, 1929-1950 ".

(3) The Police Pensions Act, 1929-1949, is hereinafter called " the principal Act ".

Incorporation.

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

Enactment of s. 3b of principal Act—

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

Provision as to Commissioner of Police.

3b. (1) If a contributor under the Superannuation Act, 1926-1949, is appointed as Commissioner of Police he may, upon giving to the South Australian Superannuation Fund Board written notice at any time within six months after his appointment, elect to continue to contribute for pension under that Act.

(2) If such an election is made—

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

(*b*) his service and salary as Commissioner of Police shall be deemed to be service and salary within the meaning of the Superannuation Act, 1926-1949.

Amendment of s. 12 of principal Act—Contributions.

4. Section 12 of the principal Act is amended by striking out the table contained in subsection (1) thereof and inserting in lieu thereof the following table :—

Age next birthday at time of commencing to contribute.	Amount of annual contribution. £ s. d.
22	27 0 0
23	28 4 0
24	29 8 0
25	30 12 0
26	31 16 0
27	33 0 0
28	34 2 0
29 and over	34 16 8 plus £ (A—28)(A—28) $\times \frac{11}{30}$

where A = age next birthday at commencing to contribute.

Amendment of s. 12a of principal Act—Contribution of female contributors.

5. Section 12a of the principal Act is amended—

(*a*) by striking out the words " one-tenth " in the seventh line and inserting in lieu thereof " one-seventh "; and

(*b*) by striking out the word " eight " in the last line and inserting in lieu thereof the word " twelve ".

Repeal of ss. 14 and 14a of principal Act and enactment of other provisions—The retiring age.

6. Sections 14 and 14a of the principal Act are repealed and the following section is enacted and inserted in lieu thereof :—

14. A member shall retire from the force on attaining the age of sixty or, at his option, at any time not later than the last day of June next after his sixtieth birthday.

Amendment of s. 15 of principal Act—Pension and benefit on retirement after retiring age.

7. (1) Section 15 of the principal Act is amended by inserting after the words " one thousand " in the fifth line of subsection (1) the words " two hundred ".

(2) Section 15 of the principal Act is further amended by inserting after subsection (1) thereof the following subsections :—

(1a) Every person who after the passing of the Police Pensions Act Amendment Act, 1950, becomes entitled to a cash payment and pension under subsection (1) of this section shall also be entitled to additional pension at the rate of one hundred and fifty six pounds per annum in respect of the period commencing on the day as from which

his pension under the said subsection (1) becomes payable and ending on the expiration of five years thereafter or his death, whichever occurs first.

(1b) Every person who at the time of the passing of the Police Pensions Act Amendment Act, 1950, is in receipt of pension under subsection (1) of this section and who retired from the force less than five years before the passing of the said Act shall be entitled to additional pension at the rate of one hundred and fifty six pounds per annum for the period commencing on the day following the passing of the said Act and ending in the last day of the fifth year after his retirement, or his death, whichever occurs first.

Amendment of s. 16 of principal Act—Pensions under Police Pensions Act, 1916.

8. Section 16 of the principal Act is amended by striking out the words " sixty-five " in the last line and inserting in lieu thereof the words " one hundred and four ".

Amendment of s. 17 of principal Act.

9. Section 17 of the principal Act is amended—

(*a*) by striking out the words " two hundred and sixty " in the last line of subsection (1) and inserting in lieu thereof the words " three hundred and twelve ";

(*b*) by striking out the words " one hundred and twenty " in paragraph (*b*) and in paragraph (*c*) of subsection (2) and inserting in lieu thereof in each case " one hundred and fifty ";

(*c*) by striking out the word " nine " in paragraph (*c*) of subsection (2) and inserting in lieu thereof the word " ten ";

(*d*) by striking out the words " two hundred and sixty " in paragraph (*c*) of subsection (2) and inserting in lieu thereof the words " three hundred and twelve ".

Amendment of s. 22 of principal Act—Pension for widows of members and pensioners.

10. Section 22 of the principal Act is amended by inserting after subsection (1) thereof the following subsection :—

(1a) Where a member dies after the passing of the Police Pensions Act Amendment Act, 1950, leaving a widow there shall be payable to the widow, in addition to the pension under subsection (1) of this section, the following sum :—

(*a*) If the age of the deceased member at his last birthday before his death did not exceed forty-five years—Three hundred and fifty pounds :

(*b*) If the age of the deceased member at his last birthday before his death exceeded forty-five years—Three hundred and fifty pounds plus fifty pounds for every year by which that age exceeded forty-five years, but in no case more than one thousand two hundred pounds.

Amendment of s. 22b of principal Act—Pensions in force on 22nd December, 1947.

11. Section 22b of the principal Act is amended—

(*a*) by striking out the words "two hundred and sixty" in subsection (1) and inserting in lieu thereof the words "three hundred and twelve";

(*b*) by adding at the end of subsection (2) thereof the words "and the Police Pensions Act Amendment Act, 1950".

Commencing day for pensions and contributions.

12. The rates of contributions and pensions fixed by sections 4, 5, 7, 8, 9 and 11 of this Act shall come into operation on the first day of December, nineteen hundred and fifty.

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

C. W. M. NORRIE, Governor.

ANNO DECIMO QUARTO

GEORGII VI REGIS.

A.D. 1950.

****

No. 47 of 1950.

An Act to amend the Industrial Code 1920-1950.

[*Assented to 30th November,* 1950.]

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), 1950 ".

(2) The Industrial Code, 1920-1950, as amended by this Act, may be cited as the " Industrial Code, 1920-1950 ".

(3) The Industrial Code, 1920-1950, is hereinafter called " the principal Act ".

Incorporation.

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

Enactment of s. 269c of the principal Act—

3. The following section is enacted and inserted in the principal Act after section 269b thereof :—

Power of President to make certain adjustments.

269c. (1) Where the rates in an award or determination have been automatically adjusted on the making of the first proclamation declaring a living wage for adult female employees pursuant to section 269b of this Act, the President of the Board of Industry may, as an administrative act, make such alterations in the rates prescribed

in that award or determination for female minor employees as he thinks desirable in order to avoid anomalies between rates payable to male and female minor employees respectively.

(2) Any such alterations shall be in lieu of automatic adjustments resulting from the change in the living wage effected by the said proclamation.

(3) Subsections (1) and (2) of this section shall operate notwithstanding any other provision of this Act.

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

C. W. M. NORRIE, Governor.

ANNO DECIMO QUARTO

GEORGII VI REGIS.

A.D. 1950.

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No. 48 of 1950.

An Act to authorize the execution on behalf of the State of an Agreement between the Commonwealth and the State relating to the construction of a railway from Brachina to Leigh Creek North Coalfield, and to grant the consent of the State to the construction of the said railway by the Commonwealth, and for purposes incidental thereto.

[*Assented to 30th November*, 1950.]

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 " Brachina to Leigh Creek North Coalfield Railway Agreement Act, 1950 ".

Execution of Agreement.

2. (1) The execution by or on behalf of the State of an Agreement between the Commonwealth and the State substantially in accordance with the form contained in the schedule to this Act is hereby authorized.

(2) The Agreement so executed shall be deemed to have been approved by the Parliament of the State.

Consent to construction of railway.

3. The State hereby consents to the construction of the railway from Brachina to Leigh Creek North Coalfield in accordance with the Agreement as executed pursuant to this Act.

Operation of Agreement.

4. The Government of the State shall perform or cause to be performed the obligations imposed on it by the Agreement executed pursuant to this Act.

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

C. W. M. NORRIE, Governor.

THE SCHEDULE.

AGREEMENT made the day of one thousand nine hundred and fifty between the COMMONWEALTH OF AUSTRALIA (hereinafter referred to as "the Commonwealth") of the first part and the STATE OF SOUTH AUSTRALIA (hereinafter referred to as "the State") of the second part: WHEREAS coal produced at Leigh Creek Coalfield, South Australia, is required for the regional power station under construction at Port Augusta, South Australia, and for consumption in Adelaide and elsewhere in South Australia: AND WHEREAS transport of such coal to the said regional power station and to Adelaide and elsewhere is limited by the capacity of the existing 3ft. 6in. gauge railway: AND WHEREAS in order to transport the required quantities of such coal with maximum efficiency and economy in railway operation it is necessary to construct a 4ft. 8½in. gauge railway from Stirling near Port Augusta to Leigh Creek North Coalfield (hereinafter referred to as "the standard gauge railway"): AND WHEREAS it is desirable to construct as part of the standard gauge railway a railway from Brachina South Australia to Leigh Creek North Coalfield (hereinafter referred as to "the said railway"): NOW THIS AGREEMENT WITNESSETH as follows:—

1. (1) The Commonwealth undertakes to have enacted as soon as possible by the Parliament of the Commonwealth legislation authorizing this agreement to be performed by the Commonwealth.

(2) The State undertakes to have enacted as soon as possible by the Parliament of the State legislation authorizing this agreement to be performed by the State.

2. This agreement shall not have any force or effect and shall not be binding on either party unless and until—

(*a*) it is approved by the Parliament of the Commonwealth and the Parliament of the State;

(*b*) the State has given the consent required under the Commonwealth of Australia Constitution Act for the construction in the State of the said railway which under this agreement is to be constructed by the Commonwealth.

3. (1) The Commonwealth will at its own expense construct the said railway from Brachina to Leigh Creek North Coalfield approximately 6 miles north of Telford railway station which railway shall be operated and maintained by the Commonwealth Railways Commissioner as an integral part of the Commonwealth Railways.

(2) The route of the said railway shall be as set out in the schedule of this agreement, but the Commonwealth Railways Commissioner may make such deviations, not exceeding five miles on either side of the route, as are, in his opinion, necessary or reasonable for the better construction and working of the railway.

4. The Commonwealth will commence to construct the said railway as soon as practicable after the approval and consent mentioned in clause 2 hereof are given.

5. The State will grant to the Commonwealth free of charge—

(*a*) any Crown lands and any leased lands of the Crown in respect of which the Commonwealth shall have acquired the rights of the lessees; and

(*b*) any stone soil and gravel upon any Crown lands or leased lands of the Crown from which the State has a right to take the same,

certified by the Commonwealth Railways Commissioner to be required by the Commonwealth in connection with the construction, maintenance or working of the said railway.

6. The State will as soon as possible after notification in writing of the route recommended by the Royal Commission granted by Letters Patent dated the day of relating to the route for the construction of that part of the standard gauge railway from Stirling North to Brachina by the Prime Minister to the Premier of the State authorize by legislation the Commonwealth in the same way and to the same extent as in this agreement to do all that is necessary to enable the Commonwealth and the Commonwealth Railways Commissioner to construct, operate, and maintain the said part of the standard gauge railway from Stirling North to Brachina as an integral part of the Commonwealth Railways.

IN WITNESS whereof the Commonwealth of Australia and the State of South Australia have executed these presents.

SIGNED by the Prime Minister of the Commonwealth of Australia for and on behalf of the said Commonwealth in the presence of .....) .....

SIGNED by the Premier of the State of South Australia for and on behalf of the said State in the presence of .....) .....

THE SCHEDULE.

The route begins at Brachina (102 miles 4 chains from Stirling) on the existing 3ft. 6in. gauge railway (hereinafter referred to as " the existing railway ") and follows the existing railway bearing north for about 16 miles thence west of north to 38 miles thence north-east to 48 miles at a point about one half mile south of Puttappa railway siding thence north and near the existing railway to 52 miles at Emu Creek thence north-west to 53½ miles thence north-east to 56½ miles thence north and following the existing railway passing through Copley at 58 miles thence north-west to 60½ miles thence west of north to 61½ miles thence north-east to 64 miles thence west of north and following the existing railway passing through Telford at 64½ miles to Leigh Creek North Coalfield 70½ miles from Brachina.

ANNO DECIMO QUARTO

GEORGII VI REGIS.

A.D. 1950.

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No. 49 of 1950.

An Act to amend the Land Agents Act, 1925-1936.

[*Assented to 7th December,* 1950.]

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 Agents Act Amendment Act, 1950".

(2) The Land Agents Act, 1925-1936, as amended by this Act, may be cited as the "Land Agents Act, 1925-1950".

(3) The Land Agents Act, 1925-1936, 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.

Commencement of Act.

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

Enactment of s. 2b of principal Act—

4. The following section is enacted and inserted in the principal Act after section 2a thereof:—

Land Agents Board.

2b. (1) The Governor may appoint a board to be called "The Land Agents Board". The said board is in this Act referred to as "the board".

(2) the board shall consist of three persons, 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.

(3) The Governor shall appoint one member of board to be the chairman thereof.

(4) Subject to this Act, every member of the board shall hold office for three years and shall be eligible for re-appointment.

(5) The Governor may remove any member of the board from office for neglect of duty or mental or physical incapacity to perform his duties.

(6) 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.

(7) Every member of the board shall be entitled to such fees as are approved by the Governor.

(8) The Governor may appoint a person to be secretary of the board.

(9) 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.

(10) 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.

Amendment of s. 6 (2) of principal Act—Land agents' bonds.

5. Subsection (2) of section 6 of the principal Act is repealed and the following subsection enacted in its place :—

(2) Every such bond shall be in such of the prescribed forms as is applicable to the case, or in a form to the like effect.

In this subsection "prescribed form" means :—

(*a*) a form prescribed in the schedule to this Act ; or

(*b*) if by regulations a bond in a different form has been substituted for a form in the schedule, the form so substituted.

Amendment of s. 23 of principal Act—Land agents' trust accounts.

6. Section 23 of the principal Act is amended by adding at the end thereof the following subsection :—

(5) 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.

Enactment of ss. 29a-29g of the principal Act—

7. The following sections are enacted and inserted in the principal Act after section 29 thereof :—

Inquiries into misconduct.

29a. (1) Whenever the board is informed or has reason to suspect that any land agent or land salesman has in the course of his business or work as such agent or salesmen been guilty of any crime, neglect of duty towards a client, breach of trust, breach or non-observance of any provision of this Act, negligence, dishonesty or other conduct indicating that he is not a fit and proper person to act as land agent or land salesman, it shall obtain such statements of the facts as are necessary to enable it to decide—

(*a*) in the case of a land agent whether proceedings should be taken against him under section 27 of this Act ; or

(*b*) in the case of a land salesman whether proceedings should be taken against him under the regulations relating to the cancellation of the registration of land salesmen ; or

(*c*) in either case whether objection should be lodged against the renewal of the licence or registration of the said person.

(2) Whenever the board has reason to suspect that any applicant for a land agent's licence or registration as a land salesman is not a fit and proper person to be licensed or registered (as the case may be) it shall obtain such statements of facts as are necessary to enable it to decide whether objection should be lodged against the application made by that applicant.

(3) In order to obtain satisfactory statements of any facts the board may, if it deems it necessary to do so, hold an inquiry at which evidence may be taken on oath or affirmation.

Powers of board as to evidence, etc.

29b. (1) For the purpose of any such inquiry the board may—

(*a*) by summons signed by any member or the secretary of the board require any person to attend before the board ;

(*b*) by notice in writing signed as aforesaid require any person to produce to the board any books, papers or documents ;

(*c*) 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 ;

(*d*) 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 appear before the board does not attend in obedience to the summons ; or

(*b*) who has been served with notice to produce any books or documents before the board does not 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*) refuses to answer any relevant question put to him by any member of the board or by any person appearing before the board ; or

(*e*) misbehaves himself before 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 at an inquiry conducted by the board if the answer to that question would tend to incriminate him.

Notice of inquiry and procedure.

29c. (1) The board shall give the land agent or land salesman whose conduct is in question not less than seven days' notice of the time and place when it intends to conduct any inquiry, and shall afford that agent or salesman a reasonable opportunity of cross-examining the witnesses calling evidence and making submissions to the board.

(2) If a land agent or land salesman does not after such notice attend at the time and place fixed by an inquiry, the board may hold the inquiry in his absence.

(3) The procedure at any inquiry shall be such as the board orders.

Duty of board to take proceedings and oppose applications.

29d. (1) The board shall, if it considers that just cause exists for doing so—

(*a*) take proceedings under section 27 of this Act against any licensed land agent; or

(*b*) take proceedings for the cancellation of the registration of any land salesman under the regulations made under this Act; or

(*c*) oppose the grant or renewal of any land agent's licence or the renewal of the registration of any land salesman.

(2) Any proceedings or objection to which the board is a party may be taken and proceeded with in the official name of the board without specifying the names of the individual members thereof.

Duty to inform Land Agents Board of applications.

29e. The clerk of any local court in which any application for the grant or renewal of a land agent's licence or of a registration as a land salesman is filed shall forthwith after such filing give notice thereof to the secretary of the board.

Inquiries by police officers.

29f. (1) The Commissioner of Police shall at the request of the board cause his officers to make any inquiries and reports relevant to any matter being inquired into by the board.

(2) Such reports shall be forwarded to the board.

Pending applications.

29g. Any 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 the Land Agents Act Amendment Act, 1950, shall be heard and dealt with as if that Act had not been passed.

Repeal of s. 33a of the principal Act.

8. Section 33a of the principal Act is repealed.

Amendment of s. 35 of principal Act—Regulations.

9. Section 35 of the principal Act is amended by adding after paragraph (*b*) of subsection (1) the following paragraph :—

(*ba*) prescribing the forms, terms, and conditions of bonds to be used in substitution for bonds in the forms set out in the Schedule to this Act, and requiring applicants for land agents' licences to deposit bonds in the forms and containing the terms and conditions so prescribed.

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

C. W. M. NORRIE, Governor.

ANNO DECIMO QUARTO

GEORGII VI REGIS.

A.D. 1950.

****

No. 50 of 1950.

An Act to amend the Landlord and Tenant (Control of Rents) Act, 1942-1949.

[*Assented to 7th December,* 1950.]

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, 1950 ".

(2) The Landlord and Tenant (Control of Rents) Act, 1942-1949, as amended by this Act, may be cited as the " Landlord and Tenant (Control of Rents) Act, 1942-1950 ".

(3) The Landlord and Tenant (Control of Rents) Act, 1942-1949, is hereinafter referred to as " the principal Act ".

Amendment of principal Act, s. 6—Exemptions.

2. Section 6 of the principal Act is amended by inserting therein after subsection (1a) thereof the following subsection :—

(1b) 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.

Enactment of s. 25a of principal Act—

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

Application by lessor contemplating repairs, etc.

25a. (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.

Amendment of principal Act, s. 26a—Interpretation.

4. The definition of "'rent', with respect to land," in section 26a of the principal Act is amended—

(*a*) by striking out the word "that" in the third line thereof and by inserting in lieu thereof the word "any";

(*b*) by inserting after the word "place" in the fourth line thereof the words "or keep placed";

(*c*) by striking out the word "buildings" in the ninth line thereof and by inserting in lieu thereof the words "dwelling-house, other building, or any part thereof";

(*d*) by adding after the word "goods" in the ninth line thereof the words "or for the use of any land other than the land upon which the caravan is actually placed".

Amendment of principal Act, s. 26n—Grounds for giving notice to quit.

5. (1) Subsection (5) of section 26n of the principal Act is amended—

(*a*) by adding at the end of paragraph (*a*) thereof the following passage :—

" or that the lessee has failed to pay any rent which has been due and payable for more than twenty-eight days " :

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

(*k*1) that the premises being a dwelling house situated in or adjacent to any grazing area, farm, orchard, vineyard, market garden, dairy farm, poultry farm, pig farm or apiary of the lessor are reasonably required 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 :

(*c*) by striking out the word " or " last occurring in the third line of paragraph (*n*) thereof.

(2) Section 26n of the principal Act is amended by inserting the following subsection therein after subsection (8) thereof :—

(9) 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.

Consequential amendments of principal Act.

6. (1) Section 26p of the principal Act is amended by inserting after the expression "(*k*)" in the fourth line thereof the expression ", (*k*1)".

(2) Section 26u of the principal Act is amended by inserting after the expression "(*k*)" in the third line of paragraph (*c*) of subsection (1) thereof the expression "(*k*1),".

(3) Section 26ab of the principal Act is amended—

(*a*) by striking out the passage " or (*k*) " in the second line thereof and by inserting in lieu thereof the passage ", (*k*), (*k*1) or (*l*) " ;

(*b*) by striking out the passage " or (*k*)" in the second line of paragraph (*b*) of subsection (2) thereof and by inserting in lieu thereof the passage ", (*k*) or (*k*1)".

(4) Section 26an of the principal Act is amended—

(*a*) by inserting after the expression " (*k*) " in the sixth line of subsection (4) thereof the expression " (*k*1),";

(*b*) by inserting after the expression " (*k*) " in the seventh line of subsection (5) thereof the expression " (*k*1),".

Amendment of principal Act, s. 26o—
Period of notice to quit.

7. Section 26o of the principal Act is amended by inserting after the word "paragraphs" in the fifth line of subsection (2) thereof the passage "(a),".

Amendment of principal Act, s. 26q—
Notice to quit where dwelling house sold.

8. Section 26q of the principal Act is amended—

(*a*) by striking out the words " of a lease thereof " in the sixth line thereof and by inserting in lieu thereof the words " who becomes the lessor thereof by virtue of a lease granted in respect of the premises ";

(*b*) by inserting after the word " purchase " in the seventh line thereof the words ", transfer or assignment ";

(*c*) by inserting before the word " lease " in the eighth line thereof the words " commencement of the term of the ";

(*d*) by inserting after the word " purchase " in the last line of subsection (1) thereof the words " transfer or assignment or, as the case may be, the date of the commencement of the term of the lease ";

(*e*) by adding at the end of subsection (1) thereof the following proviso :—

Provided that where a person becomes a lessor as aforesaid in pursuance of an agreement entered into or lease made after the passing of the Landlord and Tenant (Control of Rents) Act Amendment Act, 1950, a notice to quit as aforesaid shall not be given to any such lessee within a period of twelve months after the date of the agreement for purchase, transfer or assignment or, as the case may be, the date of the commencement of the term of the lease :

(*f*) by adding at the end of subsection (2) thereof the following proviso :

Provided that where any such agreement is made after the passing of the Landlord and Tenant (Control of Rents) Act Amendment Act, 1950, a notice to quit as aforesaid shall not be given to any such lessee within a period of twelve months after the date of the agreement.

9. Section 26u of the principal Act is amended— Amendment of principal Act, s. 26u—

(*a*) by striking out the word "since" in the sixth line of paragraph (*c*) of subsection (1) thereof and by inserting in lieu thereof the words ", whether before or after"; Matters to be considered by court.

(*b*) by striking out the word "and" in the last line of paragraph (*e*) of subsection (1) thereof;

(*c*) by inserting after paragraph (*f*) of subsection (1) thereof the following paragraphs :—

(*g*) where the application is made on a ground specified in paragraph (*g*) of subsection (5) of section 26n—whether the lessor has been required by circumstances to live elsewhere than in the premises and whether there has been any relevant change in those circumstances :

(*h*) whether the lessee has made reasonable efforts to secure other premises :

(*i*) where the proceedings relate to a dwellinghouse and a permit has been issued to the lessee under the Building Materials Act, 1949, for the construction of a dwellinghouse—whether the lessee has been guilty of unreasonable delay in the construction of the dwellinghouse in respect of which the permit was issued.

(*d*) by adding at the end thereof the following subsections :–

(4) If, on the hearing of any such proceedings where application is made on a ground specified in paragraph (*a*), (*b*), (*c*), (*d*) or (*e*) of subsection (5) of section 26n the court is satisfied that the ground has been proved, 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.

(5) 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 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 five 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 him 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 him 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 twelve 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.

Enactment of s. 26ua of principal Act—

10. The following section is enacted and inserted in the principal Act after section 26u thereof:—

Power of court.

26ua. (1) In respect of any proceedings referred to in section 26u 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.

Amendment of principal Act, s. 26ai—

Exclusion certificate.

11. Section 26ai of the principal Act is amended by striking out the word "six" in the third line thereof and by inserting in lieu thereof the word "twelve".

Amendment of principal Act, s. 26av—

Application of Part.

12. Section 26av of the principal Act is amended—

(*a*) by adding at the end of subsection (1) thereof the words "and the grounds upon which the respondent claims to be a protected person within the meaning of this Part";

(*b*) by inserting after the word "Part" in the fourth line of subsection (3) thereof the words "and stating the grounds upon which the respondent claims to be a protected person within the meaning of this Part".

Amendment of principal Act, s. 30—

Premiums, etc on grant of leases.

13. Section 30 of the principal Act is amended—

(*a*) by striking out the words "or acceptance" in the seventh line thereof and by inserting in lieu thereof the words ", acceptance, assignment or transfer";

(*b*) by inserting after the word "renewal" in the eighth line thereof the words "or extension";

(*c*) by inserting after the word "renewal" in the eleventh line thereof the words ", extension, assignment or transfer";

(*d*) by inserting after the word " recovers " in the first line of paragraph (*c*) of subsection (1) thereof the words " or attempts to pay, give or recover ".

Enactment of s. 35a of principal Act—

14. The following section is enacted and inserted in the principal Act after section 35 thereof ;

Power of court to make order for inspection of leased premises.

35a. (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 procedure 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.

(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.

(8) The power given by section 43 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.

Amendment of principal Act, s. 45—Facilitation of proof.

15. Section 45 of the principal Act is amended by adding at the end thereof the following subsection :—

(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.

Amendment of principal Act, s. 49—Duration of Act.

16. Section 49 of the principal Act is amended by striking out the word " fifty " in the second line thereof and by inserting in lieu thereof the word " fifty-one ".

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

C. W. M. NORRIE, Governor.

ANNO DECIMO QUARTO

GEORGII VI REGIS.

A.D. 1950.

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No. 51 of 1950.

An Act to make provision for the technical education and the supervision of the training of apprentices, to repeal the Technical Education of Apprentices Act, 1917-1940, and to amend the Industrial Code, 1920-1950.

[*Assented to 7th December,* 1950.]

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.

PRELIMINARY.

Short title.

1. This Act may be cited as the " Apprentices Act, 1950 ".

Commencement of Act.

2. This Act shall come into force on a day to be fixed by proclamation.

Repealing provision.

3. The Technical Education of Apprentices Act, 1917, the Technical Education of Apprentices Act Amendment Act, 1921, and the Technical Education of Apprentices Act Amendment Act, 1940, are hereby repealed.

Arrangement of Act.

4. The provisions of this Act are arranged as follows :—

PART I.—Preliminary.
PART II.—Administrative Provisions.
PART III.—Technical Education of Apprentices.
PART IV.—Indentures of Apprenticeship and Supervision of Apprentices.
PART V.—Miscellaneous.

Interpretation.

5. (1) In this Act, unless the context or subject matter requires a different construction—

"apprentice" means a person whom another person has agreed in writing to teach, or to instruct in, some trade, whether that is or is not the sole purpose of the agreement, and whether the Industrial Code, 1920-1950, applies to that trade or not, and any person who is a trainee apprentice, as defined in any award of the Commonwealth Court of Conciliation and Arbitration, in any trade :

"indentures" includes any written contract of apprenticeship :

"board" means the Apprentices Board :

"member" means a member of the board and includes the chairman and deputy chairman of the board :

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

"trade" means any process, business, occupation, or calling in which skilled handicraft is employed, but does not include any sea service or any professional pursuit.

(2) This Act shall be read and construed and shall take effect subject to any relevant law of the Commonwealth and to any valid and subsisting award, order or industrial agreement under any such law so far as such award, order or agreement relates to apprenticeship in any trade or apprentices in any trade ; and all the provisions of this Act shall, as regards any such apprenticeship or apprentices, be read and construed and given effect accordingly.

PART II.

ADMINISTRATIVE PROVISIONS.

Apprentices Board.

6. (1) There shall be a board to be called the "Apprentices Board".

(2) The board shall consist of the following members :—

I. The Superintendent of Technical Schools who shall be the chairman of the board :

II. The Chief Inspector of Factories who shall be the deputy chairman of the board :

III. Two persons to be appointed by the Governor on the nomination of the Minister :

IV. Two persons to be appointed by the Governor on the nomination of the United Trades and Labour Council of South Australia :

V. One person to be appointed by the Governor on the nomination of the South Australian Employers' Federation :

VI. One person to be appointed by the Governor on the nomination of the South Australian Chamber of Manufactures, Incorporated.

(3) Subject to subsection (4), every nominated member of the board shall hold office for three years : Provided that—

(*a*) a retiring member shall be eligible for re-appointment if nominated as provided by subsection (2) ;

(*b*) if the nominated member to hold office in place of any retiring member has not been appointed on or before the day of retirement, the retiring member shall be deemed to remain in office until his successor is appointed ;

(*c*) a nominated member appointed to fill a casual vacancy shall hold office for the balance of the term of the person in whose place he was appointed.

(4) Every person who at the commencement of this Act holds office as a nominated member of the Apprentices Advisory Board shall from the said commencement be deemed to be a member of the board without any further appointment and shall be deemed to have been appointed on the nomination of the body on whose nomination he was appointed to the Apprentices Advisory Board. Every such member shall retire at the time he would have retired as a member of the Apprentices Advisory Board.

Fees and expenses of members.

7. (1) The members of the board may be paid such remuneration as is from time to time fixed by the Governor.

(2) The members of the board may be paid reasonable travelling expenses incurred whilst on the business of the board.

Quorum.

8. Four members of the board, one of whom shall be the chairman or the deputy chairman, shall form a quorum for the transaction of business: Provided that there shall not be a quorum unless one of the members appointed pursuant to paragraph IV. of subsection (2) of section 6 and one of the members appointed pursuant to paragraph V. or paragraph VI. of subsection (2) of section 6 are present.

Chairman.

9. (1) The chairman or, in his absence, the deputy chairman shall preside at meetings of the board.

(2) The person presiding at any meeting shall have a deliberative vote and in the case of equality of votes a casting vote.

Vacancies on board.

10. (1) If any member of the board is absent from four consecutive meetings of the board, without leave granted by the board, his office shall thereupon become vacant.

(2) When the office of any member of the board becomes vacant the Governor may fill the vacancy : Provided that—

I. if the member was a nominated member, the new member shall be appointed after nomination by the person or body which nominated the member in whose place he is appointed ; and

II. if the vacancy occurs otherwise than by effluxion of time, the term of office of the new member shall be computed from the beginning of the term of office of the member in whose place he is appointed.

Board may act during vacancy.

11. During any vacancy on the board the remaining members may act as if no vacancy existed.

Functions of the board.

12. (1) The board shall have and may exercise the powers given by this Act to the board.

(2) The board shall report, and make such recommendations as the board thinks fit, to the Minister—

(*a*) upon the training, education, and instruction of apprentices generally, and in particular as to the training, education, and instruction which, in the opinion of the board, it is desirable should be given to apprentices employed in any particular trade :

(*b*) upon any matters connected with the training, education, and instruction of apprentices which are referred to the board by the Minister ; and

(*c*) generally as to the best means of carrying into effect the objects of this Act.

(3) The board shall also discharge such (if any) other duties and functions as are prescribed.

Delegation of powers of board.

13. The board may delegate to the chairman or the deputy chairman any of the powers of the board under this Act and may, at any time, revoke any such delegation.

Trade committees.

14. (1) The Minister may appoint a trade committee for any trade to which Part III. applies.

(2) The members of every such committee shall, as far as possible be representative of the employers and employees engaged in the trade for which the committee is appointed, but the Minister may, in his discretion, appoint any person who is not connected with that trade to be a member of the committee.

(3) Subject to this section, every member of a trade committee shall hold office until the next general retirement of members of the Apprentices Board, following the appointment of the member: Provided that—

(*a*) a retiring member shall be eligible for re-election;

(*b*) if the members to hold office in the place of any retiring members have not been appointed on or before the day of retirement, those retiring members shall be deemed to remain in office until their successors are appointed.

(4) The Minister may remove any member of a trade committee from office if he is satisfied that the member is for any reason unable to perform the duties of his office, or has been guilty of neglect of duty, or of conduct which in the Minister's opinion shows him to be unfit to remain in office.

(5) A person appointed to a casual vacancy shall hold office for the balance of the term of the person in whose place he was appointed.

(6) The Superintendent of Technical Schools shall be *ex officio* chairman of every trade committee.

(7) Every trade committee—

(*a*) may report to the board on any matters relating to the technical education of apprentices in the trade for which the committee is appointed;

(*b*) shall, upon written notice from the board, report to the board within a reasonable period to be specified in the notice, upon such matters relating to the technical education of apprentices in the said trade, as are specified in the notice.

(8) Every trade committee appointed pursuant to section 17 of the Technical Education of Apprentices Act, 1917-1940, the members of which hold office at the commencement of this Act, shall continue in office as if appointed by the Minister under this section and shall be deemed to have been so appointed. The

members holding office in that trade committee shall, without any further appointment, continue to hold office in that trade committee for such time as is provided by this section.

Secretary and officers.

15. (1) The Minister may appoint any member of the public service to act as secretary of the board.

(2) The Minister may direct that any officers of the public service shall perform such duties as are necessary to enable the board to exercise its functions under this Act.

PART III.

TECHNICAL EDUCATION OF APPRENTICES.

Proclamation of trades.

16. (1) This Part shall apply only to such trades as are declared by proclamation.

(2) The Governor may, by proclamation declare that this Part shall apply to such trades as are specified by proclamation and may by proclamation revoke or vary any such proclamation.

Proclamation of districts.

17. (1) This Part shall apply only within such districts as are declared by proclamation.

(2) The Governor may, by proclamation declare that the provisions of this Part relating to the attendance at technical schools or classes shall apply within the district or districts specified in the proclamation and may by proclamation revoke or vary any such proclamation. Any such district is hereinafter in this Part referred to as a " technical school district ".

(3) The Governor may, by proclamation, declare that the provisions of this Part relating to correspondence courses shall apply within the district or districts specified in the proclamation and may by proclamation revoke or vary any such proclamation. Any such district is hereinafter in this Part referred to as a " correspondence course district ".

Times and occasions for attendance at technical schools.

18. (1) The Minister may, by notice published in the *Government Gazette*, from time to time prescribe the times during which and the minimum number of occasions on which apprentices employed in any trade to which this Part applies within any technical school district shall attend at a technical school or class for instruction, and may, in like manner, revoke or vary any such notice. The said time and number of occasions may be prescribed either generally or with respect to any particular trade within any particular technical school district.

(2) The Superintendent of Technical Schools shall, consistently with any notice by the Minister under subsection (1) hereof and with any directions which the Minister may give—

(*a*) give notice in writing to each apprentice to whom this section applies of the technical school or schools or class or classes at which he is required to attend for instruction, and of the occasions and hours for such attendance ; and

(*b*) give notice in writing to the employer of each such apprentice of the school or schools or class or classes at which the apprentice is required to attend for instruction, and of the occasions and hours for such attendance.

(3) Any notice by the Superintendent of Technical Schools under subsection (2) hereof—

(*a*) may be given from time to time ; and

(*b*) may be given by post.

The giving of any such second or subsequent notice shall cancel any preceding notice.

Duty of apprentice to attend technical school and of employer to permit him to attend.

19. (1) Every apprentice to whom section 18 applies and who has been given notice under section 18 shall attend for instruction at the technical school or schools or class or classes specified in the notice at the hours on the occasions specified in the notice, and on at least the number of occasions during each term prescribed by the Minister as the minimum number of occasions for such attendance : Provided that no apprentice shall be bound so to attend during a longer period than three years, unless he has failed to reach the prescribed standard within that period.

(2) Every employer who has been given notice under section 18 shall permit the apprentice specified in the notice to attend for instruction at the technical school or schools or class or classes specified in the notice at the hours on the occasions specified in the notice on every occasion specified in the notice on which the school or class is open for instruction.

(3) If any employer in any way, either directly or indirectly,

(*a*) interferes with or obstructs any such apprentice in such manner as to prevent him from attending a technical school or class on any occasion upon which he is bound so to attend as provided by subsection (1) hereof; or

(*b*) alters his position to his prejudice or places him under any other disadvantage, in consequence of his attendance, or attempt to attend, as so provided, or so as to discourage him from such attendance,

he shall, within the meaning of this section, be deemed not to permit the apprentice to attend as so provided.

(4) If any person is guilty of any contravention of this section, he shall be guilty of an offence and liable—

(*a*) in the case of an apprentice, for the first offence, to a penalty not exceeding five shillings, and for any subsequent offence, to a penalty not exceeding one pound;

(*b*) in the case of an employer, for the first offence, to a penalty not exceeding ten shillings, and for any subsequent offence, in respect of the same or any other apprentice, to a penalty not exceeding five pounds.

Training by means of correspondence course.

20. (1) The Minister may, by notice, published in the *Government Gazette*, from time to time prescribe the course of instruction by correspondence which shall be carried on by apprentices employed in any trade to which this Part applies within any correspondence course district. Every such course of instruction shall be a correspondence course conducted by the Minister of Education or by some educational institution specified by the Minister.

(2) The Superintendent of Technical Schools shall, consistently with any notice given by the Minister under subsection (1) hereof and with any directions which the Minister may give—

(*a*) give notice in writing to each apprentice to whom this section applies of the correspondence course he is required to carry on; and

(*b*) give notice in writing to the employer of each such apprentice of the correspondence course required to be carried on by the apprentice.

(3) Any notice by the Superintendent of Technical Schools under subsection (2) hereof—

(*a*) may be given from time to time ; and

(*b*) may be given by post.

The giving of any second or subsequent notice shall cancel any preceding notice.

Duty of apprentice to carry on correspondence course.

21. (1) Every apprentice to whom section 20 applies and who has been given notice under section 20 shall carry on the correspondence course referred to in the notice : Provided that no apprentice should be bound to carry on a correspondence course during a longer period than three years, unless he has failed to reach the prescribed standard within that period.

(2) The Minister may, by notice published in the *Government Gazette* from time to time prescribe what is to be done by apprentices carrying on any such correspondence courses, and may, in like manner, revoke or vary any such notice.

(3) Any such apprentice who fails to comply with any such direction shall be guilty of an offence and liable for a first offence to a penalty not exceeding five shillings and for any subsequent offence to a penalty not exceeding one pound.

Attendance at school of apprentices not bound by this Part.

22. (1) Any apprentice to whom neither of sections 18 and 20 applies may attend, and every employer of any such apprentice shall permit him to attend, for instruction at such technical school or schools or class or classes as are approved by the Superintendent of Technical Schools, on such occasions and at such hours as are fixed by the said superintendent by notice in writing delivered to the apprentice and to his employer.

(2) Subsection (3) of section 19, but with the substitution of the expression " occasion upon which he may attend " for the expression " occasion upon which he is bound so to attend " shall apply to every employer referred to in subsection (1) of this section.

(3) Any employer who commits any contravention of this section shall be guilty of an offence and liable for a first offence, to a penalty not exceeding ten shillings, and for any subsequent offence, in respect of the same or any other apprentice, to a penalty not exceeding five pounds.

Computation of time spent at classes.

23. Notwithstanding anything contained in the Industrial Code, 1920-1950, or any other Act, the time, during the working hours, occupied by an apprentice in attending a technical school or class under this Part (including the time occupied by him

going from his work to the school or class and returning to his work) shall be reckoned as part of the time served under his indentures of apprenticeship, and such attendance shall not delay the completion of his indentures or interfere with the periodic increase of his wages under his indentures.

Provision for scholarships, etc.

24. The Minister may make provision for—

(*a*) rewards, by way of scholarships or prizes, or otherwise, for regular attendance, zeal, and industry, on the part of apprentices attending technical schools or classes or carrying on correspondence courses under this Act; and

(*b*) scholarships and other awards or privileges to encourage such apprentices to pass on to more advanced technical schools or classes or courses.

Provision for examinations.

25. (1) Every apprentice to whom section 18 or section 20 applies shall submit himself for examination to a board of examiners when required, and shall satisfy the board of examiners that he has made reasonable progress in proficiency during each year of his attendance at a technical school or class or course or of his correspondence course under this Act.

(2) The board of examiners shall consist of the trade committee of the trade to which the apprentice is indentured, or of a sub-committee of that committee, or of such other persons as the Minister appoints for the purpose.

(3) On the advice of the board of examiners the Minister may grant the apprentice a certificate of competency for each year, or other prescribed period, of his attendance under this Part at the trade course at any technical school or class or the carrying out of a correspondence course.

(4) The board of examiners shall have power to insist, at the discretion of the Minister, when the board of examiners thinks proper, that an apprentice shall repeat his attendance at any class or any necessary part of his correspondence course where his work has been unsatisfactory.

PART IV.

INDENTURES OF APPRENTICESHIP AND SUPERVISION OF APPRENTICES.

Form of indentures.

26. (1) Subject to any provision of any award, order, or industrial agreement made pursuant to the Commonwealth Conciliation and Arbitration Act, 1904-1948, or any amendment thereof, a person shall not take an apprentice in any trade except under indentures in the prescribed form or in such other form as may be approved by the Chief Inspector of Factories.

(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.

Requirements as to indentures.

27. (1) Every indentures of apprenticeship in any trade entered into after the commencement of this Act shall be in triplicate, and the employer shall, within fourteen days after the signing of the indentures, deliver one copy thereof to the apprentice, and one copy to the Chief Inspector of Factories.

(2) If any indentures of apprenticeship in any trade are transferred or assigned from one employer to another, the employer from whom the indentures are transferred or assigned—

(*a*) shall, in the case of transfer or assignment effected by means of an indorsement written upon the indentures, indorse the transfer or assignment both upon his own copy of the indentures and also upon the apprentice's copy thereof, and within fourteen days of the making of the indorsement supply the Chief Inspector of Factories and the employer to whom the indentures are transferred or assigned with a copy of the indorsement:

(*b*) shall, in the case of a transfer or assignment affected by means of a written instrument separate from the indentures, prepare the same in quadruplicate and shall, within fourteen days of the execution of the written instrument, deliver one copy thereof to the Chief Inspector of Factories, one copy to the employer to whom the indentures are transferred or assigned, and one copy to the apprentice.

(3) Within fourteen days of the cancellation of any indentures of apprenticeship in any trade, the employer shall give notice in writing thereof to the Chief Inspector of Factories.

(4) Any employer who commits any contravention of this section shall be guilty of an offence and liable to a penalty not exceeding twenty pounds.

Age of apprentices.

28. (1) After the commencement of this Act, no person shall be capable of entering into indentures of apprenticeship in any trade or becoming apprenticed in any trade after he attains the age of twenty years.

(2) Subject to any provision of any award, order or industrial agreement made pursuant to the Commonwealth Conciliation and Arbitration Act, 1904-1948, or any amendment thereof, when any person who becomes apprenticed in any trade after the commencement of this Act attains the age of twenty-one years, his indentures of apprenticeship shall no longer bind the parties thereto, except as regards anything theretofore done or omitted.

Particulars concerning apprentices to be furnished.

29. (1) Within fourteen days after the thirtieth day of November in every year, every person who employed an apprentice in any trade upon that thirtieth day of November shall furnish to the Chief Inspector of Factories a statement, in the prescribed form, of his full names and the full names of every apprentice so employed, and such other particulars as are prescribed.

(2) If any person is guilty of any contravention of this section he shall be guilty of an offence and liable to a penalty not exceeding five pounds.

Investigation of apprenticeship matters.

30. (1) Upon the application of any apprentice or the parent or guardian of any apprentice or the employer of any apprentice, the board may investigate any matter arising out of the indentures of apprenticeship.

(2) Where upon any such investigation it deems it advisable so to do, the board may suggest arrangements for the assignment of the indentures of apprenticeship to another employer or may suggest such other arrangement as seems desirable to the board as to the transfer, assignment, or cancellation of the indentures.

Supervision of practical training of apprentices.

31. (1) The board may inspect the training of apprentices in the premises of the employer of the apprentice.

(2) If the board is of opinion that the practical training given by his employer to any apprentice is inadequate in any manner, the board may, by notice in writing given to the employer, require the employer to do such things for the training of the apprentice as the board deems necessary.

Cancellation of apprenticeship in certain cases.

32. (1) Any employer of an apprentice may, on the grounds that through lack of orders or financial difficulties the employer is unable to find employment and provide training for the apprentice, apply to the board for a certificate authorizing him to cancel or suspend the indentures of apprenticeship.

(2) The board may grant any such certificate but shall not do so unless satisfied by investigation that the facts are as alleged by the employer.

(3) The board shall give notice to the apprentice and to the parent or guardian who is a party to the indentures that the board has granted the certificate.

(4) Any employer to whom a certificate has been issued under this section shall be entitled to cancel or suspend any indentures of apprenticeship affecting the apprentice named in the certificate, and shall not be liable for damages or otherwise to any person for so doing.

(5) Any employer who has cancelled the indentures of any apprentice under this section shall, if he engages any apprentice within twelve months after the commencement of that cancellation, give preference in employment to any apprentice whose indentures have been so cancelled and who is an applicant for employment and is eligible for employment. Any employer who commits any contravention of this subsection shall be guilty of an offence and liable to a penalty not exceeding twenty pounds.

Right to terminate apprenticeship during first six months.

33. Notwithstanding anything contained in the Industrial Code, 1920-1950, or in any other Act, any party to any indentures of apprenticeship in any trade may, at any time during the first six months of the period of the apprenticeship, terminate the indentures by giving fourteen days written notice to the other party.

PART V.

MISCELLANEOUS.

Notice by board.

34. (1) Any notice required by this Act to be given by the board shall be deemed to be sufficient if signed by the chairman, deputy chairman, or secretary of the board.

(2) Any such notice may be given by post.

Entry on premises.

35. (1) For the purpose of carrying out the provisions of this Act, the Chief Inspector of Factories or any person authorized by him for the purpose may, at any reasonable time, enter and inspect any premises in which any apprentice in any trade is employed. For any such purpose the Chief Inspector of Factories or any person authorized as aforesaid shall have all the powers of an inspector under the Industrial Code, 1920-1950.

(2) Any person who prevents or hinders the Chief Inspector of Factories or any person authorized as aforesaid in the exercise of any power conferred by subsection (1) hereof shall be guilty of an offence and liable to a penalty not exceeding twenty pounds.

Financial provision.

36. All fees payable by any apprentice for instruction at any technical school or class which he has attended as required, or as permitted, by this Act, or in respect of any correspondence course he is required by this Act to carry on, and all other moneys required for the purposes of this Act shall be paid by the Treasurer out of money provided by Parliament for the purpose.

Governor may make regulations.

37. (1) The Governor may make regulations prescribing all matters and things which by this Act are contemplated, required, or permitted to be prescribed, or which appear to him to be necessary or convenient to be prescribed for the purpose of more effectually carrying into effect the provisions of this Act.

(2) Any regulation may impose a penalty nor exceeding ten pounds for any breach of the same or any other regulation.

Summary proceedings for offences.

38. All proceedings in respect of offences against this Act shall be disposed of summarily.

Amendments of the Industrial Code, 1920-1949.

39. (1) The Industrial Code, 1920-1950, is amended in manner shown in the schedule to this Act.

(2) The Industrial Code, 1920-1950, as amended by this Act, may be cited as the " Industrial Code, 1920-1950 ".

(3) This section and the schedule to this Act are incorporated with the Industrial Code, 1920-1950, and shall be read with that Act as one Act.

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

C. W. M. NORRIE, Governor.

THE SCHEDULE.

AMENDMENTS OF THE INDUSTRIAL CODE, 1920-1950.

Section amended.	How amended.
Section 5	The definition of "industrial matters" in section 5 is amended by striking out paragraph (*f*) thereof.
Section 140 ...	The definition of "industrial matters" in section 140 is amended by striking out paragraph (*f*) thereof.
Division XI. of Part III.	Division XI. of Part III. (sections 219 to 223a, inclusive) is repealed.
Fourth Schedule	The fourth schedule is repealed.

ANNO DECIMO QUARTO

GEORGII VI REGIS.

A.D. 1950.

***

FOURTH SCHEDULE.

PART I.

The land comprising all that portion of the hundred of Port Adelaide bounded as follows :—

Commencing at a point being the north-western corner of section 799, thence easterly along the northern boundaries of sections 799, 800, 856, and 855 to the north-eastern corner of the latter section. Thence southerly along the western boundary of section 854 and easterly along the southern boundary of the aforesaid section 854 to its south-eastern corner. Thence southerly along the eastern boundaries of sections 847, 849, 844, and 839, to the south-eastern corner of the last-named section. Thence westerly along the southern boundary of section 839 and southerly along the eastern boundaries of sections 834, 831, and 826. Thence westerly along the southern boundary of section 826 to its south-western corner, and southerly along the eastern boundaries of sections 824 and 817 to the south-eastern corner of the latter section. Thence westerly along the southern boundaries of sections 817 and 757 and the production westerly across the railway to the south-eastern corner of section 758. Thence generally southerly along the eastern boundaries of sections 755, 750, 747, 742, 739, 734, and 731, and portion of section 726 to a point being the intersection of the southern side of Norama Street with the eastern boundary of section 726. Thence westerly along the southern boundary of Norama Street as contained in L.T.R.O. Plans 2732 and 2986 and generally westerly along the southern boundaries of allotments 98, 24, 13, and 4, as contained in L.T.R.O. Plan 2413, and being the subdivision of section 728, to the eastern side of Lady Gowrie Drive. Thence generally northerly along the said Lady Gowrie Drive and the eastern boundary of Harbors Board block 30 to the north-western corner of section 790. Thence easterly along the northern boundary of section 790 to its intersection with the western boundary of section 791. Thence southerly along the western boundary of section 791 and easterly along the southern boundary of the said section 791 and its production across the road to the south-western corner of section 792. Thence northerly along the western boundaries of sections 792, 795, and 799 to the point of commencement.

PART II.

The land comprising all that portion of the hundred of Port Adelaide, bounded as follows :—

Commencing at a point being the north-eastern corner of section 1138, thence south-easterly along the north-eastern boundary of the said section to a point being the production westerly of the northern boundary of section 570. Thence easterly along the northern boundaries of sections 570, 568, and 565, to the western boundary of section 241. Thence northerly along the western boundary of the said section to its north-western corner. Thence easterly along the northern boundaries of sections 241, 244, 245, and 248. Thence southerly along the eastern boundaries of sections 248, 247, 226, and 227 ; thence generally westerly along the southern boundaries of sections 227, 228, and 231, 232, and 235, thence north-westerly to the south-eastern corner of section 1152. Thence generally westerly along the northern boundary of the Railway reserve intersecting sections 1152, 1151, and across the road to the north-eastern boundary of 1150. Thence generally north-westerly to the south-eastern corner of section 1141. Thence south-westerly along the southern boundary of sections 1141 and 1142 and its production across the road to the south-eastern corner of section 1143, thence along the northern boundary of the aforesaid Railway reserve intersecting sections 1143, 1144, 1145, to the north-eastern boundary of section 1181. Thence south-westerly along the northern side of the aforesaid Railway reserve to the south-western boundary of section 1181. Thence generally north-westerly along the south-western boundaries of sections 1181, and 1180 to the north-western corner of the latter section. Thence generally north-easterly along the north-western boundaries of sections 1180, 1132, 1133, 1134, 1135, 1136, 1137, and 1138, to the point of commencement. Exclusive of Railway reserve.

PART III.

The land comprising all that portion of the hundred of Port Adelaide, bounded as follows :—

Being portions of section 2019 bounded on the west by Magazine Creek and on the north by the

North Arm and on the east, south-east, and south by Commonwealth land and being separated by Government reserve and Government roads.

PART IV.

The land comprising all those portions of the hundreds of Port Adelaide and Yatala, described as follows :—

Sections 914, 913, blocks 2 to 5, inclusive, in the hundred of Port Adelaide; sections 1131, 68, 74, 73, 75, and block 1 in the hundreds of Port Adelaide and Yatala and the following sections situate within the hundred of Yatala :—

Sections 76, 77, 82, 83, 84, 85, 86, 87, 94, 95, 96, 89, 93, 98, 97A, 90, 92, 99, 91, 101, 100, 103, 102, 104, 105, 106, 107, 724, 1006, 453, 452, 902, 723, 922, 439, 438, 437, 2073, 442, 925, 926, 1128, blocks 11 to 14, inclusive.

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

C. W. M. NORRIE, Governor.

ANNO DECIMO QUARTO

GEORGII VI REGIS.

A.D. 1950.

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No. 53 of 1950.

An Act relating to securities for loans raised by municipal and district councils to finance electricity undertakings.

[*Assented to 7th December,* 1950.]

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 " Local Electricity Undertakings (Securities for Loans) Act, 1950 ".

Securities for loans.

2. Where a municipal or district council borrows money for the purpose of establishing, purchasing, enlarging, extending or improving any electricity undertaking carried on or intended to be carried on by it either alone or jointly with any other council, and the Treasurer has made or agreed to make a grant in aid of the capital expenditure to be incurred by the council on the undertaking, the council may give security for any money so borrowed by any one or more of the following methods :—

(*a*) by debentures issued on the security of the general rates declared or about to be declared by the council ;

(*b*) by a mortgage, charge, or other security over any assets forming part of the electricity undertaking, or over the existing or future revenues or earnings of the undertaking.

Provisions as to debentures.

3. (1) Sections 431, 434, 436 to 440 inclusive, 442 and 443 and the thirteenth schedule of the Local Government Act, 1934-1949, shall apply in relation to debentures issued in respect of any loan mentioned in section 2 of this Act.

(2) Any mortgage, charge or other security, not being debentures issued on the security of the general rates, may be in such form and contain such terms and conditions, including provisions for the appointment of a receiver, as are agreed between the council and the lender.

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

C. W. M. NORRIE, Governor.

ANNO DECIMO QUARTO

GEORGII VI REGIS.

A.D. 1950.

****

No. 54 of 1950.

An Act relating to the route of that part of the Port Augusta-Alice Springs railway which lies between Stirling North and Brachina.

[*Assented to 7th December,* 1950.]

WHEREAS by the Agreement set out in the Railway Standardization Act, 1949, it is provided, among other things, that the Commonwealth shall undertake the conversion to standard gauge of the 3ft. 6in. gauge lines of the Commonwealth Railways from Port Augusta to Alice Springs :

AND WHEREAS since the said Act was assented to a question has arisen as to the most suitable route for that part of the proposed standard gauge railway line which will lie between Stirling North and Brachina :

AND WHEREAS the Commonwealth and the State have agreed that the said question shall be referred to a Royal Commission appointed by an instrument in the form set out in the Schedule to this Act, and that the recommendation of the Commission shall be accepted by the Commonwealth and the State :

NOW THEREFORE 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 " Northern Railway (Alteration of Route) Act, 1950 ".

Interpretation.

2. In this Act—

" the Agreement " means the Agreement set out in the Railways Standardization Agreement Act, 1949 :

"the Commission" means a Royal Commission appointed by the Governor-General of the Commonwealth by an instrument in the form set out in the schedule to this Act.

Effect of recommendations of the Commission.

3. The recommendations of the Commission on the question referred to it shall be binding upon the State, and the construction of a standard gauge line of railway between Stirling North and Brachina on the route recommended by the Commission shall be deemed to be a discharge of the obligation of the Commonwealth under the Agreement to convert to standard gauge that part of the Port Augusta to Alice Springs railway which lies between Stirling North and Brachina.

Consent to railway recommended by the Commission.

4. The State hereby consents to the construction of the railway between Stirling North and Brachina on such route as may be recommended by the Commission.

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

C. W. M. NORRIE, Governor.

THE SCHEDULE.

COMMONWEALTH OF AUSTRALIA.

GEORGE THE SIXTH, by the Grace of God of the United Kingdom of Great Britain, Ireland, and of the British Dominions beyond the Seas, King, Defender of the Faith.

To our trusty and well-beloved—

[Here the names of the Commissioners shall be inserted, who shall be—

(*a*) a Judge of the Supreme Court of a State other than South Australia :

(*b*) a person nominated by the Government of the Commonwealth :

(*c*) a person nominated by the Government of South Australia.]

GREETING :

WHEREAS the Constitution of the Commonwealth of Australia provides that the Parliament shall, subject to the Constitution, have power to make laws for peace order and good government of the Commonwealth with respect to, *inter alia*, the acquisition with the consent of a State of any railways of the State on terms arranged between the Commonwealth and the State :

AND WHEREAS the railway from Port Augusta to Oodnadatta in the State of South Australia pursuant to the Northern Territory Acceptance Act 1910-1919 was with the consent of the State of South Australia acquired by the Commonwealth on terms arranged between the Commonwealth and the State :

AND WHEREAS by the Railway Standardization (South Australia) Agreement Act 1949 it is provided in clause 21 (*a*) of the formal agreement contained in the schedule to the said Act that the Commonwealth shall undertake the conversion to standard gauge of the 3ft. 6in. gauge lines of the Commonwealth Railways from Port Augusta to Alice Springs, the conversion to standard gauge of existing locomotives and rolling stock suitable for conversion, and the construction of standard gauge locomotives and rolling stock to the extent necessary to replace the existing capacity of all units unsuitable for conversion to standard gauge :

AND WHEREAS the Constitution further provides that the Parliament shall, subject to the Constitution, have power to make laws for the peace order and good government of the Commonwealth with respect to railway construction and extension in any State with the consent of that State :

AND WHEREAS since the Railways Standardization (South Australia) Agreement Act, 1949, was assented to the question has been raised whether in converting the Port Augusta to Alice Springs railway to standard gauge an alteration should be made in the route of that part of the said railway which lies between Stirling North and Brachina.

KNOW YE that We do by these Letters Patent, issued in Our name by Our Governor-General of Our Commonwealth of Australia, acting with the advice of Our Federal Executive Council, and in pursuance of the Constitution of Our said Commonwealth, the Royal Commission Act 1902-1933, and all other powers him thereunto enabling, appoint you to be Commissioners, and, *notwithstanding any provision contained in the Railways Standardization (South Australia) Agreement Act No.* 83 *of* 1949, to examine, inquire into and report upon the question as to which of the routes referred to in the Schedule as the " B2 " route and the " C " route is most suitable for the construction of a 4ft. 8½in. gauge railway between Stirling North and Brachina having regard to the following matters :—

(*a*) The proposed conversion to standard gauge of the Port Augusta to Alice Springs Railway :

(*b*) The cost of construction and maintenance of the respective routes :

(*c*) The comparative economics of operating the railway over the respective routes :

(*d*) The efficiency of operation of the Commonwealth and State Railways :

(*e*) The interests of the local inhabitants who are or will be served by railways on the respective routes :

(*f*) The economic interests of the Commonwealth and the State as a whole :

(*g*) The other advantages and disadvantages of the respective routes :

(*h*) The probability of an increase in the annual tonnage of coal hauled from Leigh Creek coalfield (taking into account future expansions of electricity undertakings and of industry generally) and the consequential financial results on the cost of constructing and operating railways on the respective routes.

Regard need not be had to any break-of-gauge station required at the northern terminus of the 4ft. 8½in. gauge line, as whichever route is adopted it will be necessary to have such a break-of-gauge station.

And We appoint you the said.....to be Chairman of the said Commissioners and as such to have a deliberative, and, in the event of an equality of votes, a casting vote in all matters considered by the Commission:

And We direct that, for the purpose of inquiring into and taking evidence upon any matter entrusted to you Our said Commissioners any two of you Our said Commissioners shall be sufficient to form a quorum and may proceed with the inquiry under these Our Letters Patent:

And We require you with as little delay as possible to report to our Governor-General in and over Our said Commonwealth the result of your inquiries into the matters entrusted to you by these Our Letters Patent.

SCHEDULE.

1. The proposal referred to as "B2" route in the report of the South Australian Railways Commissioner dated the 13th day of July one thousand nine hundred and fifty addressed to the Honourable the Minister for Railways, South Australia.

2. The proposal referred to as "C" route in the report of the Commonwealth Railways Commissioner dated the 15th day of December one thousand nine hundred and forty-nine addressed to the Honourable the Minister for the Interior.

WITNESS, etc.

GOVERNOR-GENERAL.

By His Excellency's Command.

ANNO DECIMO QUARTO

GEORGII VI REGIS.

A.D. 1950.

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No. 55 of 1950.

An Act to amend the South Australian Railways Commissioner's Act, 1936-1941.

[*Assented to 7th December,* 1950.]

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 " South Australian Railways Commissioner's Act Amendment Act, 1950 ".

(2) The South Australian Railways Commissioner's Act, 1936-1941, as amended by this Act, may be cited as the " South Australian Railways Commissioner's Act, 1936-1950 ".

(3) The South Australian Railways Commissioner's Act, 1936-1941, is hereinafter referred to as " the principal Act ".

Incorporation.

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

Enactment of s. 56a of principal Act—

Acquisition of land.

3. The following sections are enacted and inserted in the principal Act after section 56 thereof :—

56a. (1) In this section—

" authorised railway works " means any railway works which have been authorised by any Act whether passed before or after the South Australian Railways Commissioner's Act Amendment Act, 1950 :

"contemplated railway works" means any railway works which the Commissioner certifies are likely to be required in the public interest but which have not been authorised by any Act:

"railway works" means the construction, completion, alteration or extension of any existing or proposed railway, or of any works or conveniences connected with or for the purpose of any such railway.

(2) The Commissioner may acquire by agreement or compulsory process any land which he deems it necessary to acquire for carrying out any authorised railway works or contemplated railway works: Provided that land shall not be acquired for contemplated railway works except with the consent of the Minister.

(3) This section shall not be deemed to take away or restrict any power conferred on any person by any other provision of this Act.

Acquisition of intersected areas.

56b. (1) Where any land proposed to be acquired under this Act intersects or forms part of any larger parcel or area of land and the Commissioner is of opinion that in the interests of economy, or in the public interest, it is desirable to acquire the whole or any part of such parcel or area, he may, with the consent of the Minister, acquire such parcel or area or part thereof.

(2) The Commissioner, with the consent of the Minister, may sell, lease or otherwise dispose of any land which has been acquired by him under this Act and is not required for purposes of the railways.

(3) In selling, leasing or otherwise disposing of such land the Commissioner may give preferential consideration to any offer to purchase or lease such land or any part thereof made by any person who at the time of the acquisition owned a portion of the acquired land upon which a building was then situated.

Repeal of ss. 113, 114 of principal Act—

Limit of damages, and issue of insurance tickets.

4. Sections 113 and 114 of the principal Act are repealed.

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

C. W. M. NORRIE, Governor.

ANNO DECIMO QUARTO

GEORGII VI REGIS.

A.D. 1950.

****

No. 56 of 1950.

An Act to provide for the registration of chiropodists and for other matters incidental thereto.

[*Assented to 7th December,* 1950.]

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.

Short title.

1. This Act may be cited as the "Chiropodists Act, 1950".

Commencement.

2. This Act shall come into operation on a day to be fixed by proclamation.

Arrangement of Act.

3. This Act is divided into parts as follows:—

PART I.—Preliminary. Sections 1 to 5.

PART II.—Administration. Sections 6 to 21.

PART III.—Registration of chiropodists. Sections 22 to 34.

PART IV.—Chiropody clinics. Sections 35 to 39.

PART V.—Miscellaneous. Sections 40 to 47.

Interpretation.

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

"the board" means The Chiropody Board of South Australia;

"chiropody" means the diagnosis and treatment by medical, surgical, electrical, mechanical or manual methods or by any proclaimed treatment of ailments or abnormal conditions of the parts of the human body below the knee;

"chiropody clinic" means premises on which registered chiropodists are employed by an unregistered person, for the purpose of affording chiropody treatment either to members of the public or to any particular class of persons;

"member" means member of the board and includes chairman;

"the register" means the register of chiropodists kept pursuant to this Act;

"registered chiropodist" means a person registered under this Act;

"proclaimed treatment" means any treatment which the Governor by proclamation declares to be a proclaimed treatment for the purpose of this Act.

Proclaimed treatment.

5. The Governor may by proclamation—

(*a*) declare any treatment applicable to the parts of the human body below the knee for the purpose of treating any ailment or abnormal condition thereof to be a proclaimed treatment for the purpose of this Act;

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

PART II.

PART II.

ADMINISTRATION.

The Chiropody Board of South Australia.

Establishment of board.

6. (1) There shall be established a board to be called "The Chiropody Board of South Australia".

(2) The board 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 other property for the purposes of this Act.

(3) The board shall consist of six members appointed or elected in accordance with this Act.

(4) The board shall be deemed to be established on the day when the notice of the appointment of the first members thereof is published in the *Gazette*.

Members of board.

7. (1) The board shall consist of—

(*a*) an orthopaedic surgeon appointed by the Governor on the nomination of the British Medical Association (South Australian Branch);

(*b*) a person appointed by the Governor on the nomination of the Chiropody Advisory Board of the School of Mines and Industries of South Australia;

(*c*) four other members (hereinafter called "chiropodist members") being persons practising chiropody as a means of livelihood, and appointed or elected as hereinafter provided.

(2) The first four chiropodist members shall be appointed by the Governor, two on the nomination of the South Australian Society of Chiropodists Incorporated and two on the nomination of the Society of Pharmaceutical Chiropodists of South Australia Incorporated.

(3) Every subsequent chiropodist member shall be a registered chiropodist elected by registered chiropodists in accordance with this Act and the regulations.

(4) At the first meeting held after the thirtieth day of June in each year and whenever a casual vacancy in the office of chairman occurs, the board shall elect one of its members to hold office as chairman until the next following thirtieth day of June and thereafter until his successor is elected.

Term of office.

8. (1) Subject to this Act, each member of the board shall hold office until the thirtieth day of June in the third year after the year of his appointment: Provided that—

(*a*) two of the first chiropodist members shall retire on the thirtieth day of June in the second year after the year of their appointment:

(*b*) the members so to retire shall, unless all the chiropodist members of the board otherwise agree, be determined by drawing lots.

(2) A member appointed or elected to fill a casual vacancy shall hold office for the unexpired portion of the term of the member in whose place he was appointed.

(3) If the term of office of a member expires by effluxion of time before his successor is appointed or elected, he shall remain in office until his successor is appointed or elected.

Appointments to casual vacancies.

9. Upon the occurrence of a casual vacancy on the board a person shall be appointed or elected to the vacancy in the same manner as the member whose seat has become vacant.

Time and mode of elections and appointments.

10. (1) Every appointment or election of a member (not being one of the first six members or a member appointed to fill a casual vacancy) shall be made or held during the period of two months preceding the last day of the term of his predecessor, and shall take effect as from the day following that last day.

(2) Every appointment or election of a member to fill a casual vacancy shall be made or held as soon as possible after the casual vacancy has occurred.

(3) An appointment or election shall not be invalid by reason only of any delay in making or holding it.

(4) If, within two months after the occurrence of a vacancy on the board, a person is not duly elected or appointed to fill that vacancy, the Governor may, if he thinks it expedient to do so, appoint a person to fill the vacancy, and every person so appointed shall hold office as if he had been duly elected or appointed at the proper time.

Casual vacancies.

11. If a member of the board—

(*a*) dies ;

(*b*) resigns by written notice given to the Minister ;

(*c*) ceases to reside in South Australia ;

(*d*) becomes a bankrupt, makes an assignment or executes a deed of arrangement for the benefit of his creditors, or makes a composition with his creditors for less than twenty shillings in the pound ;

(*e*) absents himself without permission of the board from four consecutive meetings of the board and is declared by resolution of the board to have forfeited his seat ;

(*f*) is removed from the board by the Governor pursuant to this Act ;

(*g*) being an elected chiropodist member, ceases to be a registered chiropodist,

his seat shall thereupon become vacant.

Removal of members from board.

12. The Governor may remove any member of the board from his office for insanity, neglect of duty, incapacity, dishonourable conduct, or other cause deemed sufficient by the Governor.

The chairman.

13. 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, chosen for the purpose by the majority of the members present and voting, shall preside.

Quorum.

14. Three members shall constitute a quorum of the board.

Defects in appointment not to invalidate proceedings of board.

15. (1) No act or proceeding of the board shall be invalid or illegal in consequence only of the number of the members 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 election or 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 elected or appointed and was qualified and entitled to act, and as if the board had been properly and fully constituted.

Remuneration of members.

16. The members shall be entitled to receive out of the funds of the board such remuneration for their services and such travelling and other expenses as are approved by the Governor.

General powers of board.

17. The board may do all or any of the following things :—

(*a*) purchase or take on lease any land or buildings required for the offices of the board ;

(*b*) sell, demise, exchange, mortgage or otherwise dispose of any real or personal property vested in it ;

(*c*) borrow money for the provision of offices and furniture and for preliminary expenses :

(*d*) invest monies not presently required, in such securities and in such manner as the board determines.

Accounts and audit.

18. (1) The board shall keep proper accounts of all its income and expenditure and shall prepare a statement of such income and expenditure and a balance-sheet at least once a year.

(2) The board shall, at all times, keep a copy of its last statement of income and expenditure and balance-sheet affixed in a conspicuous place in that part of its office which is open to the public.

(3) The board shall cause its accounts to be properly audited at least once a year by an auditor holding an auditor's licence under the Companies Act, 1934-1939.

Registrar and offices.

19. (1) The board shall appoint a registrar and may appoint any other officers whom the board deems it necessary to appoint for the purposes of this Act.

(2) The registrar and officers shall act under the control of the board and shall receive such remuneration from the funds of the board as the board determines.

Meetings of board.

20. (1) The first meeting of the board shall be convened by the Minister and thereafter meetings shall be convened and held at the times and places determined by the board: Provided that the chairman may, on reasonable notice to members of the board, call a meeting at any time.

(2) Subject to the provisions of this Act, the business of the board shall be conducted in such manner as the board determines.

Examinations.

21. The board shall, as necessity arises, conduct practical examinations of persons who desire to undergo such examinations in order to qualify for registration.

PART III.

PART III.

REGISTRATION OF CHIROPODISTS.

The Register of Chiropodists.

The Register of Chiropodists.

22. (1) The registrar shall keep a register to be called the "Register of Chiropodists" for the registration of persons as chiropodists under this Act.

(2) A person shall be registered by entering in the register his name and such other particulars relating to him as are prescribed by this Act, or by regulations, or directed by the board.

Mode of keeping register.

23. (1) The registrar shall, at all times, keep the register in such manner that it shows in alphabetical order according to surnames, the names of all registered chiropodists, their addresses, the dates of registration, the descriptions and the dates of the qualifications in respect of which they are registered, and such other particulars as the board directs or as are prescribed by regulations.

(2) The register shall also show the firm name, business name, or other name or style under which each registered chiropodist carries on business.

Publication of register.

24. (1) A true copy of the register, certified by the registrar to be a true copy, shall in the month of January in every year be sent to the Minister; and the Minister shall forthwith publish in the *Gazette* at the expense of the board the names and addresses of all chiropodists mentioned in the register, and such other particulars as he deems fit.

(2) Any person may inspect the register on payment to the board of a fee of one shilling.

Alterations in register.

25. The registrar shall, from time to time—

(*a*) insert in the register any alterations which come to his knowledge in the name, address, or particulars of any person registered therein; and

(*b*) erase from the register the name of every deceased person; and

(*c*) erase from the register the name of any person de-registered pursuant to this Act; and

(*d*) insert in the register a note of the suspension of the registration of any person; and

(*e*) correct any clerical error in the register.

In the execution of these duties the registrar shall act in each case on any evidence which appears to him to be sufficient or on the direction of the board.

Additional qualifications.

26. Every registered chiropodist who obtains any degree diploma or qualification other than that in respect of which he is registered shall be entitled, on application, to have such other degree, diploma, or qualification inserted in the register.

Registration of Chiropodists.

Holding out by unregistered persons.

27. (1) Any person who is not registered as a chiropodist under this Act and who uses the title of chiropodist, shall be guilty of an offence and liable to fine not exceeding one hundred pounds.

(2) Any person who falsely represents that he or any other person is registered as a chiropodist under this Act shall be guilty of an offence and liable to a penalty not exceeding one hundred pounds.

Application for registration.

28. (1) Every application for registration as a chiropodist shall be made in writing in the form prescribed by regulations and shall be addressed to the board and sent by post to or lodged with the registrar; and the statements made therein shall be verified by a statutory declaration made by the applicant.

(2) Every applicant for registration shall furnish the board with all particulars required to be entered in the register and with all such information as the board reasonably requires to enable it to decide the application.

Fees.

29. Every applicant shall with his application pay to the board an application fee of two guineas and an annual subscription of two guineas. The annual subscription shall be returned to the applicant if his application for registration is refused.

Qualification for registration.

30. Subject to the provisions of this Act a person shall be entitled to be registered and receive a certificate as a registered chiropodist under this Act if he proves to the board that he—

(*a*) resides in the State; and

(*b*) is of good character; and

(*c*) (i.) holds the Diploma in Chiropody of the School of Mines and Industries of South Australia; or

(ii.) holds a certificate degree or diploma of any other society, institute or association in or outside of the State which in the board's opinion indicates that the holder has received a training in chiropody equal to that conducted by the School of Mines and Industries of South Australia; or

(iii.) within the period of three years immediately preceding the commencement of this Act, was for at least two years in the aggregate conducting a public practice in chiropody in the State for fee or reward; or

(iv.) has before the commencement of this Act been *bona fide* engaged or employed for a period of at least four years or for periods amounting to four years in the aggregate as an operative chiropody assistant to a practising chiropodist and has passed a practical examination in chiropody to be conducted by the board.

Consideration of applications.

31. The board shall receive, consider, and decide all applications for registration under this Act.

De-registration and suspension.

32. (1) The board may de-register any person—

(*a*) who applies to the board in writing to de-register him ; or

(*b*) whose registration has been obtained by fraud or misrepresentation ; or

(*c*) who has ceased to possess or does not possess the qualification in respect of which he was registered ; or

(*d*) who, owing to mental defect is no longer capable of practising as a chiropodist ; or

(*e*) who is twelve months in arrear in the payment of any subscription payable by him to the board under this Act.

(2) The board may de-register, or suspend for such period as it deems proper the registration of any person who—

(*a*) has been found guilty by the board of unprofessional conduct ; or

(*b*) has been convicted of any offence against this Act or of any offence triable in the Supreme Court.

Re-registration.

33. If the board is satisfied that any person who has been de-registered still has the necessary qualifications for registration and that it is just to re-register him, it may re-register him.

Appeals against decisions of board.

34. (1) There shall be an appeal against any decision, order, or direction of the board given or made in the exercise or purported exercise of any of its powers or functions under this Act.

(2) The appeal shall lie to the Supreme Court, and, subject to subsection (5) of this section, shall be instituted within one month from the giving or making of the decision, order, or direction appealed against. The appeal shall be by way of rehearing.

(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 decision, order, or direction appealed against, or substitute, or make or give any decision, order or direction which ought to have been made or given 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, 1935-1943, 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 decision given by it, state in writing the reason for its decision. If the decision 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 decision requested that reasons for the decision should be given in writing, run from the time when the board first gives reasons for its decision in writing.

PART IV.

CHIROPODY CLINICS.

Licensing of chiropody clinics.

35. (1) Chiropody clinics may be licensed by the board in accordance with this Part.

(2) No person shall in any way represent that any premises are a licensed chiropody clinic unless those premises are for the time being licensed under this Part.

(3) Any person contravening subsection (2) of this section shall be guilty of an offence and liable to a fine not exceeding one hundred pounds.

Applications for licensing of clinics.

36. (1) An application for a licence for a chiropody clinic shall be made in writing addressed to the board and shall comply with any regulations in force relating thereto and shall be accompanied by an application fee of two guineas and the first annual licence fee of three guineas.

(2) If the application for a licence is refused the annual fee shall be refunded to the applicant.

Granting of licence.

37. If the board is satisfied that the premises for which the licence is sought, are clean and suitable for use as a clinic, and that the applicant has proper equipment for the practice of chiropody, it shall grant the application and issue a licence to the applicant.

Annual fees for clinics.

38. On the first day of July in each year there shall be payable in respect of every licensed chiropody clinic a fee of three guineas ; and if the fee is not paid on that date the clinic shall, unless the board for any reason which it deems sufficient, by resolution decides to the contrary, be deemed to be unlicensed.

Prohibition of employment of unregistered chiropodists in clinics.

39. No person shall employ in a licensed chiropody clinic for the purpose of practising chiropody or assisting in the practice of chiropody any person other than a registered chiropodist, or a pupil practising chiropody under the immediate supervision of a registered chiropodist.

Penalty: Twenty pounds.

PART V.

PART V.

MISCELLANEOUS.

Annual subscription.

40. (1) Every registered chiropodist shall on the first day of July in each year pay to the board an annual subscription of two guineas.

(2) If the subscription due by a registered chiropodist is not paid within twenty-eight days after the said date the registra-

tion of the chiropodist shall be deemed to be suspended until payment unless the board for reasons that appear sufficient to it by resolution decides to the contrary.

Offences.

41. Any person who—

(*a*) knowingly makes or causes to be made in the register any entry or alteration which is false or not authorized by law; or

(*b*) knowingly makes any false statement, written or oral, in connection with any application or any matter being dealt with or considered by the board; or

(*c*) falsely represents that he is registered under this Act, or that any premises are licensed as a clinic under this Act, or causes or permits any such false representation to be made,

shall be guilty of an offence, and liable to a fine not exceeding one hundred pounds.

Disability of unregistered person to sue for fees.

42. A person shall not be entitled to sue for, counterclaim for, or set off or recover any charge or fee for services in chiropody unless at the time when such services were rendered he was registered under this Act as a chiropodist or was the proprietor of a licensed chiropody clinic or was a legally qualified medical practitioner, or a physiotherapist registered under the Physiotherapists Act, 1945-1949.

Power of board to summon witnesses and take evidence.

43. (1) For the purpose of carrying out any duty or function under this Act, the board may—

(*a*) by summons signed by any member of the board, or by the registrar acting under the direction of the board, require the attendance of any person whom the board thinks fit to call before it;

(*b*) by notice in writing signed as aforesaid require any person to produce to the board any books, papers, or documents;

(*c*) inspect any books, papers, or documents produced before it, and retain them for such reasonable periods as it thinks fit, and make copies of or take any extracts from any of the contents thereof which are relevant to the matter being inquired into;

(*d*) examine witnesses on oath, affirmation, or declaration, which may be administered by any member of the board.

(2) If any person—

(*a*) who has been personally served with a summons to attend before the board, and whose reasonable expenses of attendance have been paid or tendered to him, neglects to attend in obedience to the summons ; or

(*b*) who has been personally served with a notice to produce books, papers, and documents, and refuses or fails to comply with the notice ; or

(*c*) wilfully insults the board or any member thereof ; or

(*d*) misbehaves himself before the board ; or

(*e*) interrupts the proceedings of the board ; or

(*f*) being called as a witness before the board, refuses to be sworn or to affirm or declare ; or

(*g*) being called as a witness before the board, refuses to answer any lawful question put to him by the board,

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

Application of penalties.

44. Any fines imposed under this Act shall be paid to the board and shall, together with fees and subscriptions received by the board under this Act be applied towards defraying the expenditure incurred by the board in administering this Act.

Evidence of registration and non-registration.

45. A certificate signed by the registrar and stating that any person was or was not on any day mentioned in the certificate a registered chiropodist shall be *prima facie* evidence of the fact purporting to be certified.

Summary proceedings for offences.

46. Proceedings for offences against this Act may be heard and determined summarily.

Regulations.

47. (1) The Governor may, on the recommendation of the board, make regulations prescribing all matters which by this Act are required or permitted or necessary or convenient to be prescribed for carrying out or giving effect to this Act.

(2) Without limiting the generality of the powers conferred by subsection (1) of this section the Governor may, on the recommendation of the board, make regulations—

(*a*) with respect to the procedure to be adopted in the conduct of the business of the board ;

(*b*) prescribing forms to be used under this Act including the forms of applications, certificates of registration, licences for chiropody clinics, and the register ;

(*c*) with respect to the conduct of examinations by the board and the fees to be paid by candidates at such examinations ;

(*d*) prescribing the fees to be paid for the issue of any documents under this Act ; and

(*e*) prescribing fines not exceeding fifty pounds and recoverable summarily for breach of any regulations.

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

C. W. M. NORRIE, Governor.

ANNO DECIMO QUARTO

GEORGII VI REGIS.

A.D. 1950.

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No. 57 of 1950.

An Act to amend the Lottery and Gaming Act, 1936-1949.

[*Assented to 7th December,* 1950.]

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 (No. 2), 1950 ".

(2) The Lottery and Gaming Act, 1936-1949, as amended by this Act, may be cited as the " Lottery and Gaming Act, 1936-1950 ".

(3) The Lottery and Gaming Act, 1936-1949, is hereinafter called the " principal Act".

Incorporation.

2. This Act is incorporated with the principal Act and that Act and this Act may be cited as one Act.

Enactment of s. 20a of principal Act—

3. The following section is enacted and inserted in the principal Act after section 20 thereof :—

Permits for trotting races at horse race meetings.

20a. Notwithstanding any other provision of this Act a racing club which holds a licence for use of the totalizator at horse races and which conducts horse races on a race-course situated more than one hundred miles from the General Post Office at Adelaide may conduct trotting races at any horse racing meeting lawfully held by the club, subject to the following provisions :—

(*a*) A written permit shall be obtained from the Chief Secretary authorizing the club to conduct the trotting races :

(*b*) The permit shall specify the days on which the trotting races may be held, and no day other than a Saturday or public holiday (not being a Good Friday or Christmas day) shall be so specified :

(*c*) Not more than three trotting races shall be held at any one horse racing meeting :

(*d*) No permit shall be granted to authorize the holding of trotting races on a race course which is one hundred miles or less from the General Post Office, Adelaide :

(*e*) A permit may contain any conditions which the Chief Secretary deems proper :

(*f*) The Chief Secretary if satisfied that a racing club has contravened any term or condition of a permit may revoke it.

Amendment of s. 21 of principal Act—Use of totalizator at trotting races.

4. (1) Section 21 of the principal Act is amended by striking out the first six lines of subsection (2) thereof and inserting in lieu thereof the following passage :—

(2) The licences granted under this section shall not authorize the use of the totalizator—

(*a*) in the metropolitan area at more than thirty-five meetings in the aggregate in any year or at any meeting other than a night meeting ;

(*b*) on Eyre Peninsula at more than twenty meetings in the aggregate in any year, or at any meeting other than a day meeting held on a Saturday, or on a public holiday (not being Good Friday or Christmas day) ;

(*c*) in areas other than the metropolitan area and Eyre Peninsula at more than sixty meetings in the aggregate in any year ;

(*d*) in any one town outside the metropolitan area at more than eleven meetings in any year.

(2) Section 21 of the principal Act is further amended by adding at the end thereof the following subsection :—

(3) In this section unless the context otherwise requires—

"day meeting" means a trotting meeting the last race at which commences not later than six o'clock p.m.;

"Eyre Peninsula" means—

(*a*) that part of the State which lies west of the west coast of Spencer Gulf and south of a line joining the north-western corner of the municipality of Port Augusta to the north-eastern corner of the Government town of Penong;

(*b*) all land within five miles of the north-western corner of the municipality of Port Augusta and within five miles of the north-eastern corner of the Government town of Penong;

"metropolitan area" means the area within a radius of twenty miles from the General Post Office at Adelaide;

"meeting" means a day meeting or a night meeting;

"night meeting" means a trotting meeting the first race at which commences at or after six o'clock p.m.

Consequential amendment of s. 22 of principal Act.

5. Section 22 of the principal Act is amended by adding at the end thereof the words "at Adelaide".

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

C. W. M. NORRIE, Governor.

ANNO DECIMO QUARTO

GEORGII VI REGIS.

A.D. 1950.

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No. 58 of 1950.

An Act to amend the Lottery and Gaming Act, 1936-1950.

[*Assented to 7th December,* 1950.]

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 (No. 3), 1950".

(2) The Lottery and Gaming Act, 1936-1950, as amended by this Act may be cited as the "Lottery and Gaming Act, 1936-1950".

(3) The Lottery and Gaming Act, 1936-1950, is hereinafter called "the principal Act".

Amendment to s. 22a of principal Act—Constitution of S.A. Trotting League.

2. Section 22a of the principal Act is amended by adding at the end of subsection (7) the following proviso:—

Provided that this subsection shall not prevent the League from appointing an Appeal Committee to hear and determine appeals against the decisions of trotting stewards.

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

C. W. M. NORRIE, Governor.

Acts reprinted pursuant to the Amendments Incorporation Act, 1937

LOTTERY AND GAMING ACT, 1936-1950

ROAD TRAFFIC ACT, 1934-1950

With notes of judicial decisions affecting sections of the reprinted Acts

The Lottery and Gaming Act, 1936-1956, including all amendments passed to the end of 1959 and notes of judicial decisions, is reprinted in the Annual Volume, 1959, at page 273.

LOTTERY AND GAMING ACT, 1936-1950.

BEING

LOTTERY AND GAMING ACT, 1936, No. 2282 OF 1936 [ASSENTED TO 3RD SEPTEMBER, 1936.]

AS AMENDED BY

LOTTERY AND GAMING ACT AMENDMENT ACT, 1938, No. 2394 OF 1938 [ASSENTED TO 6TH OCTOBER, 1938.]

LOTTERY AND GAMING ACT AMENDMENT ACT (No. 2), 1938, No. 2417 OF 1938 [ASSENTED TO 15TH DECEMBER, 1938.]

LOTTERY AND GAMING ACT AMENDMENT ACT (No. 2), 1939, No. 11 OF 1939 [ASSENTED TO 19TH OCTOBER, 1939.]

LOTTERY AND GAMING ACT AMENDMENT ACT, 1939, No. 13 OF 1939 [ASSENTED TO 9TH NOVEMBER, 1939.]

LOTTERY AND GAMING ACT AMENDMENT ACT, 1943, No. 11 OF 1943 [ASSENTED TO 29TH OCTOBER, 1943.]

LOTTERY AND GAMING ACT AMENDMENT ACT, 1945, No. 42 OF 1945 [ASSENTED TO 24TH JANUARY, 1946.]

LOTTERY AND GAMING ACT AMENDMENT ACT, 1947, No. 37 OF 1947 [ASSENTED TO 11TH DECEMBER, 1947.]

LOTTERY AND GAMING ACT AMENDMENT ACT, 1948, No. 46 OF 1948 [ASSENTED TO 22ND DECEMBER, 1948.]

LOTTERY AND GAMING ACT AMENDMENT ACT, 1949, No. 19 OF 1949 [ASSENTED TO 27TH OCTOBER, 1949.]

LOTTERY AND GAMING ACT AMENDMENT ACT (No. 1), 1950, No. 36 OF 1950 [ASSENTED TO 30TH NOVEMBER, 1950.]

LOTTERY AND GAMING ACT AMENDMENT ACT (No. 2), 1950, No. 57 OF 1950 [ASSENTED TO 7TH DECEMBER, 1950.]

AND

LOTTERY AND GAMING ACT AMENDMENT ACT (No. 3), 1950, No. 58 OF 1950 [ASSENTED TO 7TH DECEMBER, 1950.]

An Act to consolidate certain Acts relating to lotteries and gaming.

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.

Short title.

1. This Act may be cited as the "Lottery and Gaming Act, 1936-1950".

Division of Act.

2. This Act is divided into parts as follows:—

PART I.—Preliminary.

PART II.—Lotteries.

PART III.—Totalizator.

PART IV.—Licensing of Bookmakers.

PART V.—Unlawful Gaming.

PART VI.—Common Gaming-houses.

PART VII.—Evidence.

PART VIII.—Procedure and Miscellaneous.

Repeal.

3. This Act is a consolidation of the Acts mentioned in the first schedule, and the said Acts are hereby repealed.

Interpretation.
1285, 1917, s. 4.
1447, 1920, s. 3.
1494, 1921, s. 3.
2135, 1933, s. 3.
Amended by 2417, 1938, s. 2.

4. In this Act, except where the subject matter or context or some other provision requires a different construction—

"board" means the Betting Control Board:

"chairman" means the chairman of the board:

"court" means a special magistrate or two or more justices of the peace sitting as a court of summary jurisdiction:

"loiter" means to idle or linger about:

"lottery" means any scheme or device for the sale or gift or disposal or distribution of any property, real or personal, or money, or thing, or any right thereto, or of any share therein depending upon or to be determined by lot or drawing, whether out of a box or other receptacle, or by cards, token, coin, or dice, or by any machine, ticket, envelope, or device, or chance whatsoever:

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s. 4. (Definition of "lottery.") O'SULLIVAN v. TANNER (1921) S.A.S.R. 248. Where a person invited the public to order suits of clothes and promised that one suit would be given free in every hundred orders received, held that the scheme was a lottery.

CHURCH, *vice* HORSEMAN v. NEWS LIMITED (1933) S.A.S.R. 70; 9 Austn. Digest 404. Held that a competition determined mainly by chance was a lottery, although some degree of skill was involved. If the element of skill involved in a competition preponderates or balances the element of chance the competition is not a lottery.

(Definition of "public place.") REGINA v. BARNARD (1884) 18 S.A.L.R. 54; 6 A.L.J. 6; 9 Austn. Digest 506. Held that a part of a racecourse fenced by a picket fence 4ft. high, and to which access was granted only to members of certain clubs, was not a public place or a place to which the public had access whether on payment of money or otherwise within the meaning of Act 282, 1883.

SANDERSON v. ALLCHURCH (1922) S.A.S.R. 7; 9 Austn. Digest 506. The public lawns in front of the grandstand on a racecourse are a "public place" within the meaning of section 4.

"occupier" in relation to occupiers of any house, office, room, or place used for a purpose forbidden by this Act means the owner, occupier, or keeper of any house, office, room, or place, or any person using the same, or any person procured or employed by or acting for or on behalf of the owner, occupier, or keeper, or person using the same, or any person having the care or management, or in any manner conducting the business thereof:

"place" means any house, office, room, tent, ship, building, erection, road, street, thoroughfare, alley, right-of-way (either public or private), and all land (whether public or private) enclosed or otherwise: U.K. 4, Geo. 4, c. 60, s. 60.

"public place" means—

(*a*) every public place;

(*b*) every place to which the public are permitted to have access tacitly or otherwise and whether upon payment of money or not;

(*c*) any premises in respect of which a licence granted under the Licensing Act, 1932, is in force;

(*d*) any shop, and any part of a building occupied in connection with, or for the purposes of, a shop;

(*e*) any factory, and the appurtenances of any factory;

(*f*) any building or place occupied by any club (whether a racing club or not), and the appurtenances thereof; and

(*g*) any place commonly used by the public whether as trespassers or otherwise: Cf. U.K. 6 Edw. 7, c. 43, s. 1 (4).

"street" means every public street, thoroughfare, private street, or road commonly used by or to which the public are permitted to have access:

"sweepstakes" means every transaction, scheme, device, or arrangement (expressed or implied) whereby any money or valuable thing is paid, contributed, or subscribed by any persons for the purpose of payment to or division among any person or persons in any proportions on any event or contingency dependent on the result of any race, game, sport, or exer-

cise, whether such race, game, sport, or exercise shall be within or outside the State:

Cf. U.K. 18 & 19 Geo. 5, c. 41, s. 1 (3) (*a*).

"totalizator" means the machine or instrument known as "The Totalizator" and any other machine or instrument of a like nature and conducted on like principles:

"unlawful gaming" means—

(*a*) the playing at or in engaging in any game with cards or other instruments, or with money, in or as the result of which game any person or persons derives or is intended to derive (other than in his capacity as a player) any part or percentage of any money or thing played for, staked, or wagered, such part or percentage not being money received for deposit in any licensed totalizator; and

(*b*) any contravention of or failure to observe any provision of this Act, whether that provision relates to unlawful gaming as hereinbefore defined or not.

PART II.

PART II.

LOTTERIES.

Lotteries declared nuisances. 1285, 1917, s. 5. U.K. 10 Will. 3, c. 23, s. 1; 42 Geo. 3, c. 119, s. 1; 24 & 25 Geo. 5, c. 58, s. 21.

5. Every lottery is hereby declared to be a common nuisance and unlawful, and every sale or gift, disposal or distribution made by means or in pursuance thereof void.

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s. 5. O'SULLIVAN v. TANNER (1921) S.A.S.R. 248. Where a person invited the public to order suits of clothes and promised that one suit would be given free in every hundred orders received, held that the scheme was a lottery.

CHURCH, *vice* HORSEMAN v. NEWS LIMITED (1933) S.A.S.R. 70; 9 Austn. Digest 404. Held that a competition determined mainly by chance was a lottery, although some degree of skill was involved. If the element of skill involved in a competition preponderates or balances the element of chance the competition is not a lottery. [See also the cases noted under section 10.]

Opening lotteries, and aiding and playing thereat.
1285, 1917, s. 6.
U.K. 10 Will 3, c. 23, ss. 2, 3; 12 Geo. 2, c. 28, s. 1; 42 Geo. 3, c. 119, s. 2.

6. (1) No person shall, either publicly or privately exercise, open, or show, to be played, thrown, or drawn at, any lottery.

Penalty—One hundred pounds, or in default imprisonment for six months.

(2) No person shall employ, aid, or abet, any other person in publicly or privately exercising, opening, or showing to be played, thrown, or drawn at, any lottery.

Penalty—Fifty pounds, or in default imprisonment for three months.

(3) No person shall play, throw, or draw at any such lottery.

Penalty—Ten pounds, or in default imprisonment for one month.

Promises to pay money or deliver goods, etc., on event of lottery.
1285, 1917, s. 7.
Cf. U.K. 8 Geo. 1, c. 2, s. 36 (part); 42 Geo. 3, c. 119, s. 5.

7. No person shall promise or agree to—

(*a*) pay any sum of money; or

(*b*) deliver any goods; or

(*c*) do or forbear doing anything for the benefit of any person,

whether with or without consideration, on any event or contingency relative or applicable to the drawing of any ticket or tickets, lot or lots, numbers, figures, or names in any lottery, or

(*d*) publish any proposal for any of the purposes aforesaid.

Penalty—Fifty pounds, or in default imprisonment for three months.

Advertising lotteries.
1285, 1917, s. 8.
Cf. U.K. 9 Anne, c. 6, s. 57; 6 & 7 Will. 4, c. 66, c. 1; 24 & 25 Geo. 5, c. 58, s. 22.

8. No person shall print, exhibit, or publish, or cause to be printed, exhibited, or published, any placard, handbill, card, writing, sign, or advertisement of any lottery, or of any proposal for any lottery.

Penalty—Fifty pounds, or in default imprisonment for three months.

Exceptions from Act.
1285, 1917, s. 9.
U.K. 9 & 10 Vict., c. 48; 24 & 25 Geo. 5, c. 58, ss. 23-25.

9. Nothing in this Part of this Act shall extend to or affect—

(*a*) any allotment of real or personal estate or interest which according to law is legally allottable, or may be allotted or held by, or by means of, any allotment or partition by lots:

(*b*) any voluntary association or branch thereof formed or established in the State for the purchase of paintings, drawings, or other works of art to be afterwards allotted and distributed by chance or otherwise among the several members, subscribers, or contributors forming part of such association, or for raising sums of money by subscription or contribution, to be allotted and distributed by chance or otherwise as prizes amongst the members, subscribers, or contributors forming part of such association: Provided that—

(i.) such sums of money so allotted and distributed are expended solely and entirely in the purchase of paintings, drawings, or other works of art; and

(ii.) the proceedings of such association are carried on in good faith for the encouragement of the fine arts.

Publication of information regarding lotteries.
1285, 1917, s. 10.
Cf. U.K. 8 Geo. 1, c. 2, s. 36 (part). Cf. 6 & 7 Will. 4, c. 66, s. 1; 24 & 25 Geo. 5, c. 58, s. 22.

10. No person shall—

(*a*) print, publish, or exhibit, or cause to be printed, published, or exhibited in any newspaper, or on any placard, handbill, circular, or card, any advertisement, sign, notice, or other information of or relating to the establishment, commencement, promotion, carrying on, or drawing, or intended establishment, commencement, promotion, carrying on, or drawing of any illegal lottery, whether wholly or partly established, commenced, carried on, promoted, or managed in the State or elsewhere; or

(*b*) being registered as the proprietor, printer, or publisher of any newspaper, permit or suffer any such advertisement, sign, notice, or information to be printed or published in such newspaper; or

s. 10. O'SULLIVAN v. TANNER (1921) S.A.S.R. 248; 9 Austn. Digest 426. A person causes an advertisement to be published if he hands a copy of it to the agent of a newspaper proprietor and asks that it be printed in a paper published by the proprietor. Proof of such a request satisfies the onus on the prosecutor as to *mens rea*. If the advertisement discloses a scheme for disposal of property by chance, that is sufficient evidence of an intended lottery without proof that the scheme was to be carried out.

KNEEBONE v. WHITTLE (1922) S.A.S.R. 257; 9 Austn. Digest 405. An advertisement relates to the establishment of an illegal lottery if—(*a*) the language used can only be reasonably interpreted as describing a scheme which is a scheme for distributing money by chance even if some other scheme is in fact intended to be carried out; or (*b*) if, though innocent on its face, the advertisement relates to a scheme which is, in fact, a lottery.

NEWS LIMITED v. HORSEMAN (1931) S.A.S.R. 278; 9 Austn. Digest 412. A lottery carried on in another State, though legal there, is an illegal lottery within the meaning of section 10 (*a*).

(*c*) print any ticket or other thing entitling or intended to entitle any person or persons to any chance or share in any illegal lottery; or

(*d*) sell, circulate, exhibit, or dispose of any newspaper printed in any part of the Commonwealth of Australia which contains any advertisement, sign, notice, or information relating to any illegal lottery, or the drawing, conduct, or management thereof.

Sale of lottery tickets.
1285, 1917, s. 11.
Cf. U.K. 8 Geo. 1, c. 2, s. 36 (part); 4 Geo. 4, c. 60, s. 41.

11. No person shall sell, or offer for sale, or deliver, or give, or buy, or pay for, or knowingly receive or accept any ticket, chance, or share in any illegal lottery.

Placards relating to illegal lotteries.
1285, 1917, s. 12.

12. (1) No person shall placard, post up, or exhibit, or permit or suffer to be placarded, posted up, or exhibited, or shall assist in placarding, posting up, or exhibiting in or on or about any land, building, hoarding, or premises any information or notice relating to any illegal lottery.

(2) Where any such information or notice is placarded, posted up, or exhibited on any land, building, or premises, it shall, unless the contrary is proved, be presumed to have been so placarded, posted up, or exhibited by or with the permission of the occupier of that land, building, hoarding, or premises.

Sending money to lotteries.
1285, 1917, s. 13.
Cf. U.K. 9 Geo. 1, c. 19, s. 4; 6 Geo. 2, c. 35, s. 29; 24 & 25 Geo. 5, c. 58, s. 22.

13. No person shall, for gain or otherwise, in any manner whatever directly or indirectly forward or partly forward, or give or receive for the purpose or intent that the same shall be so forwarded, any packet, or parcel, or money, cheque, draft, order for the payment of money, or valuable thing whatsoever to the promoters, managers, or conductors of any illegal lottery or sweepstakes conducted or drawn or intended to be conducted or drawn in any state, country, or place within or outside the State, and whether such lottery or sweepstakes is illegal according to the law of such state, country, or place, or otherwise.

Allegations *prima facie* proof.
1285, 1917, s. 14.

14. The allegations in any complaint laid in relation to any alleged offence against the provisions of the next preceding section—

(*a*) that any packet, parcel, money, cheque, draft, order for the payment of money or valuable thing specified in such complaint has been forwarded or

partly forwarded, or has been given or received for the purpose or intent that the same should be forwarded (as the case may be):

(*b*) that any person or persons, club, association, or company named in the complaint is the promoter, manager, or conductor (as the case may be) of any illegal lottery:

(*c*) that any lottery named or described in the complaint is an illegal lottery,

shall be accepted by the court as proof of the truth of such allegations, unless the contrary is proved.

PART III.

PART III.

TOTALIZATOR.

Totalizator licences.
1285, 1917, s. 15.
1382, 1919, s. 3.
1986, 1930, s. 2.
Cf. U.K. 18 & 19 Geo. 5, c. 41.

15. (1) The Commissioner of Police may, upon application made to him for the purpose, and subject to the approval of the Chief Secretary, issue licences to the committees or other executive bodies of racing clubs authorizing the use of the totalizator upon the terms and conditions prescribed by the regulations in the second schedule to this Act.

(2) Every such application shall be made in writing in the form of the third schedule, or to the like effect, by the chairman or secretary of the club seeking to be licensed.

Cf. U.K. 24 & 25 Geo. 5, c. 58, s. 10.

(3) Every licence so issued shall be in force from the day specified in the licence until the succeeding thirty-first day of December (both days inclusive), and shall entitle the club therein mentioned to use the totalizator upon the racecourse and upon the days specified in the licence, or upon such other day or days in place of any of the days so specified as the Chief Secretary may from time to time, in writing upon such licence, approve.

(4) Not more than one licence shall be granted to any one club in respect of any one year.

(5) No licence shall be issued to authorize the use of the totalizator, except at horse racing.

(6) In granting any licences the Commissioner of Police shall give priority to the claims of any racing club owning or

leasing a racecourse and to whom a licence was issued prior to the twentieth day of November, nineteen hundred and thirty.

Restriction on licences in metropolitan area.
1285, 1917, s. 20.
Cf. U.K. 24 & 25 Geo. 5, c. 58, s. 1 (1).

16. No licence shall be issued for the use of the totalizator on any racecourse situated within twenty miles of Adelaide, except for the racecourses known as the Victoria Park, Morphettville, Cheltenham, and Onkaparinga racecourses, unless a resolution has been passed by both Houses of Parliament authorizing the issue of such a licence.

Restriction on other licences.
1285, 1917, s. 21.
1447, 1920, s. 4.

17. (1) No licence shall be issued for the use of the totalizator on any racecourse situate within ten miles of any racecourse in respect of which a licence to use the totalizator has been or usually is issued, and where more applications than one are simultaneously made for racecourses situate within twenty miles of each other, it shall be in the discretion of the Commissioner, subject to the approval of the Chief Secretary, to license which racecourse he thinks fit.

(2) This section shall not apply to the racecourses known as the Victoria Park, Morphettville, Cheltenham, and Onkaparinga racecourses, nor to the racecourses used by Jamestown Jockey Club, the North-Western Jockey Club, and the Quorn Jockey Club.

Conditions of issue of licence.
1285, 1917, s. 16.

18. No licence shall be issued to any racing club unless the applicant proves to the satisfaction of the Commissioner of Police the following matters:—

(*a*) where the racing club uses a racecourse situated within ten miles of Adelaide—

i. that there are at least one hundred members of such club; and

ii. that the annual value of members' subscriptions of such club amounts to not less than two hundred pounds;

(*b*) where the racing club uses a racecourse situated a greater distance than ten miles from the City of Adelaide—

i. that there are at least fifty members of such club; and

ii. that the annual value of members' subscriptions amounts to not less than fifty pounds.

Number of times totalizator may be used.
1285, 1917, s. 22.
1447, 1920, s. 5.
1986, 1930, s. 2.
2188, 1934, s. 3.
Amended by 2417, 1938, s. 3, and by 46, 1948, s. 3.

19. No licence granted under this Act shall sanction the use of any totalizator—

(*a*) on any racecourse within fifteen miles of the General Post Office, Adelaide, for more than sixteen days in any one year:

Provided that a licence granted to the South Australian Jockey Club, Limited, may sanction the use of the totalizator on the Morphettville racecourse on one additional day if the Commissioner of Police is satisfied that on that day a race meeting will be held on that course by at least three racing clubs jointly, and that the net profits from that meeting will be devoted to charitable purposes:

Provided also—

(i.) licences granted to the South Australian Jockey Club Limited may sanction the use of the totalizator on the Morphettville Racecourse on one additional day in the year nineteen hundred and forty-nine and in every third year thereafter:

(ii.) licences granted to the Adelaide Racing Club Limited may sanction the use of the totalizator on the Victoria Park Racecourse on one additional day in the year nineteen hundred and fifty and in every third year thereafter:

(iii.) licences granted to the Port Adelaide Racing Club Limited may sanction the use of the totalizator on the Cheltenham Racecourse on one additional day in the year nineteen hundred and fifty-one and in every third year thereafter:

but if any licence is granted to any club pursuant to this proviso the licence shall be granted on the condition that the net proceeds to the club of the race-meeting held by the club on the day for which the licence is granted shall be distributed by the club among such charitable institutions and in such proportions as the Governor directs.

(*b*) on any other racecourse for more than eight days in any one year:

Provided that on the application of the racing clubs concerned and the recommendation of the

Commissioner of Police, the Chief Secretary, if satisfied that reasonable cause exists for doing so, may direct that the number of days on which the totalizator may be used in any year on any racecourse to which this paragraph applies shall be increased, on condition that a corresponding reduction shall be made in the number of days on which the totalizator may be used on some other racecourse to which this paragraph applies.

Totalizator on the flat.
1447, 1920, s. 11.
1494, 1921, s. 12.
1877, 1928, s. 8.
2188, 1935, s. 10.

20. (1) No licence to use the totalizator shall be granted to any club unless the Commissioner of Police is satisfied that that club provides or will provide facilities for the public to use the totalizator on those portions of the racecourse known as the "Grandstand," "Derby," and "Flat," on payment of either two shillings or two shillings and sixpence per ticket on every day on which the totalizator is used on any other portion of the racecourse: Provided that this section shall not apply in respect of any racecourse situated more than twenty miles from the General Post Office at Adelaide, nor in respect of the racecourse known as the Onkaparinga racecourse: Provided further that nothing in this section shall be deemed to prevent the committee or executive body of the club from issuing from any totalizator tickets for both the amounts aforesaid, nor from issuing tickets for any amount which is a multiple of either such amount.

(2) If, in the opinion of the Commissioner of Police, such facilities are not being provided, the Commissioner may at any time, after having given at least two months' notice in writing to the club concerned, revoke the said licence.

Permits for trotting races at horse race meetings.
Inserted by 57, 1950, s. 3.

20a. Notwithstanding any other provision of this Act a racing club which holds a licence for use of the totalizator at horse races and which conducts horse races on a racecourse situated more than one hundred miles from the General Post Office at Adelaide may conduct trotting races at any horse racing meeting lawfully held by the club, subject to the following provisions:—

(*a*) a written permit shall be obtained from the Chief Secretary authorizing the club to conduct the trotting races:

(*b*) the permit shall specify the days on which the trotting races may be held, and no day other than a Saturday or public holiday (not being a Good Friday or Christmas day) shall be so specified:

(*c*) not more than three trotting races shall be held at any one horse racing meeting:

(*d*) no permit shall be granted to authorize the holding of trotting races on a racecourse which is one hundred miles or less from the General Post Office, Adelaide:

(*e*) a permit may contain any conditions which the Chief Secretary deems proper:

(*f*) the Chief Secretary if satisfied that a racing club has contravened any term or condition of a permit may revoke it.

Use of totalizator at trotting races.
2188, 1934, s. 11.

21. (1) Notwithstanding any provision of this Act, the Commissioner of Police may, upon application made to him for the purpose, and subject to the approval of the Chief Secretary, issue a licence to the committee or other executive body of any trotting club authorizing the use of the totalizator at any trotting race meeting or meetings for which a permit has been obtained under the next succeeding section.

Amended by 2417, 1938, s. 4 and by 57, 1950, s. 4 (3).

(2) The licences granted under this section shall not authorize the use of the totalizator—

(*a*) in the metropolitan area at more than thirty-five meetings in the aggregate in any year or at any meeting other than a night meeting;

(*b*) on Eyre Peninsula at more than twenty meetings in the aggregate in any year, or at any meeting other than a day meeting held on a Saturday, or on a public holiday (not being Good Friday or Christmas day);

(*c*) in areas other than the metropolitan area and Eyre Peninsula at more than sixty meetings in the aggregate in any year;

(*d*) in any one town outside the metropolitan area at more than eleven meetings in any year.

The Commissioner of Police, if satisfied that the net proceeds of any trotting meeting will be devoted to charitable purposes, may, upon application made to him for the purpose and subject to the approval of the Chief Secretary, issue an additional licence for the use of the totalizator at such trotting meeting: Provided that licences additional to the number before mentioned in this section shall not be issued for more than two nights in the metropolitan area nor more than five days or nights outside the metropolitan area and,

in the case of licences outside the metropolitan area, shall not be issued for more than one day or night for any trotting club.

(3) In this section unless the context otherwise requires— Inserted by 57, 1950, s. 4 (2).

"day meeting" means a trotting meeting the last race at which commences not later than six o'clock p.m.:

"Eyre Peninsula" means—

(*a*) that part of the State which lies west of the west coast of Spencer Gulf and south of a line joining the north-western corner of the municipality of Port Augusta to the north-eastern corner of the Government town of Penong;

(*b*) all land within five miles of the north-western corner of the municipality of Port Augusta and within five miles of the north-eastern corner of the Government town of Penong:

"metropolitan area" means the area within a radius of twenty miles from the General Post Office at Adelaide;

"meeting" means a day meeting or a night meeting:

"night meeting" means a trotting meeting the first race at which commences at or after six o'clock p.m.

22. (1) No trotting race meeting at which the totalizator is used shall be held unless a permit, in writing, authorizing it to be held has been issued by the South Australian Trotting League Incorporated. Permits to hold trotting races. 2188, 1934, s. 12.

(2) The said League may, with the consent of the Commissioner of Police, issue such permits for the holding of trotting race meetings as it thinks fit. Each permit shall be for one night only as regards a meeting to be held in the metropolitan area, and for either one day or one night as regards a meeting to be held outside the metropolitan area.

(3) If any trotting race meeting is held in contravention of this section, the person by or on whose behalf the trotting race meeting is held, or, if the meeting is held by an association of persons, each member of the committee or other executive body of the association, and any person acting at the meeting as steward, starter, or judge shall be guilty of an offence punishable on summary conviction.

Penalty—Twenty pounds.

(4) For the purpose of this Act no agricultural show shall be deemed to be a trotting race meeting.

Amended by 2394, 1938, s. 2, and by 57, 1950, s. 5.

(5) In this section "metropolitan area" means the area within a radius of twenty miles from the General Post Office at Adelaide.

Constitution of South Australian Trotting League.
Inserted by 2417, 1938, s. 5.

22a. (1) Notwithstanding any law, or rule, regulation, or by-law of the South Australian Trotting League Incorporated (in this section called "the League"), the League shall be constituted in accordance with this section.

(2) On the thirty-first day of December, nineteen hundred and thirty-eight, all members of the League then in office shall retire and thereafter the League shall consist of one delegate from each trotting club affiliated with the League.

(3) During the month of December, nineteen hundred and thirty-eight, and in the month of December in each year thereafter each trotting club affiliated with the League shall nominate a delegate to the League by writing delivered to the secretary of the League.

If any trotting club fails to nominate a delegate the board may nominate one on its behalf. Every delegate so nominated shall be a member of the League as from the first day of January next following his nomination.

(4) The members of the League shall elect one of their number to be chairman of the League. If the chairman is not present at any meeting of the League at which a quorum is present the members of the League present at that meeting shall elect an acting chairman for the day. The chairman or acting chairman shall have a deliberative vote and if the vote on any question is equal the chairman or acting chairman shall also have a casting vote.

(5) A majority of the members of the League shall form a quorum thereof. At every meeting of the League every matter coming up for decision shall be decided by a majority of the votes cast by the members present.

(6) No proceeding of the League shall be invalid by reason only of a vacancy in the office of any member or any defect or irregularity in the nomination of any member.

Amended by 58, 1950, s. 2.

(7) The League shall not delegate its powers to any subcommittee or other body, but this subsection shall not prevent the League from employing officers and servants to assist it in carrying out its functions: Provided that this subsection shall not prevent the League from appointing an Appeal Committee to hear and determine appeals against the decisions of trotting stewards.

(8) Any affiliated club which is aggrieved by any decision of the League affecting such club may appeal to the board against that decision.

The appeal shall be commenced by written notice given to the board not later than two months after the decision appealed against was given.

The board shall decide the matter of every appeal in such manner as it deems just and its decision thereon shall be final.

Times for holding trotting race-meeting.
Inserted by 11, 1943, s. 3.

22b. (1) While any law, regulation, or order of the Commonwealth which prescribes the hours during which trotting races may be held or may not be held is in force, the Commissioner of Police may, in any case in which he could under section 21 of this Act issue a licence authorizing the use of the totalizator at a trotting race-meeting held by day or at night issue such a licence authorizing the use of the totalizator at a trotting race-meeting to be held during any hours, whether of the day or night, during which trotting races are permitted to be held by the law, regulation, or order of the Commonwealth.

(2) If the Commissioner of Police is of opinion that by reason of any law, regulation, or order of the Commonwealth, it is inconvenient or inexpedient to hold trotting race-meetings by day or by night as prescribed by section 21 of this Act, he may in any case in which he could under this Act issue a licence authorizing the use of the totalizator at a trotting race-meeting held by day or at night, issue a licence authorizing the use of the totalizator at a trotting race-meeting held during such hours, whether of the day or night, as he deems expedient.

(3) In any case where the Commissioner of Police has power under this section to issue a licence authorizing the use of the totalizator at a trotting race-meeting, the South Australian Trotting League Incorporated shall have power to issue a permit for the holding of that trotting race-meeting during the hours approved by the Commissioner of Police.

Application of Lottery and Gaming Act to totalizator at trotting races.
2188, 1934, s. 13.

23. Sections 18, 25, the rules and regulations under section 26, sections 27, 28, 29, and 30 of this Act, and the provisions of the Stamp Duties Act, 1923, relating to totalizator duty shall apply, with the necessary modifications, in respect of the licensing, use, and receipts of the totalizator used at trotting race meetings, pursuant to this Act.

Transfer of racing day.
Inserted by 11, 1939, s. 2.

23a. (1) If any licence is issued to the committee or executive body of any racing club or trotting club, authorizing the use of the totalizator upon any racecourse or trotting

ground, and the Commissioner of Police is satisfied that on any day or night specified in the licence for the use of the totalizator (whether such day or night occurs before or after the passing of the Lottery and Gaming Act Amendment Act (No. 2), 1939) the racecourse or trotting ground was or will be used for any public purpose by or on behalf of the Government of the Commonwealth or the State, and that by reason of such use the totalizator has not or will not be used by the club upon such racecourse or trotting ground on such day or night, the Commissioner of Police, subject to the approval of the Chief Secretary, may, by notice in writing, authorize the club to use the totalizator on any racecourse or trotting ground other than the racecourse or trotting ground mentioned in the licence and either on any day or night specified in the licence or on any other day or night in place of any of the days or nights specified in the licence.

(2) The notice given by the Commissioner of Police may sanction the use of the totalizator on any racecourse notwithstanding that by so doing sanction will be given for the use of the totalizator on that racecourse for more days in any one year than the days specified in paragraph (*a*) or paragraph (*b*) of section 19.

Employment of females in totalizator.
1447, 1920, s. 12.

24. Notwithstanding anything contained in this Act, no female shall be employed in any capacity in connection with the work in or about a totalizator. If any club fails to observe this provision, the chairman thereof shall be deemed to be guilty of an offence.

Penalty—Not less than ten pounds nor more than fifty pounds.

Duty of racing clubs to prevent illegal betting.
1285, 1917, s. 16a.
1877, 1928, s. 3.

25. (1) Every licence under this Part shall be deemed to be issued subject to the condition that the racing club to which it is issued shall if the Commissioner of Police or any inspector or sub-inspector of police informs the club or the secretary or any official thereof that he believes that any person on the racecourse on any day when races are being held is an unlicensed bookmaker, or is on the racecourse for the purpose of unlawful gaming, take or cause to be taken all necessary and lawful steps to remove and exclude that person from the racecourse and keep him excluded therefrom.

(2) If the Commissioner of Police is satisfied that any club has wilfully or negligently failed to comply with this section he may, with the approval of the Chief Secretary—

(*a*) revoke the licence of that club:

(*b*) suspend the said licence for such period as he thinks fit:

(*c*) if the licence is revoked, direct that no further licence shall be issued to the club within such period, not exceeding twelve months, as he thinks fit.

Rules and regulations. 1285, 1917, s. 17. 1494, 1921, s. 4.

26. The Governor may—

(*a*) revoke or vary any of the rules and regulations set out in the second schedule hereto:

(*b*) make new rules and regulations in addition to or in substitution for any of such rules and regulations:

(*c*) make regulations—

I. for regulating the manner of approaching to and departing from totalizators;

II. generally for regulating the conduct of persons in the vicinity of totalizators;

III. authorizing members of the police force to control and direct the conduct of persons in the vicinity of totalizators;

IV. providing for the compliance by persons in the vicinity of totalizators with the reasonable directions of members of the police force; and

V. imposing a penalty, not exceeding ten pounds, for the breach of any regulations made under the provisions of subdivision (*c*) of this section.

Use of totalizator by minors. 1285, 1917, ss. 18 & 19. Cf. U.K. 18 & 19 Geo. 5, c. 41, s. 4; 24 & 25 Geo. 5, c. 58, s. 15.

27. (1) No person under the age of twenty-one years shall bet by means of the totalizator.

Penalty—First offence, not less than one pound nor more than seventy pounds. Each subsequent offence, not less than five pounds nor more than fifty pounds.

(2) A clearly printed copy of this section shall be affixed over each door or opening in every totalizator.

(3) No licensee of any totalizator shall use that totalizator without having affixed such copies as aforesaid.

Penalty—Twenty pounds.

Mode of dealing with moneys paid into totalizator.
1285, 1917, s. 23.
1494, 1921, s. 5.
1877, 1928, s. 5.
Cf. U.K. 24 & 25 Geo. 5, c. 58, s. 18.

28. (1) Every club—

(*a*) shall deduct (for the purpose of being dealt with in accordance with this section) twelve and three-quarters per centum of the moneys paid into the totalizator in respect of each race;

(*b*) shall, after making such deduction, pay out by way of dividends all moneys paid into the totalizator, but so that it shall not be necessary—

(i.) in respect of a ticket issued on payment of any sum not exceeding five shillings, to pay out any smaller fraction of a shilling than three pence; and

(ii.) in respect of a ticket issued on payment of any sum exceeding five shillings, but not exceeding ten shillings, to pay out any smaller fraction of a shilling than six pence; and

(iii.) in respect of a ticket issued on payment of any other sum to pay out any fraction of a shilling.

(2) The amount remaining by reason of the non-payment of such fractions shall be paid by the club holding the same to such charitable purposes and in such amounts as the committee of the club, with the approval of the Commissioner of Police, thinks fit.

(3) If approval for the payment of any such amount is not obtained, and payment made in accordance with such approval, within six months from the date of the race meeting in respect of which the amount accrued, the chairman of the club making default shall be guilty of an offence against this Act.

(4) Out of the moneys deducted in accordance with subsection (1) of this section the club shall pay to the Commissioner of Stamps the duty payable under the Stamp Duties Act, 1923, in respect of the gross takings of the totalizator from which takings the moneys were deducted, and the balance of the money so deducted may be retained by the club as commission for the use and benefit of the club.

Club to render account.
1285, 1917, s. 24.
1447, 1920, s. 6.
1494, 1921, s. 6.

29. (1) Within twenty-one days after every race meeting held on any day for which any licence is granted under this Act, every club so licensed shall deposit with the Commissioner of Police a full and true account under the hand of its secretary, or the hands of two members of its committee or executive body, showing—

(*a*) the sums received by the club through the totalizator on the occasion of the use thereof under the licence;

(*b*) the amount paid in dividends through the totalizator on that occasion;

(*c*) the amount of commission retained by the club;

(*d*) the manner in which that commission has been expended; and

(*e*) the amounts of dividends unclaimed by the persons entitled to receive them.

(2) Within twenty-one days after the last day for which any licence is granted under this Act every club so licensed shall deposit with the Commissioner of Police a correct schedule of the names, addresses, and occupation of its members.

(3) The amount of all dividends unclaimed for a period of two months after they became payable by the persons entitled to receive them, shall be paid by the club holding those dividends to the Commissioner of Police, who shall pay them to the Treasurer of the State to be applied by him for the public uses of the State.

(4) If any club fails to observe any provision of this section, the chairman thereof shall be deemed to be guilty of an offence against this Act.

Penalty—Not less than twenty pounds nor more than fifty pounds.

(5) For the purpose of the recovery of the amount of any dividend which is payable under the provisions of subsection (3) hereof, that amount shall be deemed to be a debt due by the club to the Commissioner of Police, who may in his own name sue the club for the same in any court of competent jurisdiction. In any such proceedings the secretary of the club or any member of its committee or executive body may be named as defendant on behalf of the club, but no such person shall incur any personal liability by reason only of his having been so named.

(6) In any such proceedings a document purporting to be an account deposited by the defendant club under subsection (1) of this section or under subsection (1) of section 24 of the Lottery and Gaming Act, 1917, shall be admitted in evidence on its mere production from the custody of the Commissioner of Police, and, so far as its truth is not disproved by the defendant, shall be conclusive evidence of the truth of its contents.

Gazette notice.
685, 1897, s. 9.
1285, 1917, s. 25.
1382, 1919, s. 4.

30. (1) The Commissioner of Police shall cause to be published in the *Government Gazette* in the month of January in each year particulars of all licences granted for that year, with the names of the clubs to which those licences have been granted, and the racecourses whereon and the dates upon which any such clubs are licensed to use the totalizator.

(2) If any licence is granted after the publication of the particulars aforesaid, the Commissioner of Police shall, as soon as possible after the granting of the licence, cause to be published in the *Government Gazette* the same particulars with respect to the licence so granted.

Detention rooms for use of police.
1494, 1921, s. 15.

31. (1) Every racing club licensed to use the totalizator shall provide such a detention room as hereinafter mentioned on every racecourse whereon it is licensed to use the totalizator during every day on which the club is licensed to use the totalizator thereon.

(2) The detention room shall be for the sole use of members of the police force on duty on the racecourse on that day in carrying out their duties, and shall be of such dimensions and so constructed and furnished and so situated as the Commissioner of Police thinks proper: Provided that, if the club is dissatisfied with any requisition made by the Commissioner under this section, it may appeal to the Minister against such requisition, and the Minister's decision on the matter shall be final.

(3) If, in the opinion of the Commissioner of Police, a racing club has not complied with the provisions of this section after one month's notice has been given to the secretary of the club requiring the club so to comply, the Commissioner of Police may revoke the licence to use the totalizator issued to the club which is for the time being in force.

PART IV.

PART IV.

LICENSING OF BOOKMAKERS.

Cf. U.K. 24 & 25 Geo. 5, c. 58, ss. 2, 3.
Interpretation.
1285, 1917, s. 25a.
2135, 1933, s. 4.
2159, 1934, s. 4.
Amended by 2417, 1938, s. 6.

32. In this Part, unless the context otherwise requires—

"country racing clubs" means the Balaklava Racing Club, Berri Racing Club Limited, Burra Racing Club, Clare Racing Club, Jamestown Racing Club Limited, Kadina and Wallaroo Jockey Club, Kalangadoo Racing Club, Laura Jockey Club Limited, Loxton Racing Club, Mannum Racing Club, Millicent Racing Club, Mount Gambier Racing Club, the Mur-

ray Bridge Racing Club Limited, Naracoorte Racing Club, Orroroo Jockey Club, Penola Racing Club Limited, Pinnaroo Racing Club Limited, Port Augusta Racing Club Limited, Port Lincoln Racing Club, Port Pirie Racing Club Limited, Quorn Jockey Club, Renmark Racing Club Limited, Snowtown Racing Club, Strathalbyn Racing Club, Streaky Bay Racing Club, Tailem Bend Racing Club, The Peterborough Racing Club Limited, the Waikerie Racing Club, and any other racing club included in this definition by proclamation made by the Governor:

"coursing meeting" means any meeting for the hunting or coursing of hares but does not include any kind of speed coursing or dog racing:

"metropolitan racing clubs" means the South Australian Jockey Club, Adelaide Racing Club Limited, Port Adelaide Racing Club Limited, Onkaparinga Racing Club, Gawler Jockey Club Limited, the Amateur Turf Club Incorporated, Adelaide Hunt Club, The S.A. Tattersalls Club Incorporated, the S.A. Licensed Victuallers Racing Club Limited, and any other racing club included in this definition by proclamation made by the Governor:

"licence" means a bookmaker's, clerk's, or agent's licence for the time being in force under this Part:

"racecourse" means any land which is being used for holding a race meeting for horse races:

"racing club" means any metropolitan or country racing club:

"registered" means registered under this Part and "registration" has a corresponding meaning:

"rules" means rules made by the board under this Part:

"this Part" includes the rules made under this Part:

"trotting ground" means any land which is being used for holding a race meeting for trotting races:

"trotting club" means a club controlling a trotting ground for the time being.

32a. (1) The Governor may from time to time by proclamation declare any racing club to be a country racing club or a metropolitan racing club and may revoke any such proclamation.

Power to make proclamation.
Inserted by 2417, 1938, s. 7.

(2) The Governor may from time to time by proclamation declare that any racing club described by section 32 as a country racing club or a metropolitan racing club shall cease to be a country racing club or metropolitan racing club, as the case may be.

(3) If at any time the Governor is satisfied that any country racing club or metropolitan racing club has not held a race meeting during a period of at least two years (whether the said period occurs before or after or partly before or after the commencement of the Lottery and Gaming Act Amendment Act (No. 2), 1938), and that the failure to hold a race meeting was without reasonable cause, the Governor shall by proclamation declare that the racing club shall cease to be a country racing club, or a metropolitan racing club, as the case may be.

Legalization of betting with bookmakers.
1285, 1917, s. 25b.
2135, 1933, s. 4.
2159, 1934, s. 4.
Cf. U.K. 24 & 25 Geo. 5, c. 58, ss. 4, 12.

33. (1) Notwithstanding any law to the contrary it shall be lawful to bet by way of wagering or gaming in accordance with this Part—

(*a*) on any racecourse or trotting ground during the holding of a race meeting for horse races or trotting races thereon; or

(*b*) at any place where a coursing meeting is being held; or

(*c*) at or in any premises registered under this Part.

(2) Such betting shall not be a ground on which any premises or place shall be deemed or declared to be a common gaming house.

(3) It shall be a defence to any charge of an offence under this Act—

(*a*) in a case where the defendant is the holder of a licence, that he was at all relevant times acting in accordance with this Part and the terms and conditions of his licence and of his permit or the registration of the premises in which he is operating:

Amended by 2417, 1938, s. 8.

(*b*) in a case where the defendant is not a holder of a licence, that the matter proved was betting or offering to bet with a licensed bookmaker in any

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S. 33. KIRK v. MILLER (1936) S.A.S.R. 277. The words "purpose of betting" in paragraph (*b*) of subsection (3) means the purpose of betting in accordance with Part IV. of the Act.

SMITH v. MILLER (1938) S.A.S.R. 418. Where the defendant, an adult, telephoned bets, chiefly for himself but incidentally for others, from a licensed hotel to a licensed bookmaker but had no intention or knowledge of acting illegally, held that section 33 afforded a defence to a charge of being in a public place for the purposes of betting.

place where the bookmaker was licensed to bet, or being in any such place for the purpose of betting, and that the defendant was over the age of twenty-one years, and was not knowingly concerned in any breach of this Part or of the terms and conditions of the bookmaker's licence or permit, or of the registration of the premises in which the bookmaker was betting.

(4) Nothing in this Part shall affect section 50 of this Act.

Betting Control Board.

34. (1) For the purpose of this Part there shall be constituted a board to be known as the Betting Control Board.

Substituted by 2417, 1938, s. 9.

(2) The board is charged in the performance of its duties and exercise of its powers hereunder with the duty of controlling betting in such a manner as is reasonably consistent with the welfare of the public generally and the interests of persons and bodies liable to be affected thereby.

Inserted by 42, 1945, s. 3.

In pursuance of this duty, the board shall so restrict the number of premises registered under this Part, and shall so regulate and control such premises, as to provide only such facilities for betting as are reasonably necessary in the public interest.

(3) Upon the passing of the Lottery and Gaming Act Amendment Act (No. 2), 1938, all the present members of the Betting Control Board shall retire, and henceforth the board shall consist of three members only.

(4) The Governor may without nomination fill the three vacancies on the board created by the operation of subsection (3) hereof by appointing thereto a chairman and two members.

(5) At the end of the third year of office one of the three members of the board provided for by this section, to be determined by lot, shall retire, and at the end of the fourth year of service on the board one of the two other original members of the board, to be determined by lot, shall retire. At the end of the fifth year the third original member shall retire. Thereafter every member of the board shall retire after he has held office for a term of three years from his appointment or re-appointment. A member appointed to fill any casual vacancy shall retire at the time that the member in whose place he has been appointed would have retired. Each retiring member shall be eligible for re-appointment.

(6) Neither the chairman nor any member of the board, nor any officer or servant of the board shall, as such, be subject to the Public Service Act, 1936-1938.

(7) Two members of the board shall form a quorum thereof.

(8) The board shall be a body corporate with perpetual succession and a common seal, and with power to hold real and personal property of all kinds.

(9) No act or decision of the board shall be invalid or defective on the ground that when such act was done or decision made a vacancy existed on the board, or on the ground of any defect in the appointment or nomination of any member of the board.

(10) Each of the present members of the Betting Control Board at the passing of the Lottery and Gaming Act Amendment Act (No. 2), 1938, who is not immediately after the said passing appointed as chairman or member of the board as constituted by this section shall be paid as compensation for loss of office such sum as the Governor in each case thinks fit.

Remuneration of board.
1285, 1917, s. 25d.
2135, 1933, s. 4.

35. (1) The board may pay to the chairman and members such salaries or fees as are approved by the Governor.

(2) The board may also pay to the chairman and any other member of the board any travelling or other expenses reasonably incurred by him in carrying out his duties under this Part.

Financial provision.
Inserted by 36, 1950, s. 4.

35a. The money required by the board to defray the expenses incurred by it in the administration of this Act shall be paid—

(*a*) out of fees retained by the board pursuant to section 37a of this Act;

(*b*) to the extent to which those fees are insufficient, out of moneys voted by Parliament for the purpose.

Officers of board.
1285, 1917, s. 25e.
2135, 1933, s. 4.

36. The board may appoint officers, servants, or agents necessary for carrying this Part into effect and may prescribe their duties and fix their remuneration.

Exemption of board from stamp duties.
Inserted by 2417, 1938, s. 10.

36a. Notwithstanding the provisions of any law relating to stamp duties, no stamp duty shall be payable upon any receipt given or cheque drawn by the board.

37. (1) The board may make rules as to all or any of the following matters:—

Power of board to make rules as to bookmakers.
1285, 1917, s. 25f.
2135, 1933, s. 4.
Cf. U.K. 24 & 25 Geo. 5, c. 58, ss. 6, 9.

(*a*) the licensing of bookmakers, bookmakers' clerks, and bookmakers' agents and the number and classes of licences to be issued:

(*b*) the terms and conditions upon which licences may be obtained, and which are to be observed by the holders of licences:

(*c*) the conduct of bookmakers and their clerks and agents:

(*d*) the regulation and control of betting by and with bookmakers:

(*e*) requiring licensed bookmakers to give security for the due observance of this Part and the rules, and of terms and conditions of their licences:

(*f*) the registration of premises upon which licensed bookmakers may bet and the terms and conditions of registration and the duration, suspension, and cancellation thereof:

(*g*) the suspension and cancellation of licences:

Cf. U.K. 24 & 25 Geo. 5, c. 58, s. 16.

(*h*) requiring bookmakers to keep accounts and records and to make the same available for the board's inspection from time to time and furnish to the board weekly, annual or other returns of their transactions, and prescribing the form of and all matters relevant to such accounts, records, and returns:

Amended by 2417, 1938, s. 11 (a).

(*i*) prohibiting or restricting advertising by bookmakers:

(*j*) the general administration of this Part:

(*k*) imposing fines recoverable summarily for breach of any rule:

(*l*) the issue, renewal and transfer of bookmakers' licences:

Paras. (l) and (m) inserted by 2417, 1938, s. 11 (b).

(*m*) appeals to the board under this Act and the procedure thereon:

(*n*) prescribing fees with regard to any of the matters mentioned in the fifth schedule to be paid to the

Inserted by 13, 1939, s. 2 (1).

s. 37. Section 2 (4) of the Lottery and Gaming Act Amendment Act, 1939, provides for the validation of all rules providing for the payment of fees to the board and made before the passing of that Act.

board on any application for any licence, registration, or authority of any kind, or for the issue, transfer or renewal of any licence, registration, or authority of any kind granted or given by the board, or in respect of any other matter: Provided that no such fees relating to any of the matters mentioned in the fifth schedule shall exceed the fees set out in the said schedule with respect to the said matters.

Application of fees.
Inserted by 13, 1939, s. 2 (2).

37a. All fees received by the board shall be retained by the board and applied towards the costs of administration of this Part by the board.

Applications and effect of licences.
1285, 1917, s. 25g.
2135, 1933, s. 4.
2159, 1934, s. 5.
Cf. U.K. 24 & 25 Geo. 5, c. 58, s. 7.

38. (1) Every application for a licence or for the registration of premises under this Part or for the granting of any authority shall be made to and determined by the board. The board shall have an unfettered discretion to grant or refuse any application without assigning any reason.

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Amended by 2417, 1938, s. 12, by 13, 1939, s. 3, and by 37, 1947, s. 3.

(3) A bookmaker's licence shall entitle the holder thereof to carry on the business of a bookmaker for the period between the day whereon it was granted and the next succeeding thirty-first day of July subject to this Part upon any racecourse or trotting ground or at any coursing meeting for which he holds a permit, or in any premises registered under this Part, but not otherwise.

(4) A clerk's licence shall entitle the holder to act as a clerk of a bookmaker for the period between the day whereon it was granted and the next succeeding thirty-first day of July.

(5) An agent's licence shall entitle the holder to act as agent of a bookmaker within the area specified therein for the period between the day whereon it was granted and the next succeeding thirty-first day of July.

(6) No licence shall be granted to any person who holds any licence for the sale of liquor under the Licensing Act, 1932, or who is employed in selling liquor by retail either in premises in respect of which a publican's licence is in force, or in premises in respect of which a wine licence is in force and in which liquor is sold for consumption on those premises, nor to any person whose usual place of abode throughout the whole of the period of twelve months immediately before his application for a licence is made was not within the State.

Permits to bet on racecourses.
1285, 1917, s. 25h.
2135, 1933, s. 4.
2150, 1934, s. 6.
Cf. U.K. 24 & 25 Geo. 5, c. 58, s. 11.

39. (1) A licence shall not authorize a bookmaker to carry on business as such on any racecourse or trotting ground unless he has first obtained a permit from the committee of the club controlling the racecourse or trotting ground for the time being.

(2) A licence shall not authorize a bookmaker to carry on business as such at any coursing meeting unless he has first obtained a permit for that coursing meeting from the committee of the National Coursing Association of South Australia. No such permit shall be issued in respect of any coursing meeting unless the board consents to the issue of permits for that coursing meeting, and permits shall not be issued authorizing bookmakers to carry on business at more than sixty-five meetings in any year, nor at more than fifteen enclosed coursing meetings in any year, nor at more than fifty-one coursing meetings in any year.

(3) Any such committee may grant permits to licensed bookmakers subject to any conditions which it thinks fit.

Payment of commission on bets and returns.
1285, 1917, s. 25j.
2135, 1933, s. 4.
Cf. U.K. 16 & 17 Geo. 5, c. 22, Part II.
Subsec. (1) substituted by 2417, 1938, s. 13, and amended by 11, 1943, s. 4, and by 42, 1945, s. 4.

40. (1) Every bookmaker shall, not later than noon on Saturday in every week, pay to the board—

(*a*) a sum by way of commission equal to one pound per centum of all moneys paid or payable contingently or otherwise to such bookmaker in respect of—

(i.) every bet made by him during the previous week on any racecourse in respect of any horse race whether held within or outside the State; and

(ii.) every bet made by him during the previous week in respect of any trotting or coursing event;

(*b*) a sum by way of commission equal to two pounds per centum of all moneys paid or payable contingently or otherwise to such bookmaker in respect of every bet made by him during the previous week in any registered premises in respect of any horse race whether held within or outside the State.

(2) If any bookmaker makes default in paying any commission required by this section to be paid by him, the board, in addition to any other powers conferred upon it by the rules, may recover the amount payable from the bookmaker upon complaint in a court of summary jurisdiction, or by action in any court of competent jurisdiction.

Amended by 13, 1939, s. 4.

(3) Every bookmaker shall not later than noon on Saturday in every week forward to the board a return in the form fixed by the board from time to time—

(*a*) setting forth a true and complete account of all moneys paid or payable to him contingently or otherwise in respect of all bets made by him during the previous week;

(*b*) showing the races on which the bets were made, and the dates on which those races were held, and the name of the racing club promoting or controlling each such race;

(*c*) showing the coursing events on which bets were made, and the dates on which those coursing events were held;

(*d*) setting forth separately the bets made on racecourses or at coursing meetings, and the bets made elsewhere; and

(*e*) containing any other matter prescribed by the rules.

(4) Where a bet is made upon the contingency of more races or coursing events than one it shall be deemed for the purpose of the return to relate only to the first of such races or coursing events.

(5) It shall not be necessary to include in any return—

(*a*) any bet made in relation to a race or coursing event which is abandoned or any bet which is declared off; or

(*b*) the name of any person with whom any bet was made.

Application of commission.

Substituted by 36, 1950, s. 5.

41. (1) The board shall—

(*a*) keep full and true accounts of all money received by it as commission under section 40;

(*b*) forthwith upon the receipt of any such money pay it to the Treasurer to be held by him on behalf of the board until it is applied in accordance with this Act.

(2) The board shall apply the commission as follows:—

(*a*) the commission on all bets made on races held outside the State shall be paid to the Treasurer in aid of the general revenue of the State:

(*b*) out of the commission on bets made in registered premises on horse races held within the State the sum of five thousand pounds in each financial year shall be applied by the board, in such manner as it thinks fit, for the benefit of all or any of the country racing clubs: Provided that if the total commission on such bets made in any financial year is less than five thousand pounds the whole of that commission shall be so applied:

(*c*) the balance of the commission on bets made in registered premises on horse races held within the State shall be paid to the Treasurer in aid of the general revenue of the State:

(*d*) the commission on all bets made on racecourses on horse races held within the State shall be divided among the racing clubs in proportion to the amounts of such bets made at race meetings held by each club:

(*e*) the commission on all bets made on trotting grounds (not being bets on horse races held outside the State) shall be divided among the trotting clubs in proportion to the amounts of the bets made at trotting meetings held by each club:

(*f*) the commission on all bets made on coursing events shall be divided among the coursing clubs in proportion to the amounts of the bets made on coursing events held by each club:

(*g*) all other commission shall be paid to the Treasurer in aid of the general revenue of the State.

(3) Payments under this section to the Treasurer and the racing clubs, trotting clubs, and coursing clubs shall be made monthly.

Registration of premises.
1285, 1917, s. 251.
2135, 1933, s. 4.
2188, 1934, s. 4.

42. (1) Subject to this section the board may in accordance with the rules register any premises in which betting may be carried on by any licensed bookmaker in accordance with this Part and his licence.

Amended and subsecs. (1a) to (1i) inserted by 42, 1945, s. 6 (1) and (2).

(1a) The board shall not register under this section any premises within the metropolitan area.

(1b) Subject to subsection (1h) of this section the board shall not register under this section any premises situated in a municipality or district council district outside the metropolitan area unless—

(*a*) the council of that municipality or district council district has agreed as to the site and suitability of such premises; and

(*b*) the board has held a public inquiry in the town or or locality where the premises are situated.

(1c) Before holding a public inquiry for the purposes of this section the board shall by advertisement in a newspaper circulating in the town or locality where the inquiry is to be held give not less than one month's notice of the time and place of the inquiry.

(1d) At the inquiry the board shall receive any evidence or information submitted to it concerning the proposal to register premises but may, in its discretion, refuse to receive any evidence or information if, in its opinion, that evidence or information is not relevant or is a repetition of matter already before the board, or is frivolous or vexatious.

(1e) For the purpose of conducting inquiries under this section the board shall be deemed to be a royal commission, and the Royal Commissions Act, 1917, shall apply in relation to that inquiry and the members of the board and witnesses and other persons concerned in the inquiry.

(1f) The board may give directions as to the practice and procedure to be followed on or in relation to inquiries and as to the submission of evidence and information to the board.

(1g) The registration of any premises under this section shall expire on the thirty-first day of January next after the registration becomes effective.

(1h) When premises have been registered pursuant to this section, the registration may be renewed without a further public inquiry.

(1i) In this section—

"council" includes the Whyalla Town Commission constituted by the Whyalla Town Commission Act, 1944;

"the metropolitan area" means—

(*a*) the municipalities of Adelaide, Brighton, Burnside, Enfield, Glenelg, Henley and Grange, Hindmarsh, Kensington and Norwood, Marion, Mitcham, Payneham, Port Adelaide, Prospect, St. Peters, Thebarton, Unley, West Torrens, Walkerville, Woodville;

(*b*) the district council district of Campbelltown;

(*c*) the Garden Suburb;

"municipality" includes the town of Whyalla as defined in the Whyalla Town Commission Act, 1944.

(2) No registration shall be effective until the board has published a notice thereof in the *Gazette*.

(3) Upon and after the publication of the notice it shall be lawful for any licensed bookmaker to carry on the business of bookmaking in such building or premises in accordance with this Part so long as the registration remains in force.

(4) If the board registers under this section any premises occupied by a club registered under the Licensing Act, 1932, and if that club has in each of the ten years prior to the registration of its premises by the board held a licence to use the totalizator at race meetings conducted by it, the fact that those premises are registered by the board and that betting takes place thereon in accordance with this Part, shall not be a ground of objection to the grant or renewal of the registration of the club under the Licensing Act, 1932, nor shall any betting carried on in the club premises in accordance with this Part, be a ground on which any person shall be convicted of any offence.

(5) If the board is satisfied that any provision of this Part as to registered premises or any term or condition of registration has not been observed, the board may as an administrative act cancel the registration of the premises by notice in the *Gazette*, and thereupon the registration shall cease to have effect.

(6) No person shall— Substituted by 42, 1945, s. 6 (3).

(*a*) carry on business as a bookmaker in registered premises;

(*b*) keep any registered premises open to the public,

at any time on a day on which a race meeting is appointed to be held or is held at a racecourse within ten miles of those premises.

Penalty—A fine not exceeding one hundred pounds.

(7) On any day on which a race meeting is being held at Victoria Park Racecourse, Morphettville Racecourse or Cheltenham Park Racecourse no licensed bookmaker or any employee or agent of any licensed bookmaker shall, in any premises registered under this Part which are situate within a radius of twenty miles from the General Post Office, Inserted by 2417, 1938, s. 15.

Adelaide, exhibit or otherwise make known, prior to the commencement of any horse race held at any race meeting, whether within or outside the State, any information relating to betting odds in any such race other than the contents of one reading of betting odds supplied to him by a press agency authorized by the board to supply such reading.

Penalty—Fifty pounds.

This subsection shall not apply to any race meeting held at any of the said racecourses where at the request of the racing club holding the race meeting, the board otherwise directs.

Unlawful betting.
Inserted by 2417, 1938, s. 16.

42a. (1) Any person who—

(*a*) carries on business as a bookmaker; or

(*b*) bets with a bookmaker on the result of any horse racing, trotting, or coursing event,

at any time, or at any place, except in accordance with this Part, shall be guilty of an offence.

Penalty—For a first offence, one hundred pounds. For a subsequent offence, imprisonment for not more than three months.

(2) For the purposes of this section "bookmaker" includes any person who acts as a bookmaker whether he holds a licence or not.

Betting tickets.
1285, 1917, s. 25m.
2135, 1933, s. 4.

43. (1) Every bookmaker upon making a bet with any person shall issue and deliver to that person a betting ticket in respect of each bet made with that person.

(2) If the bookmaker and the bettor are in each other's presence when the bet is made the ticket shall be delivered to the bettor forthwith.

If the bet is made by post or other indirect communication the bookmaker shall deliver the ticket or post it to the bettor within twenty-four hours after receiving the communication.

(3) If any bookmaker—

(*a*) fails to issue and deliver any ticket as required by this section; or

s. 42a. WYETT v. CRAFTER (1942) S.A.S.R. 103. Observations as to penalties to be imposed under the section.

WRIGHT v. O'SULLIVAN (1948) S.A.S.R. 307. The averment of the place of the offence is not an essential element in the description of an offence against section 42a.

(*b*) issues or delivers to any person in respect of any bet a betting ticket previously used in respect of any other bet,

he shall be guilty of an offence.

Penalty—For the first offence, fifty pounds. For a subsequent offence, imprisonment for not more than three months.

(4) No person shall bet with a bookmaker without obtaining or demanding from such bookmaker a betting ticket in respect of every bet so made.

Penalty—Five pounds.

(5) No person with intent to evade any of the provisions of this Part, when making a bet with a bookmaker shall fail to obtain from such bookmaker a betting ticket in respect of such bet.

Penalty—For a first offence, a fine of twenty-five pounds. For any subsequent offence, a fine of fifty pounds.

Stamp duty on betting tickets.
1285, 1917, s. 25n. 2135, 1933 s. 4. 2188, 1934, s. 5.
Subsec. (1) substituted by 2417, 1938, s. 17.

44. (1) There shall be charged on every betting ticket issued by a bookmaker under this Part a stamp duty of one halfpenny.

(2) All moneys received by the Treasurer by way of stamp duty under this Part shall be paid into and form part of the general revenue of the State.

(3) The Governor may by regulation prescribe any matters necessary or convenient for securing payment of duty under this section and preventing fraud and evasion and may by any regulation prescribe penalties not exceeding twenty pounds, for breach of any regulation.

(4) If any bookmaker issues or delivers any betting ticket which is not stamped as required by this section he shall be guilty of an offence.

Penalty—For a first offence, fifty pounds. For a subsquent offence, imprisonment for six months.

Tax upon winning bets.
Inserted by 2417, 1938, s. 18, and substituted by 36, 1950, s. 6.

44a. (1) Subject as hereinafter provided, there shall be charged upon every payment made to any person by a licensed bookmaker in respect of any bet made with him by that person on any racecourse or trotting ground or on any premises registered under this Part a tax at the rate fixed by subsection (2) of this section: Provided that no tax shall be paid on the amount of any money betted which is refunded in accordance with any rule of the board.

(2) The rate of tax shall be threepence for each ten shillings and threepence for each fractional part of ten shillings of the money chargeable with tax: Provided that where the payment in respect of a bet is less than five shillings, no tax shall be payable.

(3) Whether a bet is made upon credit or not, if any payment is made by a bookmaker in respect of that bet, the tax under this section shall be payable upon the amount of the winnings, plus the amount betted.

(4) If a bookmaker instead of making payment of any amount in respect of a bet sets off the whole or any part of that amount against any sum owing to the bookmaker, or credits the whole or any part of that amount to any person, the amount so set off or credited shall, for the purpose of determining the tax payable under this section, be deemed to be a payment made by the bookmaker at the time of the set off or credit.

(5) Every bookmaker shall deduct from every payment upon which tax is payable under this section the amount of the tax and shall not later than noon on Friday in every week pay to the board a sum equal to the amount of the deductions which during the previous week he was bound under this section to make.

(6) If any bookmaker—

(*a*) fails to make any deduction as required by this section; or

(*b*) fails to make any payment to the board as required by this section,

he shall be guilty of an offence.

Penalty: For a first offence, one hundred pounds. For a subsequent offence, imprisonment for six months.

(7) The board shall keep full and true accounts of all money received by it pursuant to this section and shall pay all such money to the Treasurer to be held by him on behalf of the board until it is applied in accordance with this Act.

Application of winning bets tax.
Inserted by 36, 1950, s. 6.

44b. (1) The board shall apply the tax received under section 44a in accordance with this section.

(2) One-quarter of the tax received in respect of bets made at a meeting held by a racing club shall be paid to that club: Provided that where a racing club holds a meeting on a course owned by another club one-sixth of the tax on bets made at that meeting shall be paid to the club which

held the meeting, and one-twelfth to the club owning the course.

(3) One-fifth of the tax received in respect of bets made at a meeting held by a trotting club shall be paid to that club.

(4) All tax received under section 44a and not payable to a racing club or trotting club pursuant to this section shall be paid to the Treasurer in aid of the general revenue of the State.

(5) Two-thirds of all amounts received by a metropolitan racing club under this section shall be used by that club for increasing stakes above the amount paid by the club on races held in the financial year ended on the thirtieth day of June, nineteen hundred and fifty: Provided that where a race meeting is held by a club at a course owned by another club the whole of the payments made to the club which held the meeting in respect of bets made at that meeting shall be used for increasing stakes as provided in this subsection.

(6) Five-sixths of the amount received by a trotting club in respect of bets made at a trotting meeting held within twenty miles of the General Post Office at Adelaide shall be used by that club for increasing stakes above the amount paid by the club on races held in the financial year ended on the thirtieth day of June, nineteen hundred and fifty.

(7) Every metropolitan racing club, and every trotting club which holds any trotting meeting within twenty miles of the General Post Office at Adelaide, shall—

(*a*) within two months after the enactment of this section furnish the board with particulars of the stakes paid by it during the period of twelve months ended on the thirtieth day of June, nineteen hundred and fifty;

(*b*) within two months after the end of each half-year furnish the board with particulars of the stakes paid by it during that half-year.

(8) If the Treasurer is satisfied that a club has not increased stakes as required by this section or has failed to supply the board with information required under this section he may direct that any tax which would otherwise be payable to that club under this section shall not be paid.

(9) Payments under this section to the Treasurer and to the racing and trotting clubs shall be made monthly.

(10) In this section—

"owner" in relation to a course includes a club which is a lessee of the course and the word "own" includes to hold on lease:

"half-year" means period of six months ending on the thirtieth day of June or the thirty-first day of December in every year.

Betting with minors.
1285, 1917, ss. 25o and 25oa.
2135, 1933, s. 4.
2188, 1934, s. 6.
Cf. U.K. 25 & 25 Geo. 5, c. 58, s. 15.

45. (1) No bookmaker shall bet with any person under the age of twenty-one years.

Penalty—For a first offence, five pounds. For a subsequent offence, twenty pounds.

(2) It shall be a defence to any charge under subsection (1) of this section if the defendant satisfies the court that he had reasonable grounds for believing the person with whom any bet is made to have been of or over the age of twenty-one years.

(3) If any person under twenty-one years of age is in or upon any premises registered under this Part whilst the premises are open to the public for the purpose of betting, that person shall be guilty of an offence.

Penalty—Ten Pounds.

(4) If any person under twenty-one years of age is in or upon any premises registered under this Part whilst the premises are open to the public for the purpose of betting, the person in charge of those premises shall be guilty of an offence unless he shows that he could not, by the exercise of all reasonable precautions, have prevented that person from entering those premises.

Penalty—Ten Pounds.

(5) Any member of the police force may remove from any registered premises any person who is on those premises in contravention of this section.

False returns.
1285, 1917, s. 25s.
2135, 1933, s. 4.

46. No bookmaker, with intent to defraud, shall—

(*a*) furnish to the board any return which is false in any material particular:

s. 45. MILLER v. TASKER (1936) S.A.S.R. 256. To establish the defence allowed by section 45 (2) the defendant must show that he had an actual belief based on reasonable grounds. Where the defendant had not applied his mind to the age of the infant with whom he bet, held that he had no reasonable ground for believing him to be over 21.

(*b*) fail to include in any such return any bet or other transaction or particular required to be included:

(*c*) fail to record in accordance with the rules every bet made by him.

Penalty—Fifty pounds, or imprisonment for three months.

Cancellation of licences.
1285. 1917, s. 25q.
2135, 1933, s. 4.
2188, 1934, s. 7.
Amended by 13, 1939, s. 6.

47. If the holder of any licence is convicted of any offence against this Part, or if the board is satisfied that the holder of any licence has failed to observe any provision of this Part or of the rules or any condition of his licence, or if the board is satisfied that the holder of any licence has been guilty of any conduct which in the opinion of the board renders him unfit to hold a licence, it may, as an administrative act, cancel the licence.

Control of trotting races.
1285, 1917, s. 25r.
2135, 1933, s. 4.

48. (1) No trotting race meeting at which bookmakers are permitted to operate shall be held unless a permit in writing authorizing it to be held has been issued by the South Australian Trotting League Incorporated.

(2) The said League may with the consent of the board issue such permits for the holding of trotting race meetings as it thinks fit.

(3) Each permit shall be for one night only as regards a meeting to be held in the metropolitan area and for either one day or one night as regards a meeting to be held outside the metropolitan area.

(4) If any trotting race meeting is held in contravention of this section the person by or on whose behalf the meeting was held, or if the meeting was held by an association, each member of the committee or other executive body of the association and any person acting at the meeting as steward, starter, or judge shall be guilty of an offence, punishable on summary conviction.

Penalty—Twenty pounds.

(5) For the purpose of this section—

(*a*) an agricultural show shall not be deemed to be a trotting race meeting:

(*b*) "metropolitan area" means the area within a radius of twenty-five miles from the General Post Office at Adelaide.

Unclaimed money.
Inserted by 2417, 1938, s. 19.

48a. Where any money which, under this Part or the rules is payable by the board to any person, has been held by the board for twelve months after that person first became

entitled thereto, and during that period no claim has been made to that money by the person entitled thereto, the board shall pay that money to the Treasurer in aid of the general revenue of the State.

This section shall apply to money received by the board whether before or after the enactment of this section.

Audit by Auditor-General. Inserted by 13, 1939, s. 7.

48b. The accounts of the board shall, once at least in every year, be audited by the Auditor-General who shall, in respect of those accounts, have all the powers which may be exercised by him under the Audit Act, 1921-1936, and any Act for the time being in force relating to the audit of public accounts.

S. 48c inserted by 19, 1949, s. 3, and repealed by 36, 1950, s. 7.

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PART V.

UNLAWFUL GAMING.

Obtaining money, etc. by cheating. 1285, 1917, s. 26. Cf. U.K. 8 & 9 Vict., c. 109, s. 17.

49. No person shall win from any other person any money or valuable thing by fraud or any other unlawful means—

(*a*) in playing at, or with, cards, dice, tables or other games; or

(*b*) in bearing a part in the stakes, wagers, or adventures, or in betting on the sides or hands of them that do play; or

(*c*) in betting on the event of any game, sport, pastime, or exercise.

Penalty—Such fine as the court determines, or imprisonment for two years.

Avoidance of gaming contracts. 1285, 1917, s. 27. Cf. U.K. 9 Anne c. 19; 5 & 6 Will. 4, c. 41, s. 1; 8 & 9 Vict., c. 109, s. 18; 55 & 56 Vict., c. 9, s. 1.

50. (1) All contracts or agreements whether by parol or in writing by way of gaming or wagering shall be void.

(2) No action shall be brought or maintained in any court to recover any sum of money or valuable thing—

(*a*) alleged to be won upon any bet; or

(*b*) which has been deposited in the hands of any person to abide the event on which any bet has been made:

S. 50. MIDDLETON v. CAVANETT (1923) S.A.S.R. 255; 9 Austn. Digest 396. A contract to act as agent in making bets is not necessarily illegal. The agent paying bets under such a contract can recover the amount paid from the principal under an implied contract of indemnity.

Provided that this section shall not apply to any subscription or contribution or agreement to subscribe or contribute for or to any plate, prize, or sum of money to be awarded to the winner of any race or lawful game.

Extending provisions to gaming with coin, etc. 1285, 1917, s. 28.

51. Any person who in any public place at or with any table or instrument of gaming, or any coin, card, token, or other article used as an instrument or means of wagering or gaming—

(*a*) plays at any game or pretended game of chance; or

(*b*) bets by way of wagering or gaming on any game or pretended game of chance,

shall be deemed a rogue and vagabond within the meaning of the Police Act, 1916, and may be so convicted and punished under the provisions of that Act.

Gambling, etc., in public places. 1285, 1917, s. 29.

52. No person shall in any public place—

(*a*) exhibit any implements or articles for unlawful gaming, in order to induce or entice any person to engage in any unlawful gaming; or

(*b*) by any fraudulent act or device, cheat any person.

Penalty—Imprisonment for three months, and also at the same time a sentence to repay any money, or restore any property which has been obtained by means of any such offence, and, failing the immediate payment or restoration, imprisonment for a further sixty days.

Betting with infants. 1285, 1917, s. 30.

53. No person shall make or shall offer to make a bet with any person who is under the age of twenty-one years.

Penalty—One hundred pounds, or imprisonment for six months.

Betting by infants. 1285, 1917, s. 21.

54. No person under the age of twenty-one years shall make or offer to make a bet with any other person.

Penalty—Twenty pounds.

Minors in betting enclosures. Inserted by 42, 1945, s. 8, and amended by 19, 1949, s. 4.

54a. A person under the age of twenty-one years shall not be—

(*a*) in a betting ring;

(*b*) within six feet of a bookmaker who is in a betting ring,

s. 51. The Police Act, 1916, has been repealed and superseded by the Police Act, 1936-1946.

on a race course or trotting ground while a race meeting or trotting meeting is being held on it.

Penalty—Not exceeding five pounds for a first offence and not exceeding ten pounds for a second or subsequent offence.

Receiving money for gaming from infants.
1285, 1917, s. 32.

55. No person shall either directly or indirectly receive from any person under the age of twenty-one years, whether for himself or on behalf of some other person, any money or any valuable thing upon the understanding or agreement, either expressed or implied, that such money or valuable thing shall be placed in or used either directly or indirectly for the purposes of any totalizator or sweepstakes, or betting.

Penalty—One hundred pounds, or imprisonment for six months.

Promoting sweepstakes for reward.
1285, 1917, s. 33.

56. No person shall, for fee, commission, or reward, share, or interest—

(*a*) carry on any sweepstakes; or

(*b*) pay, deposit, or receive any money or valuable thing for or in respect of any such sweepstakes; or

(*c*) give or receive any card, ticket, paper, document, or other thing relating to or in connection with any such sweepstakes.

Penalty—One hundred pounds, or imprisonment for six months.

Soliciting totalizator investments.
1285, 1917, s. 34.

57. No person shall upon any racecourse or in any other public place or street directly or indirectly invite or solicit any other person to give or entrust to him any money or valuable thing for the purpose or intent that such money or thing, or any part thereof respectively, shall be placed or invested in any totalizator (whether such totalizator is lawful or not).

Penalty—Twenty-five pounds, or imprisonment for two months.

Totalizator agents.
1285, 1917, s. 35.
Amended by 2417, 1938, s. 20.

58. No person shall for fee, commission, reward, share, or interest of any kind whatever, or upon any understanding or agreement, either expressed or implied, for such fee, commission, reward, share, or interest—

S. 58. SUMNER v. SOLOMON (1908) S.A.L.R. 20; 9 Austn. Digest 396. Where the plaintiff employed the defendant to put money on the totalizator for him, and the defendant failed to do so, held that no action lay against the defendant for money had and received or for damages for breach of contract.

(*a*) receive from any other person any money for the purpose of investing the same in any totalizator licensed or otherwise or with a bookmaker; or

(*b*) receive any money upon any such agreement, understanding, or intention that such money shall be so invested.

Penalty—One hundred pounds for a first offence, and for a subsequent offence imprisonment for not more than three months.

Proof of offence. Inserted by 2417, 1938, s. 21.

58a. In any proceedings for an offence under section 57 or 58 the proof of the receipt by any person of any money for the purpose alleged in the complaint shall be *prima facie* evidence that it was invited or solicited by the recipient, and that it was received by him for fee, commission, reward, share, or interest, as the case may be.

Certain games unlawful. 1285, 1917, s. 36. 2494, 1921, s. 7. Cf. U.K. 33 Hen. 8, c. 9; 12 Geo. 2, c. 28, s. 2; 13 Geo. 2, c. 19, s. 9.

59. The games, tricks, or devices commonly known as "the purse trick," "the three card trick," "thimble rig," "faro," "banker," "fan tan," "two up," "pitch-and-toss," "hazard," and all other games played in the same way, or of a kindred nature, are hereby declared to be unlawful games.

Betting and inviting to subscribe to a bet or sweepstakes. 1285, 1917, s. 37. Cf. U.K. 6 Edw. 7, c. 43, s. 1.

60. No person shall—

(*a*) in any public place bet or offer to bet by way of wagering or gaming; or

(*b*) in any public place get up or take part in any sweepstakes; or

(*c*) publish or cause to be published in any public newspaper or by circular, any advertisement inviting the public to subscribe to or take part in any bet or sweepstakes.

Penalty—(1) Not less than two pounds nor more than one hundred pounds.

(2) For a second offence the offender shall be deemed a rogue and vagabond within the meaning of the Police Act, 1916, and as such may be convicted and punished.

s. 60. BEE v. JANZEN (1884) 18 S.A.L.R. 39; 9 Austn. Digest 510. Where a number of persons stake money on the result of a game played in a public place and in which they take no part, they are guilty of betting.

WHITTLE v. JENNINGS (1922) S.A.S.R. 394; 9 Austn. Digest 390. To constitute a bet it is essential that each party stands to win or lose.

The Police Act, 1916, has been repealed and superseded by the Police Act, 1936-1946.

Unlawful gaming and playing of unlawful games.
1285, 1917, s. 38.
1494, 1921, s. 8.
Cf. U.K. 12 Geo. 2, c. 28, s. 3; 18 Geo. 2, c. 34, s. 2.

61. (1) No person shall be guilty of unlawful gaming.

Penalty—One hundred pounds.

(2) No person shall play any unlawful game.

Penalty—One hundred pounds.

(3) No person shall—

(*a*) be present at any unlawful gaming or at the playing of any unlawful game; or

(*b*) be in any place in which any unlawful gaming is taking place, without lawful excuse (the proof of which excuse shall be upon him).

Penalty—Twenty pounds.

Being in public place for betting.
1285, 1917, s. 39.
1447, 1920, s. 7.
1494, 1921, s. 11.
1877, 1928, s. 4.
2135, 1933, s. 5.
Cf. U.K. 24 & 25 Geo. 5, c. 58, ss. 2, 30.
Amended by 42, 1945, s. 9.

62. (1) No person shall be in or upon any street or public place for the purpose of betting except by means of a totalizator duly licensed under this Act.

Penalty—For a first offence, not more than fifty pounds: For a second offence, imprisonment for not less than three months nor more than six months: For a third or any subsequent offence, imprisonment for not less than six months nor more than twelve months.

(2) Notwithstanding the provisions of the Justices Act, 1921, or any other enactment, no court shall have power—

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s. 61. BURCHELL v. STYLES (1906) S.A.L.R. 11; 9 Austn. Digest 447. Held, under Act 812, 1902, section 7, which penalized "a person found in a place used for unlawful gaming, without lawful excuse," that the onus of proving lawful excuse was on the defendant.

s. 62. LAMPARD v. ALLCHURCH (1924) S.A.S.R. 341; 9 Austn. Digest 510. Settling bets is not betting within the meaning of section 62. [But see now section 62 (3).] An offence against section 62 may be committed if the defendant forms the purpose of betting while in a public place, and remains there to give effect to that purpose.

CONNELLY v. ALLCHURCH (1925) S.A.S.R. 7; 9 Austn. Digest 543. Held that memorandum pads (on one of which the defendant was proved to have written), booklets, a settling book, a settling sheet, and a doubles book carried by the defendant on the relevant occasion were admissible in evidence to show the purpose of the defendant.

ALLCHURCH v. BERESFORD (1928) S.A.S.R. 450; 9 Austn. Digest 533. An acquittal of a charge under section 62 will not support a plea of *autrefois acquit* on a complaint under section 90 (3).

THATCHER v. LENTHALL (1933) S.A.S.R. 322; 12 Austn. Digest 635. In fixing the penalty for an offence under section 62 an important matter to be considered is whether the evidence discloses anything in the nature of a regular business of betting, and the size of the business.

LANE v. GILES (1934) S.A.S.R. 311. Held that the evidence did not prove that the appellant was in a public place for the purpose of betting. LAMPARD v. ALLCHURCH (*supra*) approved but distinguished.

KIRK v. MILLER (1936) S.A.S.R. 277. A person negotiates bets if he undertakes to make bets for other persons with a registered bookmaker in a betting shop.

O'HALLORAN v. CRAFTER (1940) S.A.S.R. 29. When a barman whilst acting as such conducted betting operations in the bar held that, notwithstanding that he was

(*a*) to impose on any person guilty of a second or third or subsequent offence under this section, any sentence lower than the minimum fixed by this section; or

(*b*) to impose a fine in lieu of imprisonment under this section for any such second or third or subsequent offence.

In determining whether any offence is a second, third, or subsequent offence within the meaning of this section, the court shall have regard only to offences committed after the fifth day of December, nineteen hundred and thirty-three.

(3) In this section the term "betting" without limiting the meaning thereof includes negotiating bets, receiving or paying money in connection with bets, and settling bets, except the settling of bets made on a racecourse in accordance with Part IV. of this Act and the terms of a licence issued thereunder. Cf. U.K. 6 Edw. 7, c. 43, s. 1.

63. No person standing in any street shall refuse or neglect to move on when requested by a police constable so to do, or shall loiter (whether such loitering shall cause or tend to cause any obstruction to traffic or not) in any street or public place after a request having been made to him by any police constable not to so loiter. Loitering in street. 1285, 1917, s. 40.

Penalty—Twenty pounds, or imprisonment for two months.

64. No person shall— Betting information. 1285, 1917, s. 41. 2135, 1933, s. 6.

(*a*) print, exhibit, publish, sell, circulate, distribute, give away, or post up; or

s. 62. (*contd.*) in the bar acting as barman, he was there for the purpose of betting and was properly convicted under section 62.

KING v. MCDONALD (1943) S.A.S.R. 3. When the evidence did not show that the defendant made more than a single bet in a saloon bar, held that he should not be convicted of being in a public place for the purpose of betting. The proper inquiry is whether the evidence shows that the defendant had the purpose of making bets and went to or remained in the public place with a view to accomplishing that purpose.

WILLIAMS v. BUTLER (1947) S.A.S.R. 442. Where a person was in a hotel for the purpose of betting as a bookmaker and another person, acting as his agent, received a bet in the hotel and passed it on to him, held that the agent aided and abetted in the offence and was liable to conviction as a principal offender.

s. 63. MATTIN v. CURRIE (1927) S.A.S.R. 459; 9 Austn. Digest 521. Held that a person standing stationary in a street cannot be convicted of loitering. (This decision is inconsistent with ROSEY v. REYNOLDS, JOHNS v. BERRY, and JOHNS v. DALTON, *infra*.)

ROSEY v. REYNOLDS (1929) S.A.S.R. 408; 9 Austn. Digest 522. In making a request not to loiter, the constable must specify the place in which the person is to cease loitering. A request not to loiter may be made to a person moving.

JOHNS v. BERRY; JOHNS v. DALTON (1934) S.A.S.R. 111. A person may loiter although he is not moving about. Meaning of "loiter" discussed.

PROVIS v. MEPSTEAD (1935) S.A.S.R. 42. Where the defendant remained in the street for about 20 minutes after being requested by a constable not to loiter there, held that a *prima facie* case of loitering had been made out.

(*b*) cause to be printed, exhibited, published, sold, circulated, distributed, given away, or posted up,

any newspaper or printed card or written document, list or card (whether published, written, or printed in the State or elsewhere), which contains or purports to contain any advertisement or notification by or on behalf of any person, club, or association, as to betting on any intended horse, pony, trotting race or races, coursing event, or other sport or exercise whatever in any part of the Commonwealth, or as to betting odds on any such race or races.

Advertising by tipsters. 1285, 1917, s. 42. Cf. U.K. 37 & 38 Vict., c. 15, s. 3.

65. No person shall print, write, exhibit, publish, sell, circulate, distribute, give away, or post up or cause to be printed, written, exhibited, published, sold, circulated, distributed, given away, or posted up any placard, handbill, card, writing, sign, advertisement, or notification (whether published, printed, or written in the State or elsewhere) whereby—

(*a*) it is made to appear that that person or any other person will if required bet or give information or advice directly or indirectly, as to the probable result of any intended horse race or pony race or trotting race in any part of the Commonwealth, or as to the betting odds on any such race; or

(*b*) any information or advice is given or purported to be given relating to the probable result of any such race or as to the betting thereon, or as to any unlawful game:

Provided that nothing contained in this section shall prohibit the publication in a newspaper by the printer or publisher thereof of a forecast of the probable result of any race, if such publication is not for money or gain.

Oral information as to racing. 1285, 1917, s. 42A. 2135, 1933, s. 7. 2188, 1934, s. 8.

66. (1) Any person who for fee or reward gives any oral information or advice relating or purporting to relate to the probable result of any intended horse race, pony race, trotting race, coursing event, or any other sport or exercise whatever or as to the betting odds thereon, shall be guilty of an offence.

(2) In any proceedings for an offence against this section the allegation in the complaint that any information or advice was given for fee or reward shall be *prima facie* evidence of the facts so alleged.

(3) Nothing in this section shall apply to any information or advice given by or to a bookmaker licensed under this Act.

(4) In this section the expression "give oral information or advice" includes every method of communicating information by spoken words whether directly or through the medium of any apparatus for the reproduction of sound.

Authorized information as to racing.
1285, 1917, s. 42B.
2188, 1934, s. 9.

67. (1) The Betting Control Board may in writing grant to any person a general or limited authority to publish or communicate, in any manner specified by the board, oral or written information or advice, relating to any horse race, pony race, trotting race, or coursing event, or to the betting odds thereon.

(2) Such an authority may contain any conditions imposed by the board and shall be void if any condition thereof is not observed.

(3) No person shall be liable to any proceedings or penalty in consequence only of publishing or communicating information or advice pursuant to an authority under this section.

Prohibition of broadcasting certain betting particulars.
Inserted by 2417, 1938, s. 22.

67a. If any race meeting, trotting meeting, or coursing meeting is held in the State no person shall at any time, prior to or during the time the race meeting, trotting meeting, or coursing meeting is being held, by means of any wireless broadcast, broadcast any information relating to the betting on any horse or dog taking part in any horse race, trotting race, or coursing event to be held or held at such meeting.

Penalty—Fifty pounds.

Betting notices and placards.
1285, 1917, s. 43.
Cf. U.K. 16 & 17 Vict., c. 119, s. 7.

68. No person shall—

(*a*) placard, post up, or exhibit; or

(*b*) permit or suffer to be placarded, posted up, or exhibited; or

(*c*) assist in placarding, posting up, or exhibiting,

in or on or about any land, building, or premises, any information or notice or list, directly or indirectly relating to betting or any unlawful game.

Removal from racecourses of persons suspected of offences.
1285, 1917, s. 44.
1447, 1920, s. 8.
1494, 1921, s. 9.
2135, 1933, s. 8.

69. (1) If any member of the police force has reasonable grounds for suspecting that on any place upon which any horse racing, foot racing, cycle racing, football match, cricket match, or any other sport of a kind usually attended by the public, is then being carried on, or on any other place any person is guilty of, or has on that day been guilty of, unlawful gaming, that member of the police force may, without warrant, arrest that person and remove him from that place.

s. 69. JUNNER v. FARQUHAR AND OTHERS (1909) S.A.L.R. 116; 9 Austn. Digest 525. The expression "reasonable grounds for suspicion" refers to a suspicion which an observation of the plaintiff's conduct on the occasion in question would reasonably cause in the mind of a discreet and fair-minded person.

MORRIS v. ADAMSON (1921) S.A.S.R. 242; 9 Austn. Digest 525. Held, that a strip of land outside a racecourse and which was referred to as a road, and on which the public stood to buy tickets, but which gave no view of the races, was not a place where racing was carried on.

(2) No person who has been so removed from any such place shall, during the day on which he was so removed, re-enter or be again upon that place, or any place contiguous thereto.

Penalty—Fifty pounds.

(3) No member of the police force who has acted *bona fide* in the intended exercise of the powers conferred on him by subsection (1) of this section shall be liable to any proceedings, civil or criminal, in consequence of his having so acted.

Power for racing clubs to revoke tickets and remove persons from racecourses.
1285, 1917, s. 44A.
1877, 1928, s. 6.

70. (1) The committee of any racing club, or the secretary or any other official of a racing club when authorized by the committee thereof, may do any of the following things, namely:—

(*a*) at any time revoke either verbally or by writing any licence, right, or title which has been granted by or on behalf of the racing club or the committee thereof, whether to a member of the club or any other person, and which authorizes any person to enter, be, or remain upon any racecourse on any one or more occasions when horse races are being run thereon:

(*b*) on any day when horse races are being held by the club, request any person who is upon or in the racecourse where the races are being held to leave the same:

(*c*) use all reasonable and necessary force to eject from the racecourse any person who having been so requested to leave neglects or refuses forthwith to do so.

(2) Any member of the police force, at the request of the committee of any racing club or the secretary or any official of any racing club, shall eject or assist in ejecting from the racecourse any person who having been requested to leave as aforesaid neglects or refuses forthwith to do so.

(3) The committee of a racing club shall not be liable to pay any compensation or damages whatsoever to any person in respect of the revocation of any licence, right, or title under this section, or the ejecting of any person from a racecourse under this section, except the amount of any valuable consideration paid for the licence, right, or title.

(4) Except as mentioned in subsection (3) no member of the police force or other person, acting in good faith in the intended exercise of the powers conferred on him under this

section, shall be liable to any proceedings, civil or criminal, in consequence of his having so acted.

(5) No person who has left a racecourse pursuant to a request under this section, or who has been removed from a racecourse under this section, shall, during the day on which he so left or was removed, re-enter or be again upon the racecourse.

Penalty—Fifty pounds.

(6) In this section, without limiting the meaning which the terms herein defined have elsewhere in this Act, the following terms shall have the following meaning, namely:—

"committee" means the committee, executive, or other controlling body or person by whatever name called of a racing club, and includes any member of a committee as so defined:

"racing club" means any association of persons corporate or unincorporate which promotes or carries on horse racing or trotting races:

"racecourse" includes the land and premises on which horse or trotting races are actually run, and all land and premises to which the public have access for the purposes of viewing the races and any other land or premises usually regarded as part of a racecourse or trotting ground.

71. (1) It shall be lawful for—

Power of the police.

1285, 1917, s. 45. 1877, 1928, s. 7. 2135, 1933, s. 9. Cf. U.K. 42 Geo. 3, c. 119, s. 4 (part); 4 Geo. 4, c. 60, s. 59; 8 & 9 Vict., c. 109, ss. 6-7; 16 & 17 Vict., c. 119, ss. 11-12; 24 & 25 Geo. 5, c. 58, s. 27.

(*a*) any special magistrate or two justices of the peace, upon complaint or information upon oath before him or them that there is reason to suspect that unlawful gaming is or is about to be carried on in or upon any place; or

(*b*) the Commissioner of Police, upon receiving a report in writing from any superintendent or inspector of police that he suspects that unlawful gaming is or is about to be carried on in or upon any place,

to give to any member of the police force a warrant in the form of the fourth schedule to this Act, or to the like effect.

(2) A warrant so given shall authorize the member of the police force therein named with such assistance as may be necessary—

(*a*) to enter or re-enter into and upon and search the place therein named at any time and from time to time, and at all times during the day or night,

within the space of three clear days from the date of the warrant:

(*b*) to remain in and upon that place during the whole or any part of the three days aforesaid:

(*c*) to use force if necessary in making entry or re-entry, whether by breaking open doors or otherwise:

(*d*) to arrest and bring before a special magistrate or two justices of the peace all persons found therein or thereupon:

(*e*) to seize all dice, balls, counters, tables, or other instruments of gaming, money, lists, cards, papers, documents or things found therein or thereupon, or upon the said persons which may reasonably be supposed to have been used or designed for use in connection with or in relation to such suspected offence:

(*f*) to detain the same until the owner or owners thereof appear before a special magistrate or two justices of the peace to claim the same, and satisfy the magistrate or justices how and for what use or purposes the same were intended.

(3) The special magistrate or justices may confiscate the dice, balls, counters, tables, or other instruments of gaming, money, lists, cards, papers, documents, and things, or otherwise dispose of them as he or they deem fit, if—

(*a*) the said owner or owners do not appear before the magistrate or justices within four days after the seizure; or

(*b*) if he or they do so appear, and do not show to the satisfaction of the magistrate or two justices after due examination, that the dice, balls, counters, tables, or other instruments of gaming, money, lists, cards, papers, documents, or other things, were not in any such house, office, room, or place, or upon the said persons for the purpose of being used in relation to, or in connection with, any matter made unlawful by this Act.

Obstructing constables in the execution of their duty.
1285, 1917, s. 46.
2135, 1933, s. 10.
Cf. U.K. 42 Geo. 3, c. 119, s. 4 (part).

72. No person shall wilfully—

(*a*) prevent any member of the police force or other person acting in his assistance under a warrant under this Act to enter any house, room, or place, from entering the same or part thereof; or

(*b*) obstruct or delay any such member of the police force or person in so entering; or

(*c*) by any bolt, bar, chain, or other contrivance secure any external or internal door of or means of access to any house, room, or place so authorized to be entered; or

(*d*) use any means or contrivance whatsoever for the purpose of preventing, obstructing, or delaying the entry of any such member of the police force or person into any such house, room, or place or any part thereof.

Penalty—One hundred pounds, or imprisonment for six months.

Power of police as to premises where unlawful gaming is carried on.
1285, 1917, s. 46A.
2135, 1933, s. 11.

73. (1) Upon receiving a report in writing from any police officer of or above the rank of sub-inspector that he is of opinion that unlawful gaming is or is about to be carried on in any place, the Commissioner of Police may give notice in writing addressed to the occupier of that place, or if the name of the occupier is unknown, then addressed to that particular place, ordering that all doors or other means of entrance on that place or leading to or from that place, both internal and external, shall be opened and kept open so as to admit of the free ingress and egress of any member of the police force authorized in writing by the Commissioner of Police and any persons assisting him during the days and hours stated in the notice. The notice shall be served upon the occupier of the said place, or, if the occupier cannot be found, it shall be deemed a sufficient service if the notice is fastened in a conspicuous place on the outside of any door or other means of entrance to or leading to or from the said place.

(2) After service of the notice the following provisions shall apply:—

(*a*) any member of the police force authorized in writing by the Commissioner of Police and any persons assisting him may enter, re-enter, and remain in or upon the said place or any part thereof or any premises leading thereto during the days and hours stated in the notice for the purpose of observing the conduct of all persons in or upon the said place:

(*b*) any occupier, or, in the absence of the occupier any other person present upon the said place who refuses or neglects immediately to open or keep open during the days and hours stated in the notice, any door or means of entrance mentioned in the notice, and any person who at any time

during the said days and hours closes any such door or means of entrance shall be guilty of an offence.

Penalty—A fine not exceeding one hundred pounds.

(*c*) any member of the police force authorized in writing by the Commissioner of Police and any member of the police force assisting him may use force if necessary in making entry or re-entry, whether by breaking doors or otherwise.

PART VI.

PART VI.

COMMON GAMING HOUSES.

Common gaming-houses.
1285, 1917, ss. 47 & 48. 1447, 1920, s. 9. Cf. U.K. 8 & 9 Vict., c. 109, s. 2; 16 & 17 Vict., c. 119, s. 2.

74. (1) Any house, office, room, or place—

(*a*) which is used for the playing therein of any unlawful game; or

(*b*) which is used for the purpose of enabling any person or persons to bet with others or with one another, or to pay or receive money or valuable consideration in respect of any bet on events which have not happened, whether made in or at such house, office, room, or place, or elsewhere; or

(*c*) which is occupied by any company or club having for its object or one of its objects the enabling of shareholders or members thereof to make bets or pay or receive money in respect of bets on events which have not happened, whether so made either amongst themselves or with other persons not necessarily being shareholders or members,

shall be deemed to be a common gaming-house.

(2) A house, office, room, or place where an unlawful game is carried on shall be deemed to be a common gaming-house, notwithstanding that the same is open only for the use of

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s. 74. NATION v. KROGDAHL (1923) S.A.S.R. 94; Austn. Digest 444. "User" may be established by proof of use on a single occasion. Where the evidence showed that on one occasion a game of hazard was played by a number of men, and a number of bets were made, held that the "carrying on" of an unlawful game was proved.

LENTHALL v. MITCHELL (1933) S.A.S.R. 231; 9 Austn. Digest 446. The acts, words, and conduct of persons using premises are relevant to show what its character is, regardless of whether there is an occupier in any other sense or not.

subscribers or of members or shareholders of any particular club or company, and is not open to all persons desirous of using the same.

Occupying common gaming-house. 1285, 1917, s. 48A. 1494, 1921, s. 10.

75. No person shall be the occupier of a common gaming-house.

Penalty—Five hundred pounds, or imprisonment for twelve months.

Allowing use of premises as common gaming-house. 1285, 1917, s. 49.

76. No owner or agent acting on behalf of the owner and no occupier of any house, office, room, or other place shall allow or permit it to be used as a common gaming-house: Provided that an owner or agent who is not an occupier, and who was in ignorance of and had no reasonable grounds to suspect such use, or had taken all reasonable steps to prevent it, shall not be guilty of an offence.

Allowing use of premises as access to a gaming-house. 1285, 1917, s. 50.

77. No owner or agent acting on behalf of the owner, and no occupier of any house, office, room, or place shall allow or permit or suffer it to be used as a means of access to or exit or escape from any house, office, room, or place used as a common gaming-house: Provided that if the owner, agent, or occupier was in ignorance of and had no reasonable grounds to suspect such use, or had taken all reasonable steps to prevent it, he shall not be guilty of an offence.

Power to evict occupier of house used as gaming-house, etc. 1285, 1917, s. 51.

78. (1) Any owner of any house, office, room, or place who has reasonable grounds to suspect that it is used—

(*a*) as a common gaming-house; or

(*b*) as a means of access to or of exit or escape from any house, office, room, or place used as a common gaming-house,

may serve on the tenant or occupier a notice to quit.

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s. 75. BOND v. BERRESFORD (1931) S.A.S.R. 285; 9 Austn. Digest 444. On a charge under section 75, all facts (including the posting of a sentry to give warning of the approach of the police) showing the use of the premises may be proved.

WELLS AND ANOTHER v. NOBLETT (1933) S.A.S.R. 134; 9 Austn. Digest 442. Personal knowledge of the defendant as to the use of the premises on a particular occasion is not a necessary ingredient of an offence against section 75, but there must be some degree of knowledge or connivance on the part of the occupier as to the use of the premises.

JOHNSON v. LENTHALL (1934) S.A.S.R. 13. By reason of the definition of common gaming house in section 74 it is necessary for the prosecutor to prove that the owner or his agent either knows that the premises are used for betting and does not interfere, or purposely abstains from ascertaining whether betting is going on or not.

SUTTER AND WIFE v. VIRGO (1940) S.A.S.R. 113. Where husband and wife were charged in one complaint with keeping a common gaming house, held that they were rightly charged together and that separate convictions could be rightly made.

(2) The serving of such notice shall, subject to this Act, determine as from the seventh day after the date of service any tenancy under which the occupier holds as if the tenancy had expired by effluxion of time. The owner may thereupon, without any authority other than this Act, take legal proceedings to evict, and may evict, such occupier.

(3) The notice shall be served personally on the occupier, but if he cannot be found service may be effected by posting a copy of the notice on some conspicuous part of the said house, office, room, or place.

(4) Upon proof, to the satisfaction of the Registrar-General, that such a notice has been served on the tenant or occupier in manner aforesaid, he shall, at the expiry of seven days from the date of service, cause a memorial of the service and of the date thereof to be entered in respect of land under the provisions of The Real Property Act, 1886, in the Register Book of Titles kept pursuant to that Act, and in respect of land not under the provisions of that Act in the General Registry Office of Deeds for the said State.

Cancellation of notice to quit.
1285, 1917, s. 52.

79. (1) Any such notice to quit may at any time be cancelled as from the date of such notice and relief be granted by the Supreme Court subject to such terms as the Court thinks fit on application being made to the Court by the occupier and on proof that he has not at any time used or allowed or permitted or suffered the house, office, room, or place to be used—

(*a*) as a common gaming-house; or

(*b*) as a means of access to or of exit or escape from any house, office, room, or place used as a common gaming-house.

(2) Notice of intention to make such application shall be served on the owner at least seventy-two hours before the hearing of the application, and on being so served shall operate until the determination of the application as a stay of any proceedings under the last preceding section to evict the occupier.

Declaration that house a common gaming-house.
1285, 1917, s. 53.

80. (1) On the affidavit of a commissioner, inspector, or sub-inspector of police, showing reasonable grounds for suspecting that any house, office, room, or place is used in contravention of this Act, a judge of the Supreme Court may declare such house, office, room, or place to be a common gaming-house.

S. 80. In *re* TATTERSALLS CLUB (1942) S.A.S.R. 211. A declaration under section 80 may be made *ex parte*.

(2) Every such declaration shall be in force until rescinded.

Rescission of declaration. 1285, 1917, s. 54.

81. (1) Any such declaration may be rescinded by a judge of the Supreme Court, subject to such terms as he thinks fit, on application being made to him—

(*a*) by the owner, tenant, or occupier of the house, office, room, or place the subject of the declaration, on proof that he has not at any time allowed the house, office, room, or place to be used in contravention of this Act; or

(*b*) by a commissioner, inspector, or sub-inspector of police, on proof that the house, office, room, or place is not used in contravention of this Act.

(2) Where the application is made by the owner, tenant, or occupier as aforesaid, notice in writing of intention to make the same shall be served on a commissioner, inspector, or sub-inspector of police two days at least before the hearing of the application.

Inserted by 42, 1945, s. 10.

(3) When any such declaration has been rescinded by a judge of the Supreme Court on terms, the owner, tenant or occupier of the house, office, room or place, the subject of the declaration, or a commissioner, inspector or sub-inspector of police, may apply to a judge of the Supreme Court for a variation of such terms on proof that circumstances existing at the time of fixing such terms have materially altered. On any such application the judge if satisfied that it is just or expedient to do so may modify, revoke, add to, or remit any of such terms:

Provided that the Commissioner of Police shall be given notice of any application by such owner, tenant or occupier and shall be entitled to be heard in opposition thereto.

Publication of notice of declaration and rescission. 1285, 1917, s. 55.

82. (1) Notice of any such declaration, and of any rescission of the same, shall be published in the *Gazette*.

(2) In any proceedings under this Act the production of a copy of the *Gazette* containing such notice shall be evidence that the declaration or rescission therein notified was duly made.

Notice given of declaration. 1285, 1917, s. 56.

83. (1) The Commissioner, or a superintendent, inspector, or sub-inspector of police, on such declaration being made with respect to any house, office, room, or place—

(*a*) shall cause to be published on two days in a newspaper circulating in the neighbourhood of the

house, office, room, or place, a notice of the making of the declaration:

(*b*) shall cause such notice to be served on the owner and occupier of the house, office, room, or place. The service shall be personal, except when it cannot be promptly effected, in which case the notice may be served on the owner, tenant, and occupier aforesaid, by causing a copy thereof to be affixed at or near to the entrance to the house, office, room, or place.

(2) In any proceedings under this Act the production of a copy of a newspaper containing any such notice shall be evidence that that notice was duly published in that newspaper on the date appearing thereon.

Persons found in house declared a common gaming-house. 1285, 1917, s. 57.

84. If after publication, in pursuance of paragraph (*a*) of the last preceding section, of notice of the making of a declaration with respect to a house, office, room, or place, and during the time that the declaration is in force, any person is found in or entering or leaving—

(*a*) that house, office, room, or place; or

(*b*) any land or building used as a means of access to, or of exit or escape from the same,

any member of the police force may, without warrant, arrest that person and take him before a court. That person, unless he proves that he was in, or on, or entering, or leaving as aforesaid, for a lawful purpose shall be liable to a penalty of fifty pounds, or to imprisonment for three months.

Penalty on owner of house used in contravention of Act. 1285, 1917 s. 58.

85. If after service on an owner, in pursuance of paragraph (*b*) of section 83 of notice of the making of a declaration with respect to a house, office, room, or place and while the declaration is in force, that house, office, room, or place is used in contravention of this Act, the owner shall, unless he proves that he has taken all reasonable steps to evict the occupier from the same, be liable to a penalty of not less than thirty and not more than one hundred pounds.

Penalty on occupier. 1285, 1917, s. 59.

86. If after service on an occupier, in pursuance of paragraph (*b*) of section 83 of notice of the making of a declaration with respect to a house, office, room, or place, and while the declaration is in force, that house, office, room, or place is used in contravention of this Act, the said occupier shall be liable to a penalty not less than thirty and not exceeding three hundred pounds, unless he proves that he has taken reasonable steps to prevent such use.

Entry by police. 1285, 1917, s. 60.

87. While any such declaration is in force with respect to any house, office, room, or place, any member of the police force may, without warrant—

(*a*) enter the said house, office, room, or place:

(*b*) enter any land or building which he has reasonable grounds to suspect is used as a means of access to or of exit or escape from the same:

(*c*) pass through, from, over, and along any other land or building for the purpose of entering in pursuance of paragraph (*a*) or paragraph (*b*) aforesaid:

(*d*) for any of the purposes aforesaid, break open doors, windows, and partitions, and do such other acts as are necessary:

(*e*) seize any instruments of gaming and any instruments of betting and documents relating to betting, and any money and securities for money in any such house, office, room, or place.

Obstructing the police. 1285, 1917, s. 61. Amended by 2417, 1938, s. 23.

88. No person shall—

(*a*) obstruct;

(*b*) aid in obstructing; or

(*c*) solicit any other person to obstruct or aid in obstructing,

a member of the police force in the exercise of any power conferred on him by this Act.

Penalty—For a first offence seventy-five pounds, and for a second or subsequent offence imprisonment for not more than six months.

Certain offences. Inserted by 2417, 1938, s. 24.

88a. Any person who is in or near to any place whether a public place or not for the purpose of giving any warning to any person of the presence or approach of any member of the police force or for the purpose of preventing the detection of any offence against this Act shall be guilty of an offence.

Penalty—For a first offence, seventy-five pounds, and for a second or subsequent offence imprisonment for not more than six months.

Evidence of house being a gaming-house. 1285, 1917, s. 62. Cf. U.K. 17 & 18 Vict., c. 38, s. 2.

89. If—

(*a*) any member of the police force or other person acting in his assistance authorized under this Act to enter any house, room, office, or place is wilfully prevented from or is obstructed or delayed in entering the same or any part thereof; or

(*b*) any external or internal door of or means of access to any such house, office, room, or place so authorized to be entered is found to be fitted or provided with any bolt, bar, chain, or any means or contrivance for the purpose of preventing, delaying, or obstructing the entry into the same or any part thereof of any member of the police force authorized as aforesaid, or any person acting in his assistance, or for the purpose of giving an alarm in case of such entry; or

(*c*) any such house, office, room, or place is found fitted or provided with any means or contrivance for unlawful gaming, or with any means or contrivance for concealing, removing, or destroying any instruments of gaming,

it shall be evidence, until the contrary is made to appear, that such house, office, room or place, is used as a common gaming-house, and that the persons found therein were playing an unlawful game therein.

Keeping house for purpose of gaming. 1285, 1917, s. 63 (part). Cf. U.K. 18 Geo. 2, c. 34, s. 1; 8 & 9 Vict., c. 109, s. 4; 16 & 17 Vict., c. 119, s. 1; 17 & 18 Vict., c. 38, s. 4.

90. (1) No house, office, room, or place shall be opened, kept, or used for the purpose of—

(*a*) unlawful gaming:

(*b*) the occupier betting with persons resorting thereto:

Cf. U.K. 16 & 17 Vict., c. 119, s. 4.

(*c*) any money or valuable thing being received by or on behalf of the occupier as or for the consideration for any assurance, undertaking, promise, or agree-

s. 89. JOHNS v. MILBURN (1934) S.A.S.R. 317. Where the police were delayed in entering a house, but gave no notice to the occupier that they were armed with a warrant, held that such delay did not establish a *prima facie* case on complaints for being the occupier of a house used for unlawful gaming, and for being the occupier of a common gaming house.

s. 90. ALLCHURCH v. BERESFORD (1928) S.A.S.R. 450; 9 Austn. Digest 533. An acquittal under section 62 will not support a plea of *autrefois acquit* on a complaint under section 90 (3).

BOND v. JENNINGS (1930) S.A.S.R. 103; 9 Austn. Digest 480. Held that a "tipping" competition organized by proprietors of a newspaper was an undertaking to pay money on an event relating to a horse race.

LENTHALL v. MITCHELL (1933) S.A.S.R. 231; 9 Austn. Digest 446. A place used for unlawful gaming includes a common gaming house. The acts, words, and

ment, express or implied, to pay or give thereafter any money or any valuable thing on any event or contingency of or relating to any race, fight, game, sport, or exercise, or as or for the consideration for securing the paying or giving by some other person of any money or valuable thing on any such event or contingency.

(2) Every house, office, room, or place opened, kept, or used for any of the purposes aforesaid is hereby declared to be a common nuisance and unlawful.

(3) No person shall be the occupier of any such house, office, room, or place kept or used for any of the purposes aforesaid.

Penalty—Five hundred pounds, or imprisonment for twelve months.

(4) It shall not be necessary to prove that the occupier knew that the premises were kept or used for any of the purposes aforesaid, but such person shall not be convicted if he proves that he did not know and could not by the exercise of all reasonable diligence have known that the premises were being so kept or used.

Inserted by 2417, 1938, s. 25.

91. No person shall advance or furnish money for the purpose of gaming with persons frequenting any such house, room, or place.

Penalty—Five hundred pounds, or imprisonment for twelve months.

Advancing money for the purpose of gaming.
1285, 1917, s. 63 (part).

92. (1) No occupier of any house, office, room, or place used for any of the purposes mentioned in section 90 shall receive, directly or indirectly, any money or valuable thing as a deposit on any bet on the happening of any event or contingency of or relating to any race, fight, game, sport, or exercise, or as or for the consideration for any assurance,

Receiving money for betting.
1285, 1917, s. 64.
Amended by 42, 1945, s. 11.

s. 90. (*contd.*) conduct of persons using premises are relevant to show what its character is regardless of whether there is an occupier in any other sense or not.

WADE v. TROTTER (1934) S.A.S.R. 62. Held that a fine of £100 or in default imprisonment for 12 months was an excessive penalty where it was not shown that the defendant had any interest in the betting being carried on in his hotel.

BOND v. FORAN (1934) 53 C.L.R. 364; affirming FORAN v. BOND (1934) S.A.S.R. 323; 9 Austn. Digest 485. To prove an offence against section 90 (3) it is necessary to prove *mens rea* in the sense that the occupier of the premises or the person to whom the management of the premises was committed, knew or connived at the use to which the premises were put. In order that the premises may be "used" within the meaning of section 90 (3), it must be shown that the person carrying on the illegal business has so acted as to establish the premises as his business site.

GROW v. LORD (1947) S.A.S.R. 451; 22 A.L.J. 94. A complaint under subsection (3) which alleges no other purpose than "unlawful gaming" is defective for want of particularity.

undertaking, promise, or agreement, express or implied, to pay or give thereafter any money or valuable thing on any such event or contingency.

Penalty—For a first offence, not more than fifty pounds; for a second or subsequent offence, not more than one hundred pounds or imprisonment for six months.

(2) No person shall, on the receipt of any money or valuable thing so paid or given as aforesaid, give any acknowledgment, note, security, or draft purporting or intending to entitle any other person to receive any money or valuable thing on the happening of any such event or contingency as aforesaid.

Penalty—For a first offence, not more than fifty pounds; for a second or subsequent offence, not more than one hundred pounds or imprisonment for six months.

(3) Any money or valuable thing received by any such person aforesaid as a deposit on any bet, or as or for the consideration for any such assurance, undertaking, promise, or agreement, as aforesaid, shall be deemed to have been received to or for the use of the person from whom it was received, and that money or valuable thing, or the value thereof, may be recovered accordingly, with full costs of suit, in any court of competent jurisdiction.

Exhibiting placards or advertising betting-houses.
1285, 1917, s. 65.
Amended by 42, 1945, s. 12.

93. No person shall—

(*a*) print, exhibit, or publish, or cause to be printed, exhibited, or published any placard, handbill, card, writing, sign or advertisement from which it appears that any house, office, room, or place is opened, kept, or used for the purpose of making bets on any event or contingency of or relating to any race, fight, game, sport, or exercise, or for the purpose of exhibiting lists for betting, or with intent to induce any person to resort to such house, office, room, or place for the purpose of making such bets:

(*b*) on behalf of the occupier of any such house, office, room, or place invite other persons to resort thereto, for the purpose of making such bets.

Penalty—For a first offence, not more than thirty pounds; for a second or subsequent offence, not more than fifty pounds or imprisonment for two months.

Betting advertisements.
1285, 1917, s. 66.
Amended by 2417, 1938, s. 26.

94. No person shall print, send, exhibit, publish, or shall cause to be printed, sent, exhibited, or published any letter, circular, telegram, placard, handbill, card, or advertisement or shall make or cause to be made any announcement by means of any wireless broadcast—

(*a*) from which it appears that any person, either in the State or elsewhere, will on application give information or advice for the purpose of or in respect to any bet on any event or contingency of or relating to any race, fight, game, sport, or exercise, or will make on behalf of any other person any such bet:

(*b*) with intent to induce any person to apply to any house, office, room, or place, or to any person with a view to obtaining information or advice for the purpose of any such bet or with respect to any such event or contingency:

(*c*) inviting any person to make or take any share in or in connection with any such bet.

Penalty—Thirty pounds, or imprisonment for two months.

Giving false names or addresses.
1285, 1917, s. 67.
Cf. U.K. 17 & 18 Vict., c. 38, s. 3.

95. No person found in any house, room, or place entered by any constable or person assisting him to enter the same, upon being arrested by such constable or person assisting, or upon being brought before any justices, on being required by such constable or person or by such justices to give his name and address, shall refuse or neglect to give the same, or shall give any false name or address.

Penalty—Fifty pounds, or imprisonment for one month.

Entrance and nomination fees exempted.
1285, 1917, s. 68.
Cf. U.K. 8 & 9 Vict., c. 109, s. 18 proviso, 16 & 17 Vict., c. 119, s. 6.

96. Nothing in this Act shall extend to the deposit, receipt, subscription, holding or payment of any money or valuable thing as entrance or nomination fees, in respect of any lawful race, game, sport or exercise, or as part of the prize or stakes therefor.

PART VII.

PART VII.

EVIDENCE.

Immunity of police and other authorized persons.
1285, 1917, s. 69.
1447, 1920, s. 10.

97. No member of the police force acting under the orders or instructions of any other member of the police force who is his superior in rank, and no other person acting under the lawful instructions of any member of the police force, shall be deemed to be an accomplice in the commission of any offence

against this Act, nor shall the member giving such order or instructions, nor the member or other person who acts in pursuance or attempted pursuance thereof be liable to conviction or punishment for any act or matter done or committed by either of them in relation to or under such order or instructions, although, but for this section, such members or other person or any of them might have been deemed to be such accomplices or accomplice or have been liable to such conviction or punishment.

Incriminating evidence. 1285, 1917, s. 70.

98. (1) No person (other than the defendant) required to be examined as a witness in the hearing of any complaint laid in relation to any offence alleged to have been committed against this Act, shall be excused from being so examined or from answering any question or questions put to him as such witness on the ground that his evidence or the answer to any such question or questions might tend to incriminate him or render him liable to a prosecution.

Cf. U.K. 17 & 18 Vict., c. 38, s. 5.

(2) Any such person so required to be examined who refuses to make oath accordingly or to answer any question or questions shall be liable to the same penalties and to be dealt with in all respects as any witness may be dealt with for refusing to be sworn or to give evidence.

Cf. U.K. 18 Geo. 2, c. 34, s. 9; 8 & 9 Vict., c. 109, s. 9; 17 & 18 Vict., c. 38, s. 6.

(3) Every such person so required to be examined who upon such examination makes a true and faithful discovery to the best of his knowledge of all matters as to which he is examined shall receive from the court a certificate in writing to that effect, and thereupon, but not otherwise, be freed from all prosecution, penalties, and punishment to which he might have been or become liable in respect of the matters touching which he has been so examined.

Allegations to be *prima facie* proof. 1285, 1917, s. 71. 2135, 1933, s. 12.

99. The allegation in any complaint laid in respect of any alleged offence or offences against this Act—

(*a*) that any person, firm, company, or partnership (as the case may be) named in the complaint is the

s. 98. R. v. SCOTT; *Ex parte* SCOTT (1927) S.A.S.R. 492; 9 Austn. Digest 545. Explanation of section 98. A person who procures himself to be called or is called as a witness for any sinister or collateral purpose is not "required to be examined" within the meaning of section 98 and, therefore, is not entitled to a certificate.

TROTTER v. BADENOCH (1931) S.A.S.R. 84; 9 Austn. Digest 546. On the trial of a person for aiding and abetting an offence, the principal offender (whose case had been adjourned part heard) was held not to be "the defendant" within the meaning of the exception of subsection (1), and was therefore entitled to the benefit of a certificate granted to him.

BURKE v. CRAFTER (1935) S.A.S.R. 323. A co-defendant is not a compellable witness under section 98. Held, that a co-defendant who gave evidence must be assumed to have been called as witness on his own application.

s. 99. LENTHALL v. MITCHELL (1933) S.A.S.R. 231; 9 Austn. Digest 441. A defendant alleged in a complaint to be the occupier of premises must satisfy the court on the balance of probabilities that he is not such an occupier.

owner, user, or occupier (as the case may be) of any place, room, or premises mentioned in the complaint:

(*b*) that any horse race, cycle race, or foot race, or coursing event (as the case may be) mentioned in the complaint was run at a place and on a date therein specified, and that any horse or horses, dog or dogs, or person or persons named in the complaint took part in any race or coursing event therein mentioned,

shall be accepted by the court as evidence of the truth of such allegations unless the contrary is proved.

Knowledge of owner as to occupancy of premises. 1285, 1917, s. 72.

100. Any person, club, firm, company or partnership using or occupying any place, room, or premises for the purpose of unlawful gaming shall be deemed to be so using or occupying such place for such purpose with the knowledge and consent of the owner and the immediate landlord of such place or premises unless the contrary is proved.

Secondary evidence relating to lotteries. 1285, 1917, s. 73.

101. In every complaint laid in respect of any offence relating to any illegal lottery alleged to have been or to be intended or about to be drawn or conducted elsewhere than in the State, the court may in its discretion receive and act upon such secondary or other evidence as may be adduced for the purpose of proving the existence, drawing, conduct, or intention to draw or conduct such lottery.

Evidence of illegal lottery. 1285, 1917, s. 74.

102. (1) In any proceedings against any person for establishing, commencing, or being a partner in any illegal lottery, or managing, conducting, or assisting to manage or conduct any illegal lottery, or selling or disposing or buying or accepting any ticket or thing purporting to be or usually known as a lottery ticket and relating to an illegal lottery, it shall, in default of or in addition to other evidence, be sufficient in support of the complaint to show that such ticket or thing was bought or accepted by the purchaser or acceptor under the belief by him that the possession and production of such ticket purporting to be a lottery ticket or other thing conveyed a right to the purchaser or any holder thereof to draw for, compete, or have an interest in an illegal lottery.

(2) The sale of a ticket or thing commonly known as a Chinese lottery ticket, whether marked or otherwise, shall be *prima facie* evidence of the existence of a lottery and of an undertaking, agreement, or promise, expressed or implied, to pay a sum of money to the purchaser or holder of such ticket on the happening of a certain event or contingency.

(3) In any proceedings it shall not be necessary to prove that any ticket purporting to be or usually known as a Chinese lottery ticket relates to any particular lottery, or that any lottery has been or will be drawn.

Prima facie evidence of unlawful gaming.
1285, 1917, s. 75.
Cf. U.K. 8 & 9 Vict., c. 109, s. 8.

103. Whenever any place is entered under a warrant under the provisions of this Act, the discovery therein or about the person of any of those found therein (under circumstances which, combined with such discovery, raise in the mind of the court a reasonable suspicion that the purpose and provisions of this Act have been contravened) of cards, dice, balls, counters, tables, or other instruments of gaming, or of lists, cards, papers, documents, or things relating to racing or betting, shall be *prima facie* evidence that such place is used for unlawful gaming.

Evidence as to offences.
1285, 1917, s. 76.
Cf. U.K. 8 & 9 Vict., c. 109, s. 5.

104. If on the hearing of any complaint for unlawful gaming the court is of opinion that any money or thing which has to its satisfaction been proved to have been given to, or received, or paid by the accused person, or given to, or received, or paid by any person or persons on his behalf, has been given in circumstances which, in the mind of the court, raise a reasonable suspicion that such money or thing was so given, received, or paid in contravention of the purposes and provisions of the Act, or any of them, such giving, receiving, or paying as aforesaid shall be deemed *prima facie* evidence of the commission by the accused person of the offence charged against him in the complaint.

Reasonable suspicion sufficient to set up a *prima facie* case.
1494, 1921, s. 14.

105. (1) If on the hearing of any complaint against any person for unlawful gaming, the evidence for the prosecution is such as to raise in the mind of the special magistrate or justices hearing the complaint a reasonable suspicion that that person is guilty of the offence charged against him in the

s. 103. JOHNS v. MILBURN (1934) S.A.S.R. 317. Held, on the facts, that a *prima facie* case had not been established by virtue of section 103.

s. 105. SANDERSON v. ALLCHURCH (1922) S.A.S.R. 7; 9 Austn. Digest 511. Every offence against the Act is unlawful gaming within the meaning of section 105. Reasonable suspicion means a suspicion which a reasonable man could reasonably entertain on the evidence of the prosecution. On a charge of being in a public place for the purpose of illegal betting the following facts were held sufficient to raise a reasonable suspicion of guilt:—(*a*) The defendant, whilst standing in the front of the grandstand on a racecourse spoke to several men at intervals, made entries in a race book, and when approached by the police threw away the book and several slips of paper; (*b*) the defendant had £60 in notes in his pockets; (*c*) some of the slips had entries thereon requiring explanation.

ALLCHURCH v. DENTON (1922) S.A.S.R. 91. On a charge of being in a public place for the purpose of illegal betting, *semble* a reasonable suspicion may be entertained against a bookmaker's clerk, although his employer has been acquitted on a similar charge relating to the same occasion.

THOMPSON v. ALLCHURCH (1922) S.A.S.R. 217; 9 Austn. Digest 512. "Unlawful gaming" includes every offence against the Lottery and Gaming Act and a complaint may be for unlawful gaming although the words "unlawful gaming"

complaint, that evidence shall be deemed to be *prima facie* evidence that that person is guilty of that offence.

(2) The provisions of this section shall not limit the effect of any provisions of section 104 of this Act, and the provisions of that section shall not limit the effect of any provision of this section.

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s. 105. (*contd.*) are not used. On a charge of being in a public place for the purpose of betting the following facts were held sufficient to raise a reasonable suspicion of guilt:—(*a*) The acts of the defendant in a public place prior to his being spoken to by the police, which acts were such as would be done by a man making a bet, though capable of an innocent interpretation; (*b*) the conduct of the defendant after arrest, which was incapable of an innocent interpretation.

NATION v. KROGDAHL (1923) S.A.S.R. 94; 9 Austn. Digest 444. On a charge of being the occupier of a common gaming house the following facts were held sufficient to raise a reasonable suspicion of guilt:—(*a*) That on one occasion a game of hazard was being played on the premises by a number of persons and that a considerable number of bets were made; (*b*) that the defendant was the occupier of the premises; (*c*) that he was familiarly addressed by some of the players; (*d*) that on the arrival of the police the lights were turned down, a warning cry was given, and the players dispersed.

HOLMES v. ALLCHURCH (1926) S.A.S.R. 255; 8 Austn. Digest 470. Held that where the evidence for the prosecution raised a reasonable suspicion of guilt, but the mind of the special magistrate may have been influenced by evidence wrongly received, the conviction should be quashed.

LAMPARD v. WEST (1926) S.A.S.R. 293; 9 Austn. Digest 536. Reasonable suspicion in the mind of the court leads inevitably to a conviction in absence of evidence for the defence if the reasonable suspicion is established on facts proved beyond reasonable doubt. Discussion of onus imposed on defendant by establishment of reasonable suspicion.

MCLEAN v. DAWKINS (1930) S.A.S.R. 94; 9 Austn. Digest 541; reversing DAWKINS v. MCLEAN (1930) S.A.S.R. 7; 9 Austn. Digest 537. On a charge of being on licensed premises for the purpose of illegal betting, acts of the defendant consistent with making a bet, coupled with the absence of a denial or explanation of the suspicious circumstances were held sufficient to create a reasonable suspicion. Where magistrates hold a *prima facie* case exists by reason of section 105, they should say so.

LENTHALL v. POWELL (1930) S.A.S.R. 185; 8 Austn. Digest 163, 468; 9 Austn. Digest 536, 546; affirmed by POWELL v. LENTHALL 44 C.L.R. 470; 4 A.L.J. 311; 9 Austn. Digest 542. Where the evidence on a charge for an offence against the Lottery and Gaming Act satisfies the judicial conscience that it is right to suspect the accused person, the court is bound to entertain the suspicion and hold that a *prima facie* case is made out.

POWELL v. LENTHALL (1930) 44 C.L.R. 470; 4 A.L.J. 311; 9 Austn. Digest 542; affirming LENTHALL v. POWELL (1930) S.A.S.R. 185; 9 Austn. Digest 536, which reversed LENTHALL v. POWELL (1930) S.A.S.R. 13; 9 Austn. Digest 536. The Supreme Court on appeal may examine the whole adjudication of the magistrate under section 105 including both the question whether he had a suspicion and whether he ought to have had one.

HINTON v. TROTTER (1931) S.A.S.R. 123; 5 Austn. Digest 716; 9 Austn. Digest 539. A *prima facie* case established by reasonable suspicion may be rebutted by disproving the facts on which the suspicion is founded, or by proving facts which make it more likely than not that the defendant is innocent. It is not enough for the defence to disprove particular facts if the suspicion remains as a real suspicion reasonably based on the facts in evidence. Failure to explain suspicious circumstances at the relevant time may support an inference of guilt.

BOND v. BERESFORD (1931) S.A.S.R. 285; 9 Austn. Digest 444. Where the evidence for the prosecution is equally consistent with guilt and innocence, section 105 does not apply. There must be some evidence which warrants an inference of guilt rather than of innocence.

MOORE v. NOBLET (1932) S.A.S.R. 6. On a charge of unlawful betting in a billiard saloon the following facts were held to justify a reasonable suspicion of guilt:—(*a*) That the defendant was in possession of and attempted to conceal a betting book; (*b*) that he had knowledge of its contents; (*c*) that

Certain allegations *prima facie* evidence.
1285, 1917, s. 77.

106. The allegation in any complaint under section 114 of this Act that—

(*a*) any person is the secretary of the company named in that complaint; or

(*b*) any person is the manager of that company; or

(*c*) any person is a director of that company; or

(*d*) the premises named are or have been in the occupation or under the control of that company,

shall be *prima facie* evidence of the facts alleged.

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s. 105. (*contd.*) he refused to give an explanation as to his possession of or interest in the book when questioned by the police; (*d*) that he gave false evidence in the witness box.

BLIGHT AND ANOTHER v. BOND (1932) S.A.S.R. 121; 9 Austn. Digest 544. On a joint charge against two defendants for unlawful betting in an hotel, conduct of the defendants in the hotel consistent with betting, the facts that one of the defendants had a large sum of money of different denominations distributed over a number of pockets, and the other defendant had betting slips in his possession, and both defendants falsely denied any knowledge of the slips, held sufficient to justify a reasonable suspicion.

KING v. MCDONALD (1943) S.A.S.R. 3. Section 105 requires the court to act on something less than the preponderance of probability, which would normally make out a *prima facie* case, but the evidence must approximate to a *prima facie* case.

GILES v. DODD (1943) S.A.S.R. 132. Held on the evidence adduced that the evidence was sufficient to raise a reasonable suspicion that unlawful betting had taken place.

JONES v. HARRIS (1946) S.A.S.R. 98. Where a person is charged with having carried on business as a bookmaker, documents containing memoranda from which betting transactions may be inferred and which are found either in his possession or under circumstances from which his previous possession may be reasonably inferred, are properly admissible to be used as circumstantial evidence to raise the suspicion that a bookmaking business has been carried on, although there may be no other evidence to prove possession or of bets having been made.

PETTREY v. WILLIAMS (1946) S.A.S.R. 303. To found a reasonable suspicion under the section it is necessary to establish something approximating a *prima facie* case.

RICHARDS v. GROW (1947) S.A.S.R. 125. If on the circumstances proved by the prosecution the inference of guilt is a reasonably possible explanation of the circumstances, the court is entitled to entertain a reasonable suspicion under the section, notwithstanding that there are other possible explanations which may be equally reasonable, but in finally deciding whether the court should entertain the suspicion the court should bear in mind the over-riding fact suggested in SANDERSON v. ALLCHURCH (*supra*) namely:—"Would a reasonable man reasonably suspect the defendant of the offence charged on the evidence for the prosecution."

O'SULLIVAN v. MCMAHON (1947) S.A.S.R. 466. When the evidence for the prosecution on a charge for an offence under the Act raises in the mind of the court any real suspicion of the defendant's guilt, there is *prima facie* evidence, under section 105, of the defendant's guilt and he should be called upon to answer the charge. In general, it would be a sufficient answer if the defendant gives a reasonable explanation, the honesty of which the court sees no reason to doubt, from the circumstances which have aroused suspicion.

Proof of age.
1285, 1917, s. 77A.
2135, 1933, s. 13.
Cf. U.K. 6 Edw. 7, c. 43, s. 1 (3); 18 & 19 Geo. 5, c. 41, s. 4 (2).

107. Whenever in any proceedings under this Act it is material to show that any person was at any material time under the age of twenty-one years—

(*a*) the opinion of the court on its own view of such person; or

(*b*) the opinion of a police officer who has seen such person,

that such person was at the material time under the age of twenty-one years shall be *prima facie* evidence of that fact.

Proof of publication.
1285, 1917, s. 77B.
2135, 1933, s. 13.

108. (1) If the name of any person is printed or published upon any placard, handbill, card, writing, sign, advertisement, circular, newspaper, or other notice or notification or document that fact may be accepted by the court as *prima facie* evidence that the said placard, handbill, card, writing, sign, advertisement, circular, newspaper, or other notice or notification or document was printed or, according to the nature of the charge, published by such person.

(2) In this section "name" includes any name, or any designation whatever, used or assumed by any person or by which any person is usually known or which is usually applied to any business or business premises of any person.

"Silent" telephone evidence of unlawful gaming.
Inserted by 2417, 1938, s. 27.

108a. If it is proved on the hearing of any complaint for unlawful gaming that on the premises where it is charged that such unlawful gaming has taken place there is installed a telephone instrument the number of which does not appear in the current telephone directory, such proof shall be *prima facie* evidence of the truth of such charge.

PART VIII.

PROCEDURE AND MISCELLANEOUS.

Proceedings for offences.
1285, 1917, s. 78.

109. (1) All proceedings under this Act shall be disposed of summarily.

(2) Penalties for any offence under this Act shall be recovered summarily.

General penalty for offences.
1285, 1917, s. 79.
Cf. U.K. 24 & 25 Geo. 5, c. 58, s. 30.

110. Unless otherwise specified in this Act, every person who commits any offence against this Act, shall be liable to a penalty not exceeding fifty pounds, or to imprisonment for not longer than three months.

More than one offence may be charged in complaint. 1285, 1917, s. 80.

111. In any complaint laid in respect of any alleged offence or offences against this Act any number of offences to the number of not more than three may be charged against the defendant and evidence given in support thereof; and the court may convict the defendant of any one of those offences which to the satisfaction of the court has been proved, and may inflict such penalty therefor as is by law provided.

Power to amend. 1285, 1917, s. 81.

112. (1) It shall be held sufficient in any complaint under this Act if the complaint gives the accused a reasonably clear and intelligible statement of the offence with which he is charged.

(2) No conviction or warrant of commitment shall be held void, invalid, or quashed for any defect in substance or in form.

(3) The court shall amend every complaint which, in its opinion, is defective or ought to be amended upon such terms as to costs, adjournment, or otherwise as the court thinks fit.

(4) Any special magistrate may amend any conviction or warrant of commitment at any time after it has been signed and before it has been executed.

Discretion of Registrar of Companies. 1285, 1917, s. 82.

113. The Registrar of Companies shall not be required to register any club, association, or persons as a company under any Act relating to companies if, in his opinion, the purposes or objects, or any of them, of such club, association, or persons, are designed, or intended either directly or indirectly, or either wholly or in part, to contravene or evade in any way the provisions and purposes of this Act, or any of them.

Cancellation of registration of companies under certain circumstances. 1285, 1917, s. 83.

114. (1) On complaint being laid on oath before a special magistrate by any police constable stating that the constable has reasonable grounds of suspicion that the premises occupied by or under the control of any company registered under The Companies Act, 1892, or the Companies Act, 1934, are being or have been during their occupation or control by that company used for the purpose of unlawful gaming, the special magistrate may issue his summons to the manager, secretary, or directors of the company, or any of them, requiring him or them or any of them to appear before him, the said magistrate, at the place and time mentioned in the summons, to answer the matter of the complaint and to show

s. 111. ALLCHURCH v. TASKER (1922) S.A.S.R. 336; 9 Austn. Digest 532. If more than one offence is proved the court has a discretion to convict of such offence as it thinks fit, and may hear the parties as to how its discretion should be exercised.

cause why the registration of the company should not be cancelled.

(2) If the party or parties so summoned do not appear, or if upon the hearing of the complaint the party or parties so summoned fail to show to the satisfaction of the special magistrate that the premises in question were not used for the purpose of unlawful gaming, then the special magistrate may, by an order under his hand, declare the registration of the company named in such complaint to be cancelled.

(3) Upon such order being made, and immediately after it has been published in the *Government Gazette*, the company in respect of which the order has been made shall for all purposes of law be deemed to be unregistered.

Entry into shops, factories, and club premises. 1494, 1921, s. 13.

115. (1) Any justice or any officer of the police force of rank not lower than sergeant or any member of the police force authorized in writing by any such officer may demand entrance at any time by day or night into—

(*a*) any premises in respect of which a licence granted under the Licensing Act, 1932, is in force;

(*b*) any shop or any part of a building occupied in connection with or for the purposes of a shop;

(*c*) any factory and the appurtenances of any factory; or

(*d*) any building or place occupied by any club (whether a racing club or not) and the appurtenances thereof.

(2) If admittance is refused or delayed for such time as makes it appear that wilful delay was intended—

(*a*) such justice, officer, or member may break into and employ force to enter such place; and

(*b*) notwithstanding such breaking and entry, the occupier of such place and the person to whom such demand was made shall be guilty of an offence against this Act, and shall be liable to a penalty for the first offence of not less than five pounds and not more than twenty pounds, and for any subsequent offence of not less than ten pounds and not more than thirty pounds.

(3) The authority of a member of the police force, referred to in subsection (1) of this section, may be limited to one or more specified occasions, or one or more specified localities, or one or more specified places, or may authorize such member

to act generally as in the subsection mentioned without limitation as to occasion, locality, or place, or may be limited in any manner deemed proper by the officer giving the authority.

Exemption of certain sweepstakes.
1285, 1917, s. 83A.
2135, 1933, s. 14.
Cf. U.K. 24 & 25 Geo. 5, c. 58, ss. 23, 24.

116. Nothing in this Act shall apply to any sweepstake held upon a racecourse, or any place not being a public place, if—

(*a*) the total contributions do not exceed five pounds;

(*b*) no person contributes more than five shillings;

(*c*) the promoter does not promote, and the individual subscribers do not contribute to, more than one sweepstake on any one race; and

(*d*) the total sum contributed is paid to the winner without any deduction.

Half penalties to be paid to informer.
1285, 1917, s. 84.

117. One half part of every sum which shall be imposed as a penalty under sections 6, 7, 8, 49, 51, 52, 72, 90, 91, 92, 93, 94, and 95 of this Act shall be paid to the person on whose complaint the conviction has been obtained, unless the complaint was laid by or on behalf of a public officer.

Construction of Act.
Inserted by 2417, 1938, s. 28.

118. 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 provision of this Act, or the application thereof to any person or circumstance is held invalid, the remainder of this Act, and the application of such provision to other persons or circumstances, shall not be affected.

SCHEDULES.

THE FIRST SCHEDULE.

ACTS REPEALED.

Number and Year of Act.	Title.	Extent of Repeal.
1285 of 1917 ..	Lottery and Gaming Act, 1917	The whole.
1382 of 1919 ..	Lottery and Gaming Act Amendment Act, 1919	The whole.
1447 of 1920 ..	Lottery and Gaming Act Amendment Act, 1920	The whole.
1494 of 1921 ..	Lottery and Gaming Act Amendment Act, 1921	The whole.
1877 of 1928 ..	Lottery and Gaming Act Amendment Act, 1928	The whole except section 9.
1986 of 1930 ..	Lottery and Gaming Act, 1930	The whole.
2135 of 1933 ..	Lottery and Gaming and Licensing Acts Amendment Act, 1933	Part I.
2159 of 1934 ..	Lottery and Gaming Act Amendment Act, 1934	The whole.
2188 of 1934 ..	Lottery and Gaming Acts Amendment Act, 1934	The whole.
2245 of 1935 ..	Lottery and Gaming Acts Amendment Act, 1935	The whole.

THE SECOND SCHEDULE.

RULES AND REGULATIONS AS TO THE TOTALIZATOR.

Made in Executive Council, 26th May, 1937: *Government Gazette* 27th May, 1937, p. 1207.

Licences to Use the Totalizator.

1. The Commissioner of Police may, subject to the provisions of the Lottery and Gaming Act, 1936, and to the rules and regulations made thereunder, grant a licence for the use on any racecourse or trotting grounds of the totalizator. The totalizator, when used in accordance with such licence, and every office, room, or place upon the racecourse or trotting grounds used for the purpose of the totalizator, and every placard, advertisement, letter or circular referring to the same, shall be exempt from the provisions of the Police Act, 1936, the Lottery and Gaming Act, 1936, and every other Act, prohibiting gaming and wagering.

Conditions to which Licences Subject.

2. Any reference, in the conditions set out in regulation 3, to a club, unless the context or subject matter requires a different construction, includes a reference to—

(*a*) the chairman, the secretary, and every member of the committee or executive body of such club; and

(*b*) every person employed by such club.

3. Every licence for the use of the totalizator hereafter granted shall be subject to the following conditions, namely:—

I. The club shall not permit or suffer any person to follow the occupation of a totalizator agent, or any similar occupation, or to carry on or engage in any unlawful gaming, on the racecourse or on any grounds used in connection with any race or trotting meeting at which the use of the totalizator is licensed.

II. The club shall cause to be removed from the racecourse and such grounds every person on such racecourse or grounds carrying on or attempting to carry on any such occupation or receiving, or offering as a totalizator agent, or in any similar manner, to receive money for investment in or in connection with the totalizator, whether gratuitously or otherwise, or carrying on or engaging in any unlawful gaming, and shall exclude such person from such racecourse and grounds throughout the remainder of the meeting.

III. The provisions of paragraphs I. and II. hereof do not apply to the servants of the club within the totalizator receiving money from the public for investment in the totalizator in accordance with the provisions of the Lottery and Gaming Act, 1936.

IV. No investment shall be received in any totalizator in respect of any race after such race has actually started.

V. In all totalizators, except automatic totalizators, no person shall interfere with any totalizator ticket box or container except for the purpose of reading the number of the totalizator tickets in such tin or container, and the tickets therein shall be left facing the public for five minutes or such less time after the start of a race as the police supervisor may direct.

VI. No person shall sell any totalizator ticket or pay any dividend on any totalizator ticket to any person inside the totalizator building.

VII. The club shall cause a set of books to be accurately kept showing—

(*a*) the names of all horses starting in each race and the names of all non-starting horses in respect of which any investment has been made:

(*b*) the amount invested in the totalizator on each horse in each race:

(*c*) the total amount invested in the totalizator on each race:

(*d*) the amount of stamp duty payable to the Commissioner of Stamps in respect of the amount invested on each race:

(*e*) the amount of commission retained by the club, and how it is expended:

(*f*) the amount of dividends declared on the first horse and the total amount payable to investors thereon:

(*g*) the amount of dividends declared on the second horse and the total amount payable to investors thereon:

(*h*) the amount of dividends declared on the third horse and the total amount payable to investors thereon:

(*i*) the amount of dividends on each race unclaimed by the persons entitled to receive the same on the day of the race meeting:

(*j*) the amount of dividends on each race unclaimed for a period of two months after they become payable to the persons entitled to receive the same; the dividends on the first, second, and third horses to be shown separately;

(*k*) the amount of fractions held by the club in respect of each race.

VIII. The club shall during any race meeting permit any member of the police force, or any other person authorized in writing for the purpose by the Commissioner of Police, to enter all enclosures and buildings upon the racecourse or trotting ground, and shall, on demand by such member or any such authorized person, produce to him any document, book, form, return, or record, or tickets relating to the working of the totalizator.

IX. All books of account, vouchers, paid dividend tickets, documents, forms, returns, working sheets, or records of the club shall, on demand by the Commissioner of Police, or any member of the police force, or other person authorized by him in that behalf, be submitted by the club to any person nominated by the Commissioner of Police for audit and examination.

X. The club shall cause to be delivered on demand to any member of the police force or other person authorized by the Commissioner of Police a carbon copy of the original readings of the totalizator taken after each race, showing the amount invested on each horse and the total amount invested on the race.

XI. Prior to the beginning of each race or trotting meeting the club shall, on demand, cause to be delivered to any member of the police force or other person authorized by the Commissioner of Police in that behalf, a statutory declaration, made and declared by the chairman and secretary of the club, setting forth the number and amount of each denomination of totalizator tickets printed or prepared for issuing in respect of each horse entered to be run at such race or trotting meeting for each race in which such horse is so entered.

XII. Forthwith after the result of each race run at a race or trotting meeting is declared by the judge, the club shall, on demand by any member of the police force or other person authorized by the Commissioner of Police in that behalf, cause all tickets prepared or printed for issuing to persons investing in the totalizator on each horse in such race in respect of which a dividend is, or is to be, declared, and also on all non-starting horses in respect of which any investment has been made, which are unissued, to be placed in a packet, and such packet to be securely fastened up and sealed by the officer in charge of such totalizator, and be delivered to such member of the police force.

XIII. Forthwith after the expiration of two months from the date of the holding of each race or trotting meeting, the club shall cause every totalizator ticket issued at such race or trotting meeting upon which a dividend has been paid, or in case of a non-starting horse, upon which any money has been refunded, to be delivered to the Commissioner of Police or any member of the police force authorized by the Commissioner of Police in that behalf.

XIV. Subdivisions XII. and XIII. shall apply only to clubs whose permanent office for the transaction of the business of the club is situated more than 10 miles in a direct line from the General Post Office at Adelaide.

XV. No totalizator dividend shall be paid to any person unless the totalizator ticket representing the number of a horse upon which a dividend is declared is produced to the paying out officials at the totalizator on the day of race or trotting meeting or to the secretary of the racing or trotting club concerned within two months of the date of the race or trotting meeting being held.

XVI. The club shall cause to be erected to the satisfaction of the Commissioner of Police a barrier in front of every window used in connection with the totalizator for supplying tickets or change, or paying dividends. Such barrier shall be so constructed as to provide separate places of entry and exit.

XVII. The club shall cause every totalizator used by such club to be provided with separate windows for use exclusively by women: Provided that this condition shall not apply on any racecourse which is situate more than twenty miles in a direct line from the General Post Office, Adelaide, and in respect of which the Commissioner of Police has certified that in his opinion this condition is unnecessary: Provided further

that any such certificate with respect to any racecourse or trotting grounds may at any time be revoked by the Commissioner of Police, whereupon this condition shall again apply on such racecourse or trotting grounds.

XVIII. On any default by any club in the observance of any of the above conditions in any respect, the licence shall be revocable by the Commissioner of Police, or by the chief officer of police on the racecourse or grounds, either immediately upon such default or at any time within 14 days thereafter.

Inserted by regulations "Government Gazette," 7th December, 1939, p. 1556.

XIX. The Commissioner of Police shall cause a member of the police force to supervise the working of every separate totalizator, including every doubles totalizator, at all times when it is being used by any club, and such club shall pay to the Commissioner of Police the sum of one pound per day for each member of the police force so supervising.

Form of Licence and Fees.

4. Every licence shall be in the following form, or as near thereto as circumstances permit, and shall be granted to the committee or executive body of the club, or one or more members of such committee or executive body, on application by or on behalf of such club or the committee thereof, but only for the racecourse or trotting ground and the days named in such licence.

Form of Licence.

By virtue of the Lottery and Gaming Act, 1936, and subject thereto, and to all rules and regulations made thereunder, these are to licence Mr....., being the chairman of, and the other members of the committee or executive body of the.....club called the....., to use the totalizator on the.....at....., during the .....day of..... .....the.....day of..... the.....day of.....the..... day of.....the.....day of..... the.....day of.....the..... day of.....or upon such other day or days in place of any of the said days as the Chief Secretary may, from time to time, in writing upon this licence, approve. This licence shall be in force from the..... day of.....19...., to the succeeding 31st day of December (both days inclusive).

Given under my hand the.....day of....., 19....

Commissioner of Police.

5. Every club applying for a licence shall, on such application, pay to the Commissioner of Police a licence fee of one pound one shilling for every day for which such licence is applied for; and if the licence is not granted for as many days as are applied for, the Commissioner of Police shall return the said licence fee, or a proportional part thereof, as the case may be; or if any race or trotting meeting is subsequently abandoned the Commissioner of Police shall return the licence fee in respect of such day.

6. On application by any person, and on payment of a sum not exceeding one shilling for every folio of 72 words, the Commissioner of Police shall furnish two copies, certified under his hand as such, of any licence granted, and of any account deposited under the Lottery and Gaming Act, 1936, or under these rules and regulations.

Control of Queues.

7. (1) Persons approaching any window of a totalizator shall form up in a queue in single file extending away from such window.

(2) When any such queue has been formed, no person shall approach the window to which such queue leads except as a member of such queue.

8. No person shall—

(*a*) push into any such queue, or join the same except at the rear end thereof;

(*b*) take precedence of any person who from his position has a prior right in any queue;

(*c*) stand or walk between any queue so formed, or within four yards of either of the outside queues;

(*d*) pass money or a ticket to any person in any queue.

9. Every person shall at all times observe and comply with any reasonable directions given by any member of the police force as to—

(*a*) the manner of approaching to or departing from any totalizator;

(*b*) the conduct of such person in the vicinity of any totalizator.

Penalties.

10. Any person who contravenes any provision of regulation 7, 8, or 9 hereof, whether by omission or commission, shall be liable to a penalty not exceeding ten pounds for every breach of such provision.

THE THIRD SCHEDULE.

FORM OF APPLICATION FOR LICENCE.

To Esq., Commissioner of Police.

I, the undersigned, being the
of the Racing Club, called , do hereby apply on behalf of such club for a licence under the Lottery and Gaming Act, 1936, for the said club to use the totalizator on the racecourse situate at during the year upon the days hereunder specified.

[*Here specify dates.*]

Dated the day of

THE FOURTH SCHEDULE.

SEARCH WARRANT.

South [Royal Arms] Australia.

(To wit.)

To

Whereas it appears to me (*or* us) [*a Special Magistrate, the Commissioner of Police, or two Justices of the Peace*], acting in and for the State of South Australia, that there is reason to suspect that unlawful

gaming is being or is about to be carried on in or upon a certain place, to wit. This is therefore to authorize and require you, with such assistance as may be necessary, to enter and re-enter into and upon and search such place at any time, and from time to time and at all times during day or night, within the space of three clear days from the date of this warrant, and to remain in and upon such place during the whole or any part of the three days aforesaid, and if necessary to use force in making such entry or any re-entry, whether by breaking open doors or otherwise, and to arrest and bring before a Special Magistrate or two Justices of the Peace all such persons as may be found therein or thereupon, and to seize all dice, balls, counters, tables, or other instruments of gaming, moneys, lists, cards, papers, documents, or things found upon such persons, or in or upon such place, as may be reasonably supposed to have been used or designed for use in connection with or in relation to any suspected offence, and to detain any such dice, balls, counters, tables, or other instruments of gaming, moneys, lists, cards, papers, documents, or things so found, to be dealt with according to law: And for so doing this shall be your warrant.

Given under my hand at in South Australia,

this day of

THE FIFTH SCHEDULE.

Inserted by 13, 1939, s. 8.

The following are the maximum fees which may be prescribed by rules made pursuant to section 37 with respect to the matters hereunder mentioned:—

	£	s.	d.
On the application for a bookmaker's licence or renewal ..	1	0	0
On an application for a clerk's or deputy clerk's or agent's licence or renewal	0	10	0
On an application for registration of premises or renewal	1	0	0
For each permit to act as deputy clerk which is issued to a licensed clerk and his licence is exhibited when the permit is obtained ..	0	5	0
For each permit to act as a deputy clerk to any other person or to a licensed clerk if his licence is not exhibited	0	10	0
For a permit to act as or on behalf of an authorized press agent (per annum)	0	10	0
For authority to publish racing information (per annum)	100	0	0
Fees payable on an appeal in connection with a betting dispute ..	1	0	0
On registration of premises (per annum)	5	0	0
If the board has directed that more than one bookmaker shall (if required) be accommodated on any registered premises, for each such additional bookmaker (per annum)	1	0	0
For the replacement of any lost licence, permit, authority, or registration certificate	0	2	6

The Road Traffic Act, 1934-1954, including all amendments passed to the end of 1954 and notes of judicial decisions, is reprinted in the Annual Volume, 1954, at page 274.

ROAD TRAFFIC ACT, 1934-1950.

BEING

ROAD TRAFFIC ACT, 1934, No. 2183 OF 1934 [ASSENTED TO 29TH NOVEMBER, 1934.]

AS AMENDED BY

ROAD TRAFFIC ACT AMENDMENT ACT, 1936, No. 2332 OF 1936 [ASSENTED TO 3RD DECEMBER, 1936.]

ROAD TRAFFIC ACT AMENDMENT ACT, 1938, No. 2416 OF 1938 [ASSENTED TO 15TH DECEMBER, 1938.]

ROAD TRAFFIC ACT AMENDMENT ACT, 1939, No. 23 OF 1939 [ASSENTED TO 30TH NOVEMBER, 1939.]

ROAD TRAFFIC ACT AMENDMENT ACT (No. 2), 1939, No. 34 OF 1939 [ASSENTED TO 14TH DECEMBER, 1939.]

ROAD TRAFFIC ACT AMENDMENT ACT (No. 3), 1939, No. 45 OF 1939 [ASSENTED TO 21ST DECEMBER, 1939.]

ROAD TRAFFIC ACT AMENDMENT ACT, 1940, No. 61 OF 1940 [ASSENTED TO 5TH DECEMBER, 1940.]

ROAD TRAFFIC ACT AMENDMENT ACT, 1941, No. 2 OF 1941 [ASSENTED TO 20TH AUGUST, 1941.]

ROAD TRAFFIC ACT AMENDMENT ACT (No. 2), 1941, No. 46 OF 1941 [ASSENTED TO 27TH NOVEMBER, 1941.]

ROAD TRAFFIC ACT AMENDMENT ACT, 1942, No. 4 OF 1942 [ASSENTED TO 10TH SEPTEMBER, 1942.]

ROAD TRAFFIC ACT AMENDMENT ACT (No. 2), 1942, No. 17 OF 1942 [ASSENTED TO 5TH NOVEMBER, 1942.]

ROAD TRAFFIC ACT AMENDMENT ACT, 1943, No. 35 OF 1943 [ASSENTED TO 23RD DECEMBER, 1943.]

ROAD TRAFFIC ACT AMENDMENT ACT, 1944, No. 2 OF 1944 [ASSENTED TO 31ST AUGUST, 1944.]

ROAD TRAFFIC ACT AMENDMENT ACT (No. 2) 1944, No. 20 OF 1944 [ASSENTED TO 7TH DECEMBER, 1944.]

ROAD TRAFFIC ACT AMENDMENT ACT, 1945, No. 2 OF 1945 [ASSENTED TO 23RD AUGUST, 1945.]

ROAD TRAFFIC ACT AMENDMENT ACT (No. 2), 1945, No. 40 OF 1945 [ASSENTED TO 17TH JANUARY, 1946.]

ROAD TRAFFIC ACT AMENDMENT ACT, 1946, No. 4 OF 1946 [ASSENTED TO 30TH AUGUST, 1946.]

ROAD TRAFFIC ACT AMENDMENT ACT, 1947, No. 3 OF 1947 [ASSENTED TO 28TH AUGUST, 1947.]

ROAD TRAFFIC ACT AMENDMENT ACT (No. 2), 1947, No. 40 OF 1947 [ASSENTED TO 11TH DECEMBER, 1947.]

ROAD TRAFFIC ACT AMENDMENT ACT, 1948, No. 55 OF 1948 [ASSENTED TO 22ND DECEMBER, 1948.]

AND

ROAD TRAFFIC ACT AMENDMENT ACT, 1950, No. 29 OF 1950 [ASSENTED TO 30TH NOVEMBER, 1950.]

An Act to consolidate certain Acts relating to road traffic.

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

PART I.

PART I.

PRELIMINARY MATTERS.

Short title, commencement, and division of Act.

1. (1) This Act may be cited as the "Road Traffic Act, 1934-1950," and shall come into operation on a day to be fixed by proclamation.

(2) This Act is divided into Parts and Divisions as follows:—

PART I.—Preliminary matters.

PART II.—Motor vehicles.

PART III.—Vehicles other than motor vehicles.

PART IV.—Width of tires.

PART V.—Lights on vehicles other than motor vehicles.

Repeal.

2. The Acts mentioned in the schedule are repealed.

Administration of Act.

3. (1) The Governor may by proclamation commit the administration of any Part of this Act to any Minister, and may from time to time revoke or alter any such proclamation.

(2) In this Act the term "Minister" means the Minister for the time being administering the Part of this Act in which the term Minister occurs.

PART II.

PART II.

MOTOR VEHICLES.

Interpretation.
1480, 1921, s. 4.
1695, 1925, ss. 3, 15.
1941, 1929, s. 4.
Cf. U.K. 20 & 21 Geo. 5 c. 43, s. 1.

4. (1) In this Part, unless inconsistent with the context, or some other meaning is clearly intended—

"commercial motor vehicle" means any motor vehicle wholly or mainly adapted for the carriage of goods, and includes a motor vehicle of the type commonly called "buckboard":

Definition of "court" substituted by 45, 1939, s. 3 (a).

"court" means the court (whether the Supreme Court or any other court) having jurisdiction to deal with matters arising under the provision of this Act in which the term occurs:

"driver" means any person driving a motor vehicle or a motor cycle, and as regards a trailer means a person driving the motor vehicle by which the trailer is being drawn:

"licence" means licence under this Part:

Cf. U.K. 20 & 21 Geo. 5 c. 43, s. 2.
Amended by 45, 1939, s. 3 (b).

"motor vehicle" includes any motor car, motor carriage, automobile, motor cycle, tractor, or other vehicle or carriage driven or propelled, or ordinarily capable of being driven or propelled, either partly or wholly,

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s. 1. (2) In addition to the Parts mentioned in subsection (2), Part IIA. (insurance against third party risks arising out of the use of motor vehicles), Part VI. (general rules to be observed by traffic), and Part VII. (protection of roads), which were enacted by the Road Traffic Act Amendment Act, 1936, are included in this reprint.

by any volatile spirit, steam, or electricity, or by means other than animal power, and includes a trailer at any time attached to a motor vehicle; but does not include any vehicle run upon a railway or tramway, or any farm tractor which is not used on a public road:

"number" includes a number combined with one or more letters of the alphabet:

"owner" includes the holder under a hire purchase agreement:

"registrar" means the Registrar of Motor Vehicles appointed under this Act or the Acts hereby repealed:

"road" includes every public road, street, terrace, thoroughfare, or other public place, and every private road or street commonly used by the public, or to which the public are permitted to have access:

"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—

Cf. U.K. 20 & 21 Geo. 5 c. 43, s. 2 (3).
Amended by 45, 1939, s. 3 (c) and by 20, 1944, s. 3.

* * * * * * * * * * *

(*b*) it is constructed or adapted for attachment to a motor vehicle by means of a turntable and kingpin; and

(*c*) a substantial part of its weight and of the weight of its load rests upon the motor vehicle by which it is drawn.

(2) For the purpose of this Part the person driving any motor vehicle to which a trailer is attached shall be deemed to be the driver of the trailer and the trailer shall be deemed to be driven by that person.

5. (1) The Governor may, for the purposes of this Part, appoint a Registrar of Motor Vehicles, and such deputy registrars of motor vehicles and inspectors of motor vehicles as he considers necessary.

Registrar and inspectors of motor vehicles.
1480, 1921, s. 5.
1760, 1926, s. 3.

(2) Every inspector appointed under this Part shall have the same powers, functions, and duties as are conferred by this Part upon members of the police force.

(3) Every reference in this Part to a member of the police force shall be deemed to include a reference to such an inspector, and every reference in this Part to the registrar shall be deemed to include a reference to any deputy registrar appointed under this Part.

Registrar to keep register of motor vehicles.
1480, 1921, s. 6.
2095, 1932, s. 3.

6. (1) The registrar shall keep a register for the registration of motor vehicles. Such register shall be called the "Register of Motor Vehicles."

(2) The prescribed forms of application received by the registrar from the persons applying to register motor vehicles shall be bound or otherwise assembled by the registrar and arranged in order as the registrar determines, and shall constitute the Register of Motor Vehicles within the meaning of this Part: Provided that the regulations may provide that the register shall be constituted and kept in any other way.

Duty to register.
1480, 1921, s. 7.
1941, 1929, s. 5.
2095, 1932, s. 4.
Amended by 2416, 1938, s. 3, and 45 1939, s. 4.

7. (1) No person shall drive any motor vehicle on any road unless that vehicle has been registered under this Part and the registration thereof is for the time being in force: Provided that this subsection shall not apply if the motor vehicle is driven on a road bearing trader's plates issued under section 27 and for the time being in operation: Provided further that this subsection shall not apply if the motor vehicle is driven on any road whilst carrying persons or fire fighting appliances to or from any fire.

(2) Any person who drives a motor vehicle in contravention of this section shall be guilty of an offence and liable to a penalty not exceeding fifty pounds.

(3) If any person other than the owner drives a motor vehicle in contravention of this section, the owner thereof shall also be guilty of an offence and shall be liable to a penalty not exceeding fifty pounds. It shall be a defence to a charge under this subsection that the motor vehicle was so driven without the knowledge or against the instructions of the owner.

s. 7. ECLIPSE MOTORS PROPRIETARY LTD. v. MILNER (1950) S.A.S.R. 1. Where a company was the owner of an unregistered motor vehicle and also held trader's plates and an employee in pursuance of instructions of the manager drove the vehicle on a road without the trader's plates being affixed, held that the vehicle was not driven without the knowledge or against the instructions of the owner and that the owner was guilty of an offence against subsection (3).

(4) Whenever any person, whether the owner of the motor vehicle or not, is convicted for an offence under this section the court may, in addition to imposing a penalty, summarily order that person to pay to the registrar the amount payable under this Part for registration for a full year of the motor vehicle in respect of which the offence was committed.

Substituted by 40, 1945, s. 3.

(5) A motor tractor shall not require registration under this Part or insurance under Part IIA. of this Act by reason only of the fact that it is driven on roads within fifteen miles of a farm occupied by the owner of the tractor on journeys to or from that farm for all or any of the following purposes, namely:—

(*a*) removal of the tractor to a workshop for repairs, or return of the tractor to the farm from a workshop where repairs were carried out;

(*b*) delivery of the tractor to the farm upon the acquisition of the tractor or delivery of the tractor from the farm upon the sale or the disposal thereof;

(*c*) drawing farm implements;

(*d*) proceeding to a place where farm implements are to be attached to the tractor for removal, or returning after delivery of farm implements.

A farm implement or machine shall not require registration under this Part, or insurance under Part IIA. of this Act by reason only of the fact that it is drawn by a tractor as mentioned in this subsection.

In this subsection "farm implement" means any implement or machine for ploughing, cultivating, clearing or rolling land, sowing seed, spreading fertilizer, harvesting crops, spraying, chaffcutting, or other like operations, but does not include a vehicle wholly or mainly constructed for the carriage of goods.

Inserted by 20, 1944, s. 4 (b).

(6) A tractor, bulldozer, scarifier, grader, roller, tar sprayer, tar kettle, or other like vehicle constructed or adapted for doing work in constructing, improving, or repairing roads or constructing firebreaks on roads shall not be deemed to be driven on any road so as to require registration under this Part, by reason only of the fact that it is used on a road in the work of constructing, improving, or repairing the road or constructing a firebreak on the road or is driven on a road in the course of a journey to or from a place where such work is being done.

Permits to use certain tractors and other vehicles without registration.
Inserted by 2416, 1938, s. 4.

7a. (1) The registrar may at his discretion without fee grant to any primary producer who owns a tractor or unregistered motor vehicle a permit to drive that tractor or motor vehicle along any route specified in the permit for the purpose only of enabling the tractor or motor vehicle to be used in connection with the working of two or more separate parcels of land worked in conjunction with each other by that primary producer. Any such permit shall be subject to such conditions as the registrar thinks proper. The registrar shall not grant a permit for a tractor under this section, unless the tractor is equipped with pneumatic tyres or other tyres which, in the registrar's opinion, will not cause undue damage to roads.

(2) Any such tractor or motor vehicle may be driven in accordance with the terms of a permit granted under this section without registration.

(3) If any tractor or motor vehicle for which a permit is in force under this section is driven on any road otherwise than in accordance with the terms and conditions of the permit the person driving the tractor or motor vehicle shall be guilty of an offence and liable to a penalty not exceeding twenty-five pounds.

Permits to drive vehicles pending registration.
Inserted by 34, 1939, s. 3.
Para. (a) amended by 29, 1950, s. 3.

7b. If the owner of any motor vehicle not previously registered in the name of such owner—

(*a*) satisfies the member of the police force in charge of any police station situated more than twenty-five miles by a direct line from the General Post Office at Adelaide that an application in the proper form for the registration of the motor vehicle has been sent to the registrar by or on behalf of the said owner, together with the proper fee for the registration of the vehicle for a period of six months or twelve months commencing on a day not later than the issue of the permit hereinafter mentioned; and

Amended by 61, 1940, s. 3.

(*b*) produces to the said member of the police force a certificate given by or on behalf of an approved insurer certifying the matters mentioned in section 8c of this Act or a cover note which is in the prescribed form and is binding on an approved insurer and the terms of which provide that it will during the period of the operation of the permit applied for have the same effect in relation to the motor vehicle as a policy of insurance complying with Part IIA. of this Act—

the said member of the police force may issue to that owner without fee a permit permitting the motor vehicle to be driven on roads, without registration and without carrying a registration card or number plates, during the period of operation of the permit.

(2) A permit granted under this section shall remain in operation until the expiration of ten days after the issue thereof.

(3) A permit granted under this section shall not be of any force or validity except while it is affixed to the windscreen of the vehicle to which it relates in the position prescribed for the carrying of a registration card.

Permits to move dam-sinking machinery. Inserted by 40, 1945, s. 4.

7c. (1) The registrar may at his discretion, without fee, grant to any person a permit permitting that person or any person authorized by him to drive on any route specified in the permit, no part of which route is within any hundred, a motor vehicle being—

(*a*) mobile machinery and plant used for excavating and cleaning dams;

(*b*) a trailer used for carrying any machinery and plant used for excavating and cleaning dams;

(*c*) a tractor used for drawing any such machinery and plant or for drawing a trailer conveying any such machinery and plant;

(*d*) a caravan or other like vehicle used as living accommodation for persons operating any such machinery and plant,

on a journey from a place where such machinery and plant has been used for excavating or cleaning a dam to another place where it is intended to be so used.

(2) A vehicle may be driven pursuant to a permit granted under this section, without registration or insurance.

(3) Any such permit shall be subject to such conditions as the registrar inserts therein.

(4) A person who contravenes any condition of a permit granted under this section shall be guilty of an offence and liable to a fine not exceeding twenty-five pounds.

(5) In this section "dams" means excavations in which water is stored or intended to be stored.

Provisions as to registration. 1480, 1921, s. 8. 1941, 1929, s. 5.

8. (1) Every application to register a motor vehicle shall be made to the registrar by or on behalf of the owner of the motor vehicle in accordance with the regulations, and at the time of making the application for registration a fee

calculated in the manner set forth in the next succeeding section shall be paid to the registrar.

Amended by 2332, 1936, s. 4.

(2) Upon application duly made and payment of the fee as required by subsection (1) the registrar shall register the motor vehicle in the register of motor vehicles for a period of either six months or twelve months, at the option of the person applying for registration, and shall assign a number to the vehicle.

(3) If a motor vehicle registered under this section has been previously registered by the same owner the registrar shall, if the owner requests, assign to the motor vehicle on registration under this section the number assigned to the vehicle on the previous registration: Provided that the registrar may refuse so to assign the latter number if more than three months have elapsed between the expiration of the previous registration and the new application for registration.

(4) The plates bearing any registration number assigned under this section shall be black and the number thereon shall be white.

(5) The registrar shall, on payment of the prescribed fee, furnish the owner of any registered motor vehicle with a copy of the entries in the register relating to that motor vehicle.

Refusal to register unfit vehicles. Inserted by 2332, 1936, s. 8.

8a. If a court has ordered that a vehicle shall not be registered until some condition is complied with, the registrar shall not register that vehicle until he is satisfied that that condition has been complied with.

Statements in application as to insurance. Inserted by 2332, 1936, s. 8.

8b. After the day proclaimed as the day on which Part IIA. of this Act shall come into operation, the registrar shall not register any vehicle unless the application contains a statement by the owner of the vehicle or by the person applying for registration on behalf of the owner that a policy of insurance complying with this Act is in force in relation to the vehicle and a statement of the name of the insurer who has issued the policy.

Certificates of insurance. Inserted by 2416, 1938, s. 5, and substituted by 55, 1948, s. 4.

8c. The registrar shall not register a motor vehicle unless when the application for registration is made there is lodged with him a certificate in the prescribed form given by or on behalf of an approved insurer certifying that one or more policies of insurance complying with Part IIA. of this Act have been issued by that insurer in relation to the said motor vehicle, and that the insurance provided by those policies

will remain in force throughout the period for which registration is applied for and for fourteen days after the end of that period.

9. The registration fee for a motor vehicle shall be calculated according to the following provisions:— **Mode of computing registration fee.** 1480, 1921, s. 8K. 1941, 1929, s. 5 and the schedule. 2095, 1932, ss. 17-20. Cf. U.K. 23 & 24 Geo. 5 c. 19, s. 25, 7th Sch.

(1) (*a*) The power-weight (indicated in this section by the letters P.W.) of a motor vehicle shall be ascertained by adding the weight in hundredweights of the vehicle to the horsepower calculated as hereinafter mentioned.

(*b*) The horsepower of a motor vehicle propelled by any volatile spirit shall be determined by squaring the measurement in inches of the internal diameter of the cylinder of the engine and multiplying the number so found by the number of cylinders and dividing the product by 2.5.

The horsepower of a motor vehicle driven by steam shall be calculated by dividing the number of the square inches of area of the fire grate of the boiler of such vehicle by 25.

The horsepower of a vehicle driven by electricity shall be ascertained by dividing the number of watts of electrical energy consumed by the power unit of the vehicle when the vehicle is running under full load at normal speed by 746.

(*c*) The weight of a vehicle in hundredweights and the horsepower of a vehicle shall be calculated to the nearest whole number.

(2) The registration fee for a motor bicycle not having a side car attached thereto shall be as follows:— **Substituted by 61, 1940, s. 4.**

	£	s.	d.
If the weight of the motor bicycle does not exceed one hundredweight	1	0	0
If the weight of the motor bicycle exceeds one hundredweight	1	10	0
The registration fee for a motor bicycle having a side car attached thereto shall be	2	0	0
The registration fee for any electrically or mechanically propelled invalid's chair shall be .	0	2	6

(3) The registration fee for a motor tricycle or motor trivan shall be as follows:—

	£	s.	d.
If the tricycle or trivan does not exceed 10 P.W.	2	0	0
If the tricycle or trivan does exceed 10 P.W.	4	0	0

(4) The registration fee for a motor vehicle (other than a motor bicycle, motor tricycle, trailer, or motor trivan) fitted with pneumatic tires shall be:—

	£	s.	d.
If the vehicle does not exceed 25 P.W. ..	4	0	0
If the vehicle exceeds 25 P.W. but does not exceed 30 P.W.	5	0	0
If the vehicle exceeds 30 P.W. but does not exceed 35 P.W.	6	0	0
If the vehicle exceeds 35 P.W. but does not exceed 40 P.W.	7	0	0
If the vehicle exceeds 40 P.W. but does not exceed 45 P.W.	8	0	0
If the vehicle exceeds 45 P.W. but does not exceed 50 P.W.	9	0	0
If the vehicle exceeds 50 P.W. but does not exceed 55 P.W.	10	0	0
If the vehicle exceeds 55 P.W. but does not exceed 60 P.W.	11	0	0
If the vehicle exceeds 60 P.W. but does not exceed 65 P.W.	12	0	0
If the vehicle exceeds 65 P.W. but does not exceed 70 P.W.	13	0	0
If the vehicle exceeds 70 P.W. but does not exceed 75 P.W.	14	0	0
If the vehicle exceeds 75 P.W. but does not exceed 80 P.W.	15	0	0
If the vehicle exceeds 80 P.W. but does not exceed 85 P.W.	17	0	0
If the vehicle exceeds 85 P.W. but does not exceed 90 P.W.	18	0	0
If the vehicle exceeds 90 P.W. but does not exceed 95 P.W.	19	0	0
If the vehicle exceeds 95 P.W. but does not exceed 100 P.W.	20	0	0
If the vehicle exceeds 100 P.W. but does not exceed 110 P.W.	23	0	0
If the vehicle exceeds 110 P.W. but does not exceed 120 P.W.	26	0	0
If the vehicle exceeds 120 P.W. but does not exceed 130 P.W.	29	0	0
If the vehicle exceeds 130 P.W. but does not exceed 140 P.W.	32	0	0
If the vehicle exceeds 140 P.W. but does not exceed 150 P.W.	35	0	0
If the vehicle exceeds 150 P.W. but does not exceed 160 P.W.	38	0	0
For every additional P.W.	0	5	0

If the motor vehicle has all or any of its wheels fitted with rubber tires other than pneumatic tires the fee shall be at such one of the above rates as is applicable, plus 50 per cent thereof.

If the motor vehicle has all or any of its wheels fitted with metal tires the fee shall be at such one of the above rates as is applicable, plus 100 per cent thereof.

(5) The registration fee for a trailer fitted with pneumatic tires shall be:— Amended by 20, 1944, s. 5.

	£	s.	d.
If the weight of the trailer unladen does not exceed 1 ton	1	10	0
If the weight of the trailer unladen exceeds 1 ton, but does not exceed 1½ tons	2	0	0
If the weight of the trailer unladen exceeds 1½ tons, but does not exceed 2 tons	2	10	0
If the weight of the trailer unladen exceeds 2 tons	3	0	0

If the trailer has all or any of its wheels fitted with rubber tires other than pneumatic tires, the fee shall be at such one of the above rates as is applicable, plus 50 per cent thereof.

If the trailer has all or any of its wheels fitted with metal tires, the fee shall be at such one of the above rates as is applicable, plus 100 per cent thereof.

Where the trailer consists of a machine, which is mounted on wheels and is constructed or adapted for being drawn by a motor vehicle, the fee shall be fifty per centum of the amount which would otherwise be payable under this section.

(6) The fees previously set out in this section are those payable for a full period of twelve months. If any registration is effected for a period of six months the fee for registration shall be the percentage hereinafter mentioned of that which would be payable for the full period of twelve months. Amended by 2332, 1936, s. 5.

The percentage referred to in this subsection shall be as follows:—

(*a*) If registration is effected during the period of twelve months after the commencement of the Road Traffic Act Amendment Act, 1936, fifty-five per centum:

(*b*) If registration is effected within the period of twelve months commencing after the expiration of the period mentioned in paragraph (*a*), fifty-three and three-quarters per centum:

(*c*) If registration is effected at any time after the expiration of the period mentioned in paragraph (*b*), fifty-two and one-half per centum.

Amended by 2332, 1936, s. 6.

Cf U.K. 26 Geo. 5 & 1 Edw. 8 c. 34, s. 12.

(7) If the registrar is satisfied by statutory declaration or such other evidence as he requires that—

(*a*) any commercial motor vehicle is owned by a primary producer; and

(*b*) such motor vehicle will not be used on roads for carrying His Majesty's mails, goods, or passengers, for pecuniary reward or for carrying goods in the course of any trade or business other than that of a primary producer,

the registration fee shall be the amount which would otherwise be payable under this section, less 50 per cent thereof.

Passage inserted by 2416, 1938, s. 6.

The carriage of goods or passengers on any motor vehicle which is on the establishment of any unit of the military forces of the Commonwealth, if those goods or passengers are carried in connection with military training or other military operations carried on by the Commonwealth, shall not be regarded as the carriage of goods or passengers within the meaning of subparagraph (*b*) of this paragraph.

(8) If the registrar is satisfied by the production of a certificate from the Director of Mines or such other evidence as he requires, that—

(*a*) any commercial motor vehicle is owned by a genuine prospector whose principal business consists in prospecting for metals or minerals; and

(*b*) such motor vehicle will not be used on roads except for carrying plant, tools, stores, or other equipment used in connection with such prospecting, or metals or minerals won by the said owner from the soil,

the registration fee shall be fifty per centum of the amount which would otherwise be payable under this section.

Para. (9) repealed by 35, 1943, s. 4 (a).

* * * * * * * * * * *

Cf. U.K. 26 Geo. 5 & 1 Edw. 8 c. 34, s. 12.

(10) If the registrar is satisfied by statutory declaration or such other evidence as he requires that—

(*a*) any motor tractor is owned by a primary producer; and

Amended by 45, 1939, s. 5, and by 29, 1950, s. 4.

(*b*) such motor tractor will not be used on roads except for transporting goods the produce of the land

of such primary producer to the railway station nearest to such land, or if there is a port nearer to such land than any railway station, then to such port, or to any town not more than twelve miles from the land of such primary producer for the purpose of the packing processing or sale of such goods, or for transporting goods, intended for consumption or use on the land of such primary producer, from the said railway station, port, or town to the said land,

the registration fee for such motor tractor shall be twenty-five per centum of the amount which would otherwise be payable under this section.

Inserted by 2332, 1936, s. 7, and amended by 2, 1941, s. 3, and by 35, 1943, s. 4 (b).

(10a) If the registrar is satisfied by statutory declaration or such other evidence as he requires—

(*a*) that any motor vehicle will, during the period for which registration is applied for, be used wholly or mainly in areas which are not within any municipality or district council district or Whyalla or Iron Knob;

(*b*) that during the said period that motor vehicle will be in the possession and under the control of a person whose place of abode at the time will not be within any municipality or district council district or Whyalla or Iron Knob; and

(*c*) that that motor vehicle, when not in use, will during the said period be usually kept at premises not within any municipality or district council district or Whyalla or Iron Knob;

the registration fee shall, if the applicant is not entitled to have the motor vehicle registered at a reduced fee under paragraph (7), (8), or (10) of this section, be the amount which would otherwise be payable under this section, less fifty per centum thereof.

If the registrar is satisfied that at any time during the period for which a vehicle has been registered at a reduced fee by virtue of this paragraph that vehicle did not comply with subparagraph (*a*), (*b*), or (*c*) of this paragraph, he may, by notice in writing, notify the person who applied for registration of the vehicle that the balance of the full fee for that period must be paid. Upon the expiration of seven days after the giving of the notice that balance shall become due and payable and the registrar may recover it by action in any court of competent jurisdiction; and without prejudice to his right to do so may cancel any registration of the

vehicle for the time being in force if that balance is not paid in full upon its becoming due and payable. For the purposes of this paragraph the whole of Kangaroo Island shall be taken to be outside any municipality or district council district.

In this paragraph—

"Whyalla" means all those portions of the hundreds of Randell and Cultana and County of York, bounded as follows:—Commencing at the south-western corner of section 39, hundred of Randell; thence west-south-westerly at right angles with the western boundary of said section for one and a half miles; thence north-north-westerly at right angles to the north-eastern boundary of the Iron Knob Tramway in the County of York; thence south-easterly along said boundary of Tramway to its intersection with the southern boundary of the hundred of Cultana; thence easterly along portion of said hundred boundary to the sea coast; thence generally southerly and south-westerly in the hundreds of Randell following the said sea coast to intersect the production south-south-easterly of the western boundary of section 40; thence north-north-westerly along said production and boundary; thence north-easterly to the south-western corner of section 37; thence north-north-westerly along the western boundary of said section and production to the point of commencement:

"Iron Knob" means all that portion of County of Manchester, within a circle having a radius of one and a half miles and its centre at the south-western corner of allotment 270, Town of Iron Knob.

Inserted by 40, 1945, s. 5.

(10b) The fee for registration of a vehicle consisting of mobile machinery and plant used for excavating or cleaning dams shall be fifty per centum of the amount which would otherwise be payable under this section. In this paragraph "dams" means excavations in which water is stored or intended to be stored.

Amended by 45, 1939, s. 6, and by 35, 1943, s. 4 (b).

(11) (*a*) If any commercial motor vehicle for the registration of which a reduced registration fee has been paid as allowed by paragraph (7) is used for the carriage of goods or passengers for pecuniary reward or for carrying goods in the course of any trade or business other than that of a primary producer; or

(*b*) if any commercial motor vehicle for the registration of which a reduced registration fee has been paid as allowed by paragraph (8) is used for any purpose other than a purpose set out in paragraph (8), as the case may be; or

(*c*) if any motor tractor for the registration of which a reduced registration fee has been paid as allowed by paragraph (10) is used for any purpose other than the purpose mentioned in that paragraph,

the balance of the full registration fee for the period for which the vehicle was registered shall in all cases be forthwith due and payable, and may be recovered from the owner by the registrar in a summary way on complaint in a court of summary jurisdiction.

(12) If the Commonwealth of Australia imposes any Customs duty on motor spirit in addition to the Customs duty existing on the twelfth day of December nineteen hundred and twenty-nine, and pays the proceeds thereof to the State, the Governor may from time to time by proclamation vary the amounts of the registration fees as set out in this section to such an extent that the total revenue received in each year from the altered registration fees and the payments to the State by the Commonwealth, as mentioned above, would be approximately equal to the amount which would have been received from the registration fees set out in this section if they had not been altered.

(13) The registrar shall register without fee—

(*a*) any motor vehicle owned by the Fire Brigades Board or any voluntary fire brigade or any motor vehicle owned by a voluntary fire fighting organization and used solely for the purpose of fire fighting: Amended by 2416, 1938, s. 8 (2).

(*b*) any ambulance motor vehicle for the use of which no charge is made:

(*c*) any motor vehicle owned by the corporation or council of any municipality, or by any district council, and used solely or mainly in connection with the construction or maintenance of roads: Amended by 2, 1941, s. 4.

(*d*) any motor vehicle owned by the Crown:

(*e*) any motor vehicle owned by the Municipal Tramways Trust:

(*f*) any motor vehicle consisting of mobile machinery and plant used for the purpose of boring for water:

Inserted by 2416, 1938, s. 7.

(*g*) any motor vehicle owned by a consular officer *de carriere* who is a national of the country which he represents and who resides in the State:

Inserted by 61, 1940, s. 5 (1).

(*h*) any trailer which is used solely for the purpose of carrying equipment and fuel for generating producer gas for the propulsion of the motor vehicle by which the trailer is drawn.

Inserted by 2416, 1938, s. 8 (1).

(13a) Where the Treasurer is satisfied that any motor ambulance is operated by a municipal or district council, or by any society or association otherwise than for the purpose of monetary gain to the individual members thereof, he may, at his discretion, direct that that ambulance shall be registered without fee.

Where any such ambulance has been registered since the first day of March, nineteen hundred and thirty-eight, and the registration fee has been paid therefor the Treasurer may at his discretion refund the amount of that fee to the council, society, or association which paid it.

(14) In this section—

Amended by 35, 1943, s. 4 (c).

"primary producer" means any person engaged in fishing or in agricultural, horticultural, viticultural, pastoral, or other like pursuits; and

Amended by 61, 1940, s. 5 (2).

"weight" means the weight of a vehicle without passengers, load, or petrol, but including the oil, buffers, accessories, and tools usually carried. Where a motor vehicle is propelled by producer gas generated by equipment carried on or affixed to or forming part of the vehicle, the weight of that equipment and of any fuel carried on the vehicle for use in that equipment shall be excluded in computing the weight of the vehicle.

Inserted by 61, 1940, s. 5 (3).

(15) The registrar may require any person applying for the registration of a motor vehicle to satisfy him by statutory declaration or other means as to any facts on which the amount of the registration fee depends or which entitle the applicant to be granted registration without payment of any fee.

Temporary reduction of registration fee.

Inserted by 2, 1941, s. 5, and repealed and re-enacted by 35, 1943, s. 5, and amended by 2, 1944, s. 3, by 2, 1945, s. 3, by 4, 1946, s. 3, and by 3, 1947, s. 3.

9a. Where a motor vehicle is registered at any time before the first day of September, nineteen hundred and forty-eight, the registration fee for that vehicle shall be the amount which would be payable under section 9 of this Act, less twenty-five per centum thereof.

Calculation of fees to nearest shilling.

Inserted by 2, 1941, s. 5.

9b. Every registration fee shall be calculated to the nearest shilling, and the amount so calculated shall be the amount payable.

Registration at full fee after registration at reduced fee.

Inserted by 40, 1945, s. 6.

9c. (1) Where a vehicle has been registered at a reduced fee under paragraph (7), (8), (10), or (10a) of section 9 of this Act, the owner of the vehicle may at any time while that registration is in force pay to the registrar the balance of the registration fee and thereafter—

(*a*) the vehicle may be driven on roads to the same extent and in the same circumstances as a vehicle registered upon payment of the full registration fee; and

(*b*) the provisions contained in lines twenty-two to thirty-seven of paragraph (10a) of section 9, and paragraph (11) of section 9, and section 59 of this Act shall not apply in relation to such driving.

(2) In this section "the balance of the registration fee" means a proportionate part of the full registration fee payable for registration of the vehicle for the period for which it was registered, less a proportionate part of the reduced registration fee actually paid for registration of the vehicle. For the purposes of this definition a proportionate part of a fee shall be a part of the fee bearing the same ratio to the whole fee as the number of months unexpired when the balance of the registration fee is paid bears to the number of months for which the whole fee is payable, the whole of the month in which that balance is paid being regarded as unexpired.

Reduced fees for vehicles of British origin.

1480, 1921, s. 8 A. 1941, 1929, s. 5.

10. (1) The Governor may, from time to time, by proclamation, declare that any commercial motor vehicles, or any class of commercial motor vehicles described or referred to in the proclamation shall be commercial motor vehicles of British origin for the purposes of this Part.

(2) The Governor at any time by proclamation may partially or wholly revoke, or may vary any proclamation for the time being in force under this section.

(3) The fees payable under this Act for registration of any motor vehicles which, by any proclamation for the time being in force under this section, are declared to be commercial motor vehicles of British origin, shall be the amount which would otherwise be payable under this Part, less ten per centum thereof.

Refunds in certain cases. Inserted by 2332, 1936, s. 9.

10a. If during the period for which a motor vehicle has been registered any alteration is made to that vehicle and that alteration is such that if it had been made before the registration of the vehicle the fee for registration would have been less than the amount actually paid, the Treasurer may, at his discretion, make to the owner of the vehicle a refund of such amount as he deems just in the circumstances.

Concessions to incapacitated ex-servicemen. Inserted by 40, 1947, s. 3.

10b. (1) If the registrar is satisfied by such evidence as he requires that—

(*a*) a motor vehicle is owned by a person who has been a member of a naval, military, or air force of His Majesty; and

(*b*) the owner, as a result of his service in a naval, military, or air force, is totally and permanently incapacitated, or is blind, or has lost a leg or foot, or by reason of impairment of his power of locomotion receives a pension under the Australian Soldiers Repatriation Act, 1920-1943, of not less than seventy-five per centum of the pension payable for total incapacity; and

(*c*) that motor vehicle will during the period for which it is sought to be registered be wholly or mainly used for the transport of the owner,

the registration fee for that motor vehicle shall be half of the amount payable under paragraphs (1) to (6) inclusive, of section 9, and sections 9a, 9b, and 10 of this Act.

(2) The registration of a vehicle registered at a reduced fee under this section shall not be transferable.

(3) When a person ceases to be the owner of a vehicle registered at a reduced fee under this section he shall be entitled upon compliance with section 21 of this Act, to a payment or credit as provided in that section; and the registration of the vehicle, if not sooner cancelled, shall become

void upon the expiration of twenty-one days after that person ceased to be the owner of it.

Provision for ascertaining power-weight. 2131, 1933, s. 3.

11. (1) The registrar shall prepare and keep in his office available for public inspection a list containing the usual names or designations of all models of motor cars commonly in use, and stating the standard power-weight of motor cars of each model when constructed and equipped as mentioned in the list.

(2) The power-weight shown in the list as the standard power-weight of motor cars of any model shall be the power-weight of every motor car of that model, unless—

(*a*) the owner at the time of applying for registration, objects to the power-weight as so shown; or

(*b*) the motor car has some attachment or alteration affecting its weight and not taken into account when computing the power-weight shown in the list.

(3) The owner of any motor car who objects to the determination of the power-weight by reference to the list may—

(*a*) weigh the motor car on a public weighbridge in the presence of the registrar or a person nominated by him; and

(*b*) strip his engine or power unit for measure or examination by the registrar or a person nominated by him,

in which case the weight shall be calculated in accordance with the weighbridge certificate, and the horsepower in accordance with the measurements of the registrar or the nominated person.

Determination of power-weight by other means. 2131, 1933, s. 4.

12. Where an applicant applies for registration of—

(*a*) any motor car the power-weight of which cannot be ascertained from the list; or

(*b*) any motor vehicle other than a motor car,

the registrar may require the applicant for registration to produce a weighbridge certificate showing the weight of the vehicle or any other evidence of the weight or horsepower of the vehicle.

Duty to carry registered number on motor vehicle. 1480, 1921, ss. 10, 34 (*c*). 1527, 1922, s. 4. 1695, 1925, s. 7.

13. (1) Every motor vehicle (not being a trailer) required by this Part to be registered shall, at all times whilst it is being driven or is standing in any road, carry attached thereto in the prescribed positions two plates as prescribed, one on the front and one on the rear thereof, each having

the registered number conspicuously painted or otherwise legibly and permanently marked thereon in manner prescribed: Provided that any motor vehicle, not being a motor cycle, instead of carrying the plate required by this section to be attached to the rear thereof, may have the registered number painted or marked on the rear of such vehicle itself in which case all the provisions of this Act relating to plates and the numbers thereon shall, so far as the same are applicable, apply respectively to that portion of the rear of such vehicle on which the number is painted or marked, and to such number.

(2) Every trailer required by this Act to be registered shall, at all times whilst it is being driven or is standing in any road, carry attached thereto in the prescribed position, one or more plates as prescribed having the registered number conspicuously painted or otherwise legibly and permanently marked thereon in manner prescribed.

(3) If any person owns or drives any motor vehicle which does not comply with this section he shall be guilty of an offence: Provided that where the owner and driver are different persons both shall not be punished in respect of the same contravention.

(4) Any person who, unless exempted by the regulations, drives or causes or permits to be driven or to stand in any road any motor vehicle—

Substituted by 45, 1939, s. 7.

(*a*) on which any letter or figure on the number plate on the front thereof is not clearly visible in daylight, to a person standing on the same plane as the vehicle, at any point directly in front of the vehicle and not less than ten feet or more than sixty feet from the front of the vehicle:

Inserted by 45, 1939, s. 7.

(*aa*) on which any letter or figure on the number plate on the rear thereof is not clearly visible in daylight, to a person standing on the same plane as the vehicle, at any point directly behind the vehicle and not less than ten feet or more than sixty feet from the rear of the vehicle:

(*b*) having the registered number upon any number plate wholly or partly obliterated by paint or any other material; or

(*c*) having any number plate thereon so damaged that the registered number is not complete and distinctly visible; or

(*d*) having upon any number plate a number which is not the registered number assigned to the motor vehicle,

shall be guilty of an offence: Provided that no person shall be liable to a penalty for any breach of this subsection if he proves to the satisfaction of the court that he took all reasonable precautions to prevent such breach or that such breach was the result of an accident.

(5) Any person who forges or fraudulently alters or uses or fraudulently lends or allows to be used by any other person any number plate, trader's plate, or registration card shall be guilty of an offence and liable to a fine of not more than one hundred pounds, or to imprisonment for not more than twelve months.

Inserted by 2332, 1936, s. 10.

14. Any person who owns or drives upon a road any unregistered motor vehicle having upon it any numbers or number plate of a description prescribed to be affixed to registered motor vehicles shall be guilty of an offence.

Prohibition of use of plates on unregistered vehicles.
1480, 1921, s. 35 (*d*).

15. Where any motor vehicle is registered under this Part and is also licensed by a municipal or district council to ply for hire within its municipality or district, there may appear on the number plates required by this Part to be attached to such motor vehicle, in addition to the registered number, some distinctive design, character, or letter approved by the registrar, for the purpose of indicating that such motor vehicle is so licensed.

Distinctive marks for number plates of vehicle licensed to ply for hire.
1480, 1921, s. 11.

16. (1) Every registration of a motor vehicle effected prior to the commencement of the Road Traffic Act Amendment Act, 1936, shall, unless sooner terminated under this Part, expire on the thirty-first day of March, nineteen hundred and thirty-seven.

Duration of registration.
Amended by 2332, 1936, s. 11.

(2) Every registration of a motor vehicle effected on or after the date of the commencement of the Road Traffic Act Amendment Act, 1936, shall expire upon the expiration of six months or twelve months calculated as from the commencement of the month in which it was effected, according to the period for which registration was applied for.

17. (1) The registrar shall at the time of registration issue to every person who registers a motor vehicle under this Part a registration card having printed or written thereon particulars of the motor vehicle registered, the duration of the registration, and any other matters which the registrar thinks proper to insert.

Issue of, and duty to carry, registration card.
1480, 1921, s. 80.
1941, 1929, s. 5.
2131, 1933, s. 7.

(2) Every registration card or the prescribed part thereof shall throughout the period during which the registration remains in force be affixed to and carried on the motor vehicle for which the card is issued, in accordance with the regulations.

Amended by 55, 1948, s. 5.

(3) Any person who drives on any road, or causes or permits any person to drive on any road any motor vehicle registered under this Part which does not carry the registration card issued for that vehicle under this section, or which carries the said registration card otherwise than in conformity with all the requirements of this section and the regulations, shall be guilty of an offence and liable to a penalty for a first offence not exceeding ten pounds and for a second or any subsequent offence not exceeding twenty pounds.

(4) If any motor vehicle does not carry at any time a registration card issued in respect of that vehicle and for the time being in force, that fact shall be *prima facie* evidence that the said vehicle is not registered at that time.

Offences in connection with registration cards.
1480, 1921, s. 8 D, 1941, 1929, s. 5.
Cf. U.K. 23 & 24 Geo. 5 c. 53, s. 34.

18. Any person who—

(*a*) drives a motor vehicle on which is affixed any registration card other than a registration card issued under this Part in respect of that motor vehicle and for the time being in force;

(*b*) makes any false statement in or in connection with any application for registration under this Part;

(*c*) without lawful excuse has in his possession any registration card or any article resembling a registration card and liable to be mistaken therefor;

(*d*) alters, defaces, mutilates, or adds anything to any registration card;

(*e*) drives a motor vehicle on which is affixed any registration card which has been altered, defaced, mutilated, or added to; or

(*f*) drives a motor vehicle on which is affixed any colourable imitation of a registration card,

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

Duty to notify registrar of transfer of motor vehicle.
1480, 1921, s. 8 E.
1941, 1929, s. 5.
2095, 1932, s. 5.
2131, 1933, s. 7 (2).

19. (1) If an owner who has registered a motor vehicle transfers the ownership thereof to some other person whether on a sale or any other transaction, he shall within twenty-one days of the transfer—

(*a*) notify the registrar in the prescribed form of the transfer:

(*b*) deliver to the registrar the registration card issued in respect of the transferred motor vehicle and for the time being in force, or take such other action in relation to the said card as is prescribed by regulation.

(2) If any person fails to comply with any requirement of this section he shall be guilty of an offence.

Transfer of registration or refund.
1480, 1921, s. 8F.
2095, 1932, s. 6.
2131, 1933, s. 6.

20. (1) Upon or after delivery to the registrar of the registration card in accordance with the last preceding section, or upon taking the prescribed action in relation to the card, the transferor may either—

(*a*) join with the transferee in a joint application to the registrar to transfer the registration of the motor vehicle to the transferee; or

(*b*) apply for cancellation of the said registration and a refund or credit of part of the registration fee in accordance with the next succeeding section.

Amended by 45, 1939, s. 8 (1).

(2) If such a joint application for the transfer of the registration is made the registrar shall upon payment by the transferee of a fee of two shillings and sixpence and lodgment by him of an application in the prescribed form for the registration of a motor vehicle and production of a certificate of insurance as required by section 8c of this Act transfer the registration to the transferee and issue to him a registration card similar to that issued upon the original registration of a motor vehicle.

Amended by 45, 1939, s. 8 (2).

(3) Unless a joint application for the transfer of the registration, accompanied by the proper fee and by an application and a certificate as required by subsection (2) of this section, or an application for cancellation of the registration, is lodged with the registrar within twenty-one days after the transfer, or within such longer period as the registrar fixes, the registration shall, upon the expiration of the said twenty-one days, become void, and the registrar shall neither transfer such registration nor refund or credit any money in respect thereof.

Refunds of registration fee in certain cases.
1480, 1921, s. 8 G.
2095, 1932, s. 6.
2131, 1933, s. 7.

21. (1) The owner or (as the case may be) the former owner of any registered motor vehicle may in any of the circumstances mentioned hereunder, upon delivery to the registrar of the current registration card issued in respect of that vehicle, or upon taking the prescribed action in relation to the card, apply to the registrar to cancel the registration of the vehicle and pay or credit to him the prescribed amount as defined in this section.

(2) The circumstances in which an application under this section may be made are the following:—

(*a*) If the applicant has ceased to be the owner of the vehicle:

(*b*) If the motor vehicle has become permanently unfit for use as a motor vehicle:

(*c*) If the motor vehicle has been removed from the State for permanent use out of the State, and, where the removal is to another State of the Commonwealth, has been registered in that State:

Inserted by 2416, 1938, s. 9 (1).

(*d*) If the motor vehicle has been used by a person engaged in business as a seller of motor vehicles, for the purpose of demonstrating its qualities to prospective purchasers, but has ceased to be so used:

Inserted by 45, 1939, s. 9.

(*e*) If the registered owner of the motor vehicle is, whilst the Commonwealth is at war, serving in any naval, military, or air force of the Commonwealth:

Inserted by 17, 1942, s. 3 (1).

(*f*) If pursuant to any enactment, regulation, or rule (whether of the Commonwealth or the State) or any order or direction made thereunder the vehicle has ceased to be used on roads.

Inserted by 35, 1943, s. 6.

(2a) Where a motor tractor has been registered at a reduced fee pursuant to paragraph (10) of section 9 of this Act, the owner of the tractor may, at any time during the currency of that registration, upon delivery to the registrar of the current registration card issued in respect of the tractor, or upon taking the prescribed action in relation to the card, apply to the registrar to cancel the registration of the tractor and pay or credit to him the prescribed amount as defined in this section.

(3) The prescribed amount shall be one-twelfth of the full annual registration fee for the particular vehicle for each complete month of the registration period which is unexpired at the time when the registration card is delivered

by the applicant to the registrar or, as the case may be, when the prescribed action is taken in relation to the card.

(4) Where the ownership of a registered motor vehicle is transferred before the end of the period for which it was registered and the transferor within twenty-one days of the transfer applies to register another motor vehicle, the registrar shall make such refund in respect of the transferred vehicle and such charge for the registration of the other vehicle—

(*a*) that in respect of the month in which the application is made, the transferor shall pay one-twelfth of the annual registration fee for one vehicle only, plus the transfer fee of two shillings and sixpence:

(*b*) that if the fees for registration of the transferred vehicle and the other vehicle are different, the said payment shall be one-twelfth of the greater fee.

Inserted by 2416, 1938, s. 9 (2).

(4a) Where the registration of a vehicle used for the purpose of demonstration as mentioned in paragraph (*d*) of subsection (2) of this section is cancelled, and the owner of the vehicle applies forthwith after the cancellation for the registration of another vehicle which the registrar is satisfied will be used for the said purpose of demonstration, the registrar shall credit such amount in respect of the registration which has been cancelled, and make such charge for the registration of the other vehicle—

(*a*) that in respect of the month in which the application for registration is made the applicant shall pay one-twelfth of the annual registration fee for one vehicle only, plus the transfer fee of two shillings and sixpence:

(*b*) that if the fees for registration of the two vehicles are different the said payment shall be one-twelfth of the greater fee.

(5) The registrar may require any applicant to satisfy him by statutory declaration or other means as to the truth of the matters on which he bases his claim for a refund or credit.

Destruction of registration card.

Inserted by 2416, 1938, s. 10.

21a. (1) Whenever the registration of a motor vehicle has become void before the expiration of the period for which it was granted, the registrar or any person authorized by him or any member of the police force may remove from that vehicle the registration card relating to that registra-

tion and for the purpose of so doing may at any reasonable time enter and remain upon any place or premises.

(2) Any person who hinders the registrar or any person authorized by him or any member of the police force in the exercise of any power conferred by this section shall be guilty of an offence and liable to a fine not exceeding fifty pounds.

Avoidance of registration where cheque dishonoured.
1480, 1921, s. 8 H.
2095, 1932, s. 6.

22. If any applicant for registration of a motor vehicle pays the registration fee by cheque and the cheque is dishonoured on presentation the registration of the motor vehicle for which the cheque was tendered shall be void as from the day on which it was effected, and the applicant shall on demand made by the registrar immediately deliver to him the registration card issued in respect of that motor vehicle. If any applicant fails so to deliver the card he shall be guilty of an offence and liable to a fine not exceeding twenty pounds.

Provision for recovery where registration fee short paid.
1480, 1921, s. 8 I.
2095, 1932, s. 6.
2131, 1933, s. 9.

23. (1) If any motor vehicle is incorrectly described in the application for registration thereof, and as a result of the mis-description the vehicle is registered without the full amount of the fee payable for the said registration being paid, the applicant for registration shall be liable to pay to the registrar a sum equal to the balance of the fee short paid, and the said sum may be recovered by the registrar as a debt by action in any court of competent jurisdiction.

(2) Where, owing to understatement of the power weight of any motor vehicle, that vehicle has before the thirtieth day of November, nineteen hundred and thirty-three, been registered at a fee less than the fee fixed by law, the Treasurer, if satisfied that the understatement was not fraudulent, may remit the balance of the fee, or any part of that balance, and if the balance has been recovered from the owner, may refund the whole or any part thereof if he thinks circumstances warrant that action.

Exemption of registered trailers from licensing under other provisions of this Act.
1480, 1921, s. 8 I.
1941, 1929, s. 5.
Amended by 17, 1942, s. 4.

24. If a trailer is registered as a motor vehicle under this Part and carries the current registration card issued in respect of the trailer it need not be licensed under any other Part of this Act.

Inspection of motor vehicles to ascertain power-weight. 1480, 1921, s. 8 J. 1941, 1929, s. 5.

25. Any member of the police force or the registrar or any person authorized in writing by the registrar to examine motor vehicles for the purposes of this Part may—

(*a*) examine or stop and examine any motor vehicle for the purpose of determining any facts necessary to ascertain the amount of the fee payable for registration of that motor vehicle:

(*b*) enter any premises at any time and search therein for motor vehicles and examine for the purposes aforesaid any motor vehicles found therein:

(*c*) take from any part of any motor vehicle a sample of any liquid fuel used or appearing to be used for propelling that motor vehicle.

Duty of owners to notify changes in vehicles and tires to registrar. 1480, 1921, s. 8 L. 1941, 1929, s. 5.

26. (1) The owner of a registered motor vehicle, to which at any time after registration any of the alterations or additions mentioned in subsection (2) of this section are made, shall, within fourteen days after the making of the alteration or addition, give notice thereof in writing to the registrar, and shall forward to the registrar such particulars as are prescribed, of the alteration or addition.

(2) The alterations and additions referred to in subsection (1) hereof are the following:—

(*a*) Any alteration of or addition to the motor vehicle by which its horsepower or weight as defined in the provisions of this Part as to the mode of computing the amount of the registration fee is increased:

(*b*) In the case of a motor vehicle fitted entirely with pneumatic tires, the removal of any pneumatic tire and the substitution therefor of any tire other than a pneumatic tire:

(*c*) In the case of a vehicle not having metal tires, the removal of any tire and the substitution therefor of a metal tire:

(*d*) In the case of a motor cycle not having a side-car attached thereto the attachment thereto of a side-car.

Amended by 35, 1943, s. 7 (a).

(3) Within fourteen days after the making of any such alteration or addition as mentioned in subsection (2) of this section the owner of the motor vehicle shall pay an additional fee which shall consist of the difference between the amount actually paid as registration fee for the motor

vehicle and the amount which would have been payable if the alteration or addition had been made at the time of registration, due allowance being made for every full month expired at the time of the making of the alteration or addition.

(4) Any person failing to comply with any requirement of this section shall be guilty of an offence.

Inserted by 35, 1943, s. 7 (b).

(5) In proceedings for any offence against this section the court may in addition to imposing a fine order the defendant to pay to the registrar any such additional fee as mentioned in subsection (3) of this section.

Trader's plates. 1480, 1921, s. 9. 2095, 1932, s. 7. Cf. U.K. 10 & 11 Geo. 5 c. 72, s. 9.

27. (1) The registrar may, upon payment of the proper fee as fixed by this section for each pair, issue in accordance with this section trader's plates to any person who has proved to his satisfaction that he is engaged in the business of manufacturing, repairing, or dealing in motor vehicles, and has suitable premises for the purpose. There shall be two kinds of trader's plates, namely, general trader's plates and limited trader's plates.

(2) Every pair of trader's plates shall remain operative as such until the thirty-first day of March next after the date of the issue thereof and no longer unless the period of operation thereof is extended. The registrar may from time to time upon payment of the proper fee extend the period of operation of any trader's plates for any period not exceeding twelve months and expiring on the thirty-first day of March.

Subsec. (3) repealed by 2416, 1938, s. 11 (a).

* * * * * * * * * * *

Amended by 2416, 1938, s. 11 (b).

(4) The number of trader's plates which may be issued to any one person shall be determined by the registrar, due regard being paid to the business requirements of the applicant.

(5) No limited trader's plate shall be issued to any person who is not the holder of a current general trader's plate.

Amended by 2416, 1938, s. 11 (c).

(6) The fees for the issue or extension of operation of trader's plates shall be as follows:—

For the issue or extension of operation of one pair of general trader's plates, eleven pounds eleven shillings:

For the issue or extension of operation of a second or any subsequent pair of general trader's plates, eight pounds eight shillings:

For the issue or extension of operation of each pair of limited trader's plates, ten shillings:

Provided that if the trader's plates are issued between the thirtieth day of September and the first day of April the said fee shall be half of the fee otherwise payable.

(7) The registrar shall keep a record showing the name and place of business of every person to whom any trader's plates have been issued under this section.

(8) Every pair of trader's plates shall bear a distinctive number and conform to such specifications as the Minister from time to time directs by notice in the *Gazette*.

(9) Any person selling or disposing of his business during the currency of any trader's plates issued to him shall, within seven days thereafter, give written notice of such sale or disposal to the registrar; and the registrar may, upon payment of a transfer fee of five shillings cause the trader's plates to be transferred to the purchaser of the business for the remainder of the period for which such trader's plates were issued.

(10) Subject to subsection (10a), a motor vehicle bearing general trader's plates may be driven— **Substituted by 35, 1943, s. 8.**

(*a*) by any person for any purpose directly connected with a business carried on by the person to whom the plates were issued (hereinafter called "the trader") and being either—

(i.) a business of manufacturing, repairing, or dealing in motor vehicles; or

(ii.) a business of manufacturing or repairing mechanical or electrical goods, carried on in conjunction with a business of manufacturing, repairing, or dealing in motor vehicles;

(*b*) by any customer of the trader, or any employee of any such customer, for any purpose, while the vehicle is on loan from the trader to the customer, and a vehicle owned by the customer is in possession of the trader for the purpose of being repaired, altered, added to, or tested by the trader;

(*c*) for any purpose by the trader himself or any person who is a partner of the trader in a business of manufacturing, repairing, or dealing in motor vehicles, if the trader or partner is a natural

person and the vehicle is a motor car or a buckboard ordinarily used in connection with such business. "Buckboard" means a vehicle adapted partly for the carriage of goods and partly for the carriage of passengers and weighing when unladen less than thirty-two hundredweights.

A person shall not on any road drive a motor vehicle having a general trader's plate attached thereto except as allowed by the foregoing provisions of this subsection.

Inserted by 35, 1943, s. 8.

(10a) A person shall not on any road drive a motor vehicle having a general trader's plate attached thereto if the vehicle is carrying passengers or goods for hire or reward.

(11) No person shall on any road drive any motor vehicle having a limited trader's plate attached thereto unless he is—

(*a*) the person to whom such trader's plate was issued;

(*b*) a partner of the person or member of the company to whom or to which such trader's plate was issued;

(*c*) a salaried officer or regular employee of the person or company to whom or to which such trader's plate was issued;

(*d*) a prospective purchaser of the motor vehicle accompanied (except in the case of a motor cycle) by any such person as is mentioned in paragraph (*a*), (*b*), or (*c*) of this subsection; or

(*e*) a purchaser of the motor vehicle and resident in another State.

(12) No person shall on any road drive any motor vehicle having a limited trader's plate attached thereto unless the vehicle is at the time—

(*a*) on trial, during the course of construction or repairs or immediately after completion of construction or repairs, for the purpose of ascertaining whether its parts are in proper working condition;

(*b*) on trial for the benefit of a prospective purchaser, or any person *bona fide* interested in the exchange or sale of the vehicle;

(*c*) proceeding to or returning from a prospective purchaser for or after trial;

(*d*) proceeding for delivery to a purchaser or being driven by a purchaser resident in another State to a place within that State;

(*e*) proceeding to or returning from a workshop for painting or repairs;

(*f*) proceeding to a railway station or wharf for entraining or shipment or proceeding from a railway station or wharf to the premises of a manufacturer or dealer;

(*g*) proceeding to an exhibition or show for display or trial or returning therefrom;

(*h*) proceeding to or returning from any garage, auction room, or other place at which vehicles are usually stored or usually or periodically offered for sale, and at which the vehicle is to be, or has been stored, or is to be, or has been offered for sale; or

(*i*) proceeding to or returning with a motor vehicle which, while being driven upon a road or street, has become unable to proceed under its own power.

(13) No person shall on any road, by means of any motor vehicle having a limited trader's plate attached thereto—

(*a*) convey any person to or from any race meeting, trotting meeting, foot races, football or cricket match, or other sport; or

(*b*) carry any goods or load whatsoever except a load which consists solely of some ordinary form of ballast such as sand, gravel, scrap iron, or the like and is carried solely for the purpose of testing the vehicle.

(14) No person shall on any Sunday or public holiday drive on any road any motor vehicle having a limited trader's plate attached thereto.

(15) If any vehicle is driven in contravention of subsection (11), (12), 13), or (14) of this section the driver of the vehicle, and if the driver is not the person to whom the trader's plates were issued, then that person also shall be guilty of an offence.

(16) Every trader's plate issued under this section shall remain the property of the Minister; and if any trader's plate at any time ceases to be operative as such the person to whom it was issued shall, on demand made by the registrar, return the plate to him within seven days thereafter, and if he fails to do so he shall be guilty of an offence and liable to a penalty of not more than ten pounds.

(17) Any person who is driving or has driven a motor vehicle to which a trader's plate is or was attached, shall, when required by any member of the police force, forthwith truly answer any questions put to him by such member relevant to the purpose for which, and the circumstances in which, such vehicle is being driven or was driven.

If any person fails to comply with this section he shall be guilty of an offence.

(18) Every person to whom any trader's plate has been issued under this section shall, when required to do so by any member of the police force, furnish to such member the name and address of any person driving on any occasion specified by such member any motor vehicle to which such plate was attached. If any person upon being so required refuses or fails to furnish such name and address or furnishes a false name or false address he shall be guilty of an offence.

(19) Any person guilty of any failure to observe or contravention of any of the provisions of this section shall be guilty of an offence; and any person guilty of an offence against this section for which some other penalty is not specifically provided shall be liable to a penalty not exceeding thirty pounds.

Temporary reduction of fees for trader's plates.
Inserted by 35, 1943, s. 9, and amended by 2, 1945, s. 4, by 4, 1946, s. 4, and by 3, 1947, s. 4.

27a. Where a pair of general trader's plates is issued or the operation of a pair of general trader's plates is extended at any time before the first day of September nineteen hundred and forty-eight, the fee for such issue or extension shall be the amount payable under section 27 of this Act, less twenty-five per centum thereof.

Refunds where general trader's plates surrendered to registrar.
Inserted by 35, 1943, s. 9.

27b. Where a person to whom general trader's plates have been issued surrenders the plates to the registrar before the thirty-first day of March next after the issue of the plates, the registrar shall pay or credit to that person a sum arrived at by multiplying one-twelfth of the fee paid for the plates by the number of complete calendar months in the period commencing on the day of the surrender of the plates and ending on the thirty-first day of March next following the day of surrender.

Duty of registered owners to furnish particulars of vehicles.
1695, 1925, s. 16.

28. (1) Every person who is registered as the owner of a motor vehicle, shall, upon request by the registrar, produce to the registrar such evidence of the nature and weight of any motor vehicle owned by such person and of the nature of the tires with which that vehicle is fitted, as is prescribed, or as is required by the registrar.

(2) Any person failing to comply with any request under this section shall be guilty of an offence.

Duty of owners to weigh motor vehicles in certain cases. 1695, 1925, s. 17.

29. (1) The owner of any motor vehicle on being served with a notice signed by the registrar requiring him within a time mentioned in the notice to cause his motor vehicle to be weighed unladen on the weighing machine mentioned in the notice or any one of the weighing machines so mentioned if more than one are mentioned, shall obey such notice and shall forward to the registrar forthwith the document showing the result of the weighing.

(2) This section shall not apply if the distance from the place where the motor vehicle is usually kept to the weighing machine mentioned in the notice, or to the nearest of those weighing machines, if more than one are mentioned, is greater than three miles.

(3) Any person failing to comply with any requirement of the registrar under this section shall be guilty of an offence.

Licensing of Drivers.

Duty to obtain driver's licence. 1480, 1921, s. 34 (*a*). Cf. U.K. 20 & 21 Geo. 5 c. 43, s. 4.

30. Any person who, unless exempted by the regulations, drives a motor vehicle on any road without being the holder of a licence for the time being in force, or employs or permits any person not being the holder of such a licence to drive a motor vehicle on any road shall be guilty of an offence.

Issue of driver's licences. 1480, 1921, ss. 12 & 13 (2). 1527, 1922, s. 5. 1827, 1927, s. 5. Cf. U.K. 24 & 25 Geo. 5 c. 50, s. 6; 26 Geo. 5 & 1 Edw. 8 c. 23.

31. (1) The registrar may, subject to the provisions of this Part, issue a licence to any person who—

(*a*) makes written application therefor in the prescribed form; and

(*b*) forwards with such application the fee fixed by this section,

and, subject as aforesaid, may, upon application in the prescribed form, renew any licence. Such renewal shall be in the prescribed form.

Amended by 40, 1945, s. 7.

(2) The annual fees for licences shall be—

(*a*) for a licence to drive a motor vehicle of any kind—ten shillings:

s. 30. PROUDMAN v. DAYMAN (1941) 67 C.L.R. 536; 15 A.L.J. 192, in which special leave was refused to appeal to the High Court from DAYMAN v. PROUDMAN (1941) S.A.S.R. 87. On a charge of permitting an unlicensed person to drive a motor vehicle on a road, proof that the defendant knew that the driver was unlicensed is unnecessary.

(*b*) for a licence to drive a motor cycle only—five shillings:

(*c*) for a licence to drive an electrically or mechanically propelled invalid chair only—one shilling.

Where a licence takes effect from a day between the thirty-first day of December and the next ensuing first day of July, one half of the annual fee shall be payable therefor.

(3) Every application for the renewal of a licence shall be accompanied by the annual fee therefor.

Inserted by 2332, 1936, s. 12.

(4) A licence to drive a motor cycle may be surrendered to the registrar in exchange for a licence to drive a motor vehicle of any kind expiring on the same day as the licence to drive a motor cycle upon payment of the following fee:—

(*a*) if the licence issued in exchange takes effect from a day between the thirtieth day of June and the first day of January, five shillings;

(*b*) if the licence issued in exchange takes effect from a day between the thirty-first day of December and the first day of July, two shillings and sixpence.

Inserted by 2332, 1936, s. 13.

(5) Every application for a licence shall contain a statement, signed by the applicant, that he is aware that it is an offence to drive a motor vehicle on a road unless there is in force a policy of insurance insuring any person driving that vehicle against his liability in respect of the death of or bodily injury to any person caused by or arising from the use of the vehicle.

Restricted driver's licences.
Inserted by 2416, 1938, s. 12.

31a. (1) Where the registrar is satisfied that owing to the age or any physical defect or infirmity of any applicant for a driver's licence it is desirable that any licence issued to that applicant should be subject to restrictive conditions, the registrar may issue to that applicant a licence containing conditions as to the localities in which the applicant shall be entitled to drive, or the class or equipment of the vehicles which the applicant shall be entitled to drive or as to any other matters which the registrar thinks necessary for the purpose of preventing danger to the applicant or the public.

(2) In any case where the registrar is satisfied that, by reason of the distance necessary to be travelled by an applicant for a driver's licence to be examined as provided by section 32a, it would be unreasonable to require the applicant to submit to such an examination, he may, without examination as provided by section 32a, issue to the applicant a licence as provided by subsection (1) of this section.

(3) If any such applicant is not willing to accept a licence containing any such conditions proposed by the registrar the registrar may refuse him a licence and the refusal shall be subject to appeal as mentioned in section 32 of this Act.

(4) If any person contravenes any such condition he shall be guilty of an offence and liable to a fine not exceeding fifty pounds.

Tests of drivers.
Cf. U.K. 20 & 21 Geo. 5 c. 43, s. 5; 24 & 25 Geo. 5 c. 50, s. 6; 26 Geo. 5 & 1 Edw. 8 c. 23.
Subsec. (1) amended by 2332, 1936, s. 14, and by 2416, 1938, s. 13.

32. (1) If the registrar suspects that any applicant for the issue or renewal of a driver's licence is for any reason incompetent to drive a motor vehicle without danger to the public, the registrar shall not issue a driver's licence to that applicant until he is satisfied that that applicant is competent to drive a motor vehicle without danger to the public.

If the registrar refuses to grant any application for the issue or renewal of a licence to any applicant, that applicant may, in accordance with rules of court made under this section, appeal against that refusal to any special magistrate sitting in chambers. On the appeal the special magistrate may—

(*a*) hear the parties and their witnesses;

(*b*) confirm, reverse, or vary the decision appealed against;

(*c*) make any other order which he thinks just including any order as to costs.

Rules of court shall be made under the Local Courts Act, 1926, prescribing the time within which, and the mode in which appeals are to be instituted and dealt with under this section, and any other matters relevant to such appeals.

(2) The registrar, in order to satisfy himself of the competence of any such person, may require him to furnish such evidence of competency as is prescribed, or as the registrar thinks necessary, or to submit to such tests as are prescribed, or as the registrar thinks proper to impose, and may refuse to issue the licence until the applicant furnishes such evidence or satisfies such tests.

Examination of applicant for driver's licence.
Cf. U.K. 24 & 25 Geo. 5 c. 50, s. 6.
Inserted by 2332, 1936, s. 15.

32a. (1) Where an applicant for a driver's licence has not previously held a licence and applies for a licence after a day to be proclaimed by the Governor as the day on which this section shall come into operation, the registrar shall not issue a licence unless the applicant produces to the registrar a certificate from an examiner certifying that the applicant has passed an examination conducted by that examiner, in the rules required by law to be observed by owners and drivers of motor vehicles. No person shall be deemed to have passed an examination for the purposes of

this section unless he has answered correctly at least three-quarters of the questions asked in the examination.

Passage inserted by 2416, 1938, s. 14.

Although a person may have answered correctly at least three-quarters of the questions asked in the examination, the registrar may treat him as having failed if he has given an incorrect answer to any question dealing with any rule which in the registrar's opinion is one of special importance.

(2) Every member of the police force shall be an examiner for purposes of this section, and the Governor may appoint such other persons as he thinks fit to be examiners.

Amended by 45, 1939, s. 11.

(3) The examination shall consist of twelve questions to be answered by the applicant in writing; and the questions for each applicant shall be selected by the examiner from a series of questions formulated and supplied to him by the registrar.

(4) A person who has sat for and failed to pass an examination under this section may again sit for a similar examination at any time after an interval of two clear days.

Age of drivers to whom licences may be issued.
Cf. U.K. 20 & 21 Geo. 5 c. 43, s. 9.
Amended by 2332, 1936, s. 16.

33. No licence (whether to drive a motor vehicle or a motor cycle) shall be issued to any person who has not previously been granted a licence and who is under the age of sixteen years.

Licences may be refused in certain cases.
1480, 1921, s. 17.
Cf. U.K. 20 & 21 Geo. 5 c. 43, s. 4 (6).

34. Upon the direction in writing of the Minister, the registrar shall refuse to issue or renew a licence to any person who has been convicted of driving a motor vehicle whilst so much under the influence of intoxicating liquor as to be incapable of exercising effective control of such motor vehicle, or of driving a motor vehicle in any road in a culpably negligent manner, furiously, or recklessly, or at a speed or in a manner which is dangerous to the public, or of any offence which, in the opinion of the Minister, renders him unfit to hold a licence, or who, in the opinion of the Minister, is otherwise unfit to hold a licence.

Appeal on refusal to issue or renew licence.
1480, 1921, s. 18.
Cf. U.K. 20 & 21 Geo. 5 c. 43, s. 5 (5); 24 & 25 Geo. 5 c. 50, s. 6.

35. (1) Any applicant for the issue or renewal of a licence whose application has been refused may, on giving to the registrar at least seven clear days' notice in writing of his intention so to do, appeal against such refusal to the Local Court of Adelaide, or, at the option of the applicant, to the local court nearest to his residence.

(2) If after hearing the appeal the local court decides that the application ought to be granted, the registrar shall issue or renew the licence accordingly.

(3) The decision of the local court shall be final and conclusive, and shall not be challenged, appealed against, reviewed, quashed, or called in question, or be subject to prohibition or mandamus, in any court on any account whatever.

(4) The local court on the hearing of any such appeal may make any order as to costs which it thinks fit.

(5) For any such appeal the local court shall consist of a special magistrate.

Duration of licence.
1480, 1921, s. 13.
Cf. U.K. 20 & 21 Geo. 5 c. 43, s. 4 (4).

36. Unless cancelled or suspended under this Part every licence shall continue in force until the thirtieth day of June next after the licence commences to be in force.

Quarterly licences for members of the defence force.
Inserted by 61, 1940, s. 6, and amended by 40, 1945, s. 8 (1).

36a. (1) Notwithstanding the other provisions of this Part the registrar may at any time during a period of war upon payment of a fee of two shillings and sixpence, issue to any member of any naval, military, or air force of the Commonwealth or of any other part of His Majesty's Dominions, a driver's licence having a currency of three months. Subject to this Act, such a licence shall authorize the person to whom it is issued to drive a motor vehicle of any kind during the period specified in the licence.

Substituted by 40, 1945, s. 8 (2).

(2) In this section "a period of war" means a period commencing on the day on which the Commonwealth becomes engaged in a war and ending upon the expiration of six months after the Commonwealth issues a proclamation declaring that that war has ceased.

If licence lost, duplicate may be issued.
1480, 1921, s. 14.

37. (1) Upon the application of the holder of any licence the registrar may, on proof to his satisfaction of the loss or destruction of such licence, and on payment of a fee of two shillings and sixpence, issue to the holder of the licence a duplicate licence bearing all memoranda endorsed on the original licence.

(2) Such duplicate shall avail for all purposes as if it were the original licence.

Register of licences.
1480, 1921, s. 19.
2095, 1932, s. 8.

38. (1) The registrar shall kept a register of the names and addresses of all licensed drivers, and of all endorsements on, and renewals and cancellations of, licences.

(2) The prescribed forms of application received by the registrar from persons applying for licences shall be bound or otherwise assembled by the registrar and arranged in

order as the registrar determines and shall constitute the register of licences within the meaning of this Act: Provided that the regulations may provide that the register of licences shall be constituted and kept in any other way.

Suspension of licence and disqualification of holder on conviction.
Cf. U.K. 20 & 21 Geo. 5 c. 43, ss. 7, 8; 24 & 25 Geo. 5 c. 50, s. 5.
Inserted by 2332, 1936, s. 17, and amended by 45, 1939, s. 12.

38a. (1) When any person is convicted, before the Supreme Court or any other court, for any offence against any provision of this Act relating to motor vehicles, or for any offence in the commission of which a motor vehicle was used, or the commission of which was facilitated by the use of a motor vehicle, the court may order that that person be disqualified either for a period fixed by the court or until further order from holding and obtaining a driver's licence.

Subsec. (1a) inserted by 55, 1948, s. 6, and amended by 29, 1950, s. 5.

(1a) If any person after being convicted for an offence against any of the following sections of this Act, namely, sections 43, 43b, 121, and 131, is convicted for a second or subsequent offence against the same section, the court shall order that that person shall be disqualified for a period fixed by the court or until further order from holding or obtaining a driver's licence: Provided that the court, if satisfied by evidence given on oath, that any such offence is trifling, may certify accordingly and if such a certificate is given the offence to which it relates shall not be taken into account for purposes of this subsection: Provided also that—

(*a*) a conviction for an offence committed on or before the sixth day of January, nineteen hundred and forty-nine; or

(*b*) a conviction for an offence committed ten years or more before the commission of a second or subsequent offence against the same section,

shall not be taken into account for the purposes of this subsection.

(2) An order made under this section may be in addition to any other penalty to which the defendant is liable.

s. 38a. GEORGE v. TROTTER (1938) S.A.S.R. 48. Where the defendant entered an intersection at a very fast rate of speed and narrowly escaped a collision and was convicted under section 131, held that the defendant's licence was rightly suspended.

AUSTIN v. DAYMAN (1939) S.A.S.R. 136. Circumstances discussed which may be taken into account in considering whether an order for disqualification should be made.

HATCHER v. O'SULLIVAN (1949) S.A.S.R. 240. Held, before the enactment of the proviso to subsection (1a), that, upon conviction of a second offence against one of the sections specified in section 38a, the court must make an order of disqualification from holding or obtaining a licence, notwithstanding that the first offence was committed prior to the passing of the amending Act of 1948.

38b. If a court of summary jurisdiction on complaint duly laid is satisfied that any person has used or is likely to use a motor vehicle in connection with the commission of any offence by himself or any other person, or to facilitate the escape of himself or any other person from arrest or punishment, it may order that the person who used or is likely to use the vehicle be disqualified either for a period fixed by the court or until further order from holding and obtaining a driver's licence.

Power of suspension, cancellation, and disqualification where vehicle used for criminal purposes.
Inserted by 2332, 1936, s. 17.

38c. If a court of summary jurisdiction presided over by a special magistrate on complaint duly laid by the Commissioner of Police or by the registrar, is satisfied that any person is by reason of intemperance in the consumption of alcoholic liquor or by reason of the habitual use of drugs, likely to cause danger to the public if he drives a motor vehicle on roads, the court may order that that person be disqualified either for a period fixed by the court or until further order from holding and obtaining a driver's licence.

Disqualification of addicts to liquor or drugs.
Inserted by 2332, 1936, s. 17.

38d. (1) Where an order has been made against any person disqualifying him from holding and obtaining a driver's licence until further order that person may on complaint duly laid before a court of summary jurisdiction, and served on the Commissioner of Police as defendant to the proceedings, apply to that court for an order removing the disqualification, and the court may, if it deems it expedient to do so, order that the disqualification be removed as from any date which it thinks proper.

Removal of disqualification.
Cf. U.K. 20 & 21 Geo. 5 c. 43, s. 7.
Inserted by 2332, 1936, s. 17.

(2) No application shall be made under this section earlier than three months after the making of the original order for disqualification, nor shall any application under this section be made within three months of a previous application relating to the same order of disqualification.

38e. (1) If the Commissioner of Police or the registrar has reasonable cause to suspect that any person holding a driver's licence is incompetent to drive a motor vehicle without danger to the public, he may require that person to satisfy him by a practical test that he is competent to drive a motor vehicle without danger to the public and if he fails to pass such a test may suspend the licence held by him.

Suspension of licence on the ground of incompetence to drive.
Inserted by 2332, 1936, s. 17.

(2) The Commissioner of Police or the registrar, at the request of any person whose licence has been suspended under this section, shall at a convenient time conduct a further test of that person's ability to drive a motor vehicle; and if that person fails to pass the test he shall be entitled

to undergo further tests from time to time at intervals of not less than fourteen days. When that person passes a test the suspension of his licence shall forthwith cease.

Suspension of licence of person suffering from disease or disability.
Inserted by 45, 1939, s. 13.

38ee. (1) If the Commissioner of Police or the registrar suspects that any person holding a driver's licence is suffering from any disease (mental or physical) or any disability which impairs or may at any time impair his ability to drive a motor vehicle he may suspend the licence of that person for such period as he thinks proper.

(2) If the Commissioner of Police or the registrar is subsequently satisfied that the ability of the said person to drive a motor vehicle is not impaired, or is not impaired to such an extent as to justify the continuance of the suspension, he may remove the suspension.

(3) Where the licence of any person has been suspended under this section, that person may on complaint duly laid before a court of summary jurisdiction and served on the Commissioner of Police or the registrar, as the case may be, as defendant to the proceedings, apply to that court for an order removing the suspension, and the court may if it deems it expedient to do so order that the suspension shall be removed as from any date which it thinks proper, or that the period of suspension shall be altered, or may make any other order relating to the suspension which the court thinks just.

Mode of suspension by Commissioner of Police or registrar.
Inserted by 2332, 1936, s. 17.

38f. Every suspension imposed by the registrar or the Commissioner of Police, shall be by a document in writing under his hand, and shall be served on the holder of the licence either personally or by registered post.

Refusal or revocation of temporary registration of vehicle from other States.
Inserted by 2332, 1936, s. 17.

38g. (1) If the registrar has reasonable cause to suspect that any applicant for temporary registration of a motor vehicle registered in another State, or any person who has been granted such temporary registration, has used, is using, or is likely to use that motor vehicle in connection with the commission of any offence by himself or any other person, or to facilitate the escape of himself or any other person from arrest or punishment, he may refuse to issue or, as the case may be, revoke such temporary registration.

(2) The revocation shall be by a document in writing under the hand of the registrar, and personally served on the person thereby affected.

Offences in connection with licences. 1480, 1921, s. 35.

39. Any person who—

(*a*) by any false statement or by misrepresentation obtains or attempts to obtain a licence; or

(*b*) without lawful excuse has in his possession a licence or any article resembling such licence and liable to be mistaken therefor; or

(*c*) forges or fraudulently alters or uses or fraudulently lends or allows to be used by any other person any licence,

shall be guilty of an offence.

Warning devices, silencers, and lights on motor vehicles.

Duty to carry warning device. 1480, 1921, s. 30. 1695, 1925, s. 10. Cf. U.K. 20 & 21 Geo. 5 c. 43, s. 59 (1) (*b*). Amended by 2332, 1936, s. 18, and by 2416, 1938, s. 15.

40. (1) Any person who drives in any road or who, being the owner, causes or permits any person to drive on any road a motor vehicle which has not attached thereto, under the immediate control of the hand or foot of the driver, a proper horn or other instrument capable of giving audible and sufficient warning of the approach and position of that motor vehicle, shall be guilty of an offence:

Provided that this subsection shall not apply to any trailer so long as the motor vehicle to which that trailer is attached complies with this subsection.

(2) Any driver of a motor vehicle who does not whenever necessary, by sounding the horn or other instrument attached thereto, give audible and sufficient warning of the approach or position of that motor vehicle, shall be guilty of an offence.

Inserted by 2332, 1936, s. 18.

(3) A bell or siren shall not be taken to be a proper horn or other instrument within the meaning of this section except where the motor vehicle to which it is attached is—

(*a*) being used at the time by the Fire Brigades Board or a fire brigade or the Police Department; or

(*b*) an ambulance; or

(*c*) an emergency vehicle being used at the time by the Municipal Tramways Trust.

Misuse of warning devices. Inserted by 2332, 1936, s. 19.

40a. (1) If any person—

(*a*) uses the warning device of a motor vehicle otherwise than for giving reasonable warning of the approach of that vehicle; or

s. 40. JOLLY v. WALLMAN (1936) S.A.S.R. 121. Where a dangerous situation arises at a time when it is too late for a warning to be effective, there is no need to give warning of the approach of a vehicle.

(*b*) uses the warning device of a motor vehicle in such a manner as to produce an offensive noise,

he shall be guilty of an offence.

(2) If any person in any road sounds any bell or siren attached to or being upon any motor vehicle other than—

(*a*) a vehicle being used at the time by the Fire Brigades Board, or a fire brigade, or the Police Department; or

(*b*) an ambulance; or

(*c*) an emergency vehicle being used by the Municipal Tramways Trust,

he shall be guilty of an offence.

Mechanical signals on vehicles with left-hand drive.
Inserted by 40, 1945, s. 9.

40b. (1) Every motor vehicle with left-hand drive shall be fitted with a mechanical or electrical device of a kind approved by the registrar, by which driving signals substantially similar to those prescribed by section 134 of this Act may be given.

(2) A motor vehicle shall be deemed to have left-hand drive if the steering wheel is on the left of a vertical plane bisecting the vehicle longitudinally.

(3) A person who drives or causes or permits any person to drive on any road a motor vehicle which in any particular does not comply with this section shall be guilty of an offence.

Duty of drivers as to silencers and elimination of noise, smoke, etc.
1480, 1921, s. 31.
2095, 1932, s. 11.

41. (1) Any person who in any road drives a motor vehicle—

(*a*) which has not attached to it and in use a silencer which eliminates all unnecessary noise; or

(*b*) which has attached to it a silencer to which any alteration has been made which reduces or is likely to reduce the effectiveness of such silencer; or

(*c*) on which there is any device which may be used to reduce the effectiveness of the silencer,

shall be guilty of an offence.

(2) Any person who makes any alteration to a silencer which reduces or is likely to reduce its effectiveness shall be guilty of an offence.

s. 41. DAYMAN v. ELLIS (1933) S.A.S.R. 274. Section 41 requires that the silencer must at the material time be in actual use and eliminate all unnecessary noise.

(3) Any driver of a motor vehicle who allows it to make or emit any unnecessary noise, smoke, visible vapour or smell shall be guilty of an offence.

42. (1) Every motor vehicle (other than a motor cycle or trailer) which is at any time between half an hour after sunset and half an hour before sunrise on any road shall carry attached thereto—

Lights on motor vehicles. 1480, 1921, s. 32. 1527, 1922, s. 6. 1695, 1925, s. 11. 1827, 1927, s. 7.

(*a*) two lighted lamps carried one on each side of such motor vehicle, such lamps being so constructed and carried as to show a bright white, yellow or amber-coloured light in front of such motor vehicle; and

Para. (a) amended by 2416, 1938, s. 16.

(*b*) a lighted lamp carried on the rear of such motor vehicle, such lamp being so constructed and carried as to illuminate and render easily distinguishable from a distance of at least forty feet each figure and letter on the number plate attached to the rear of such motor vehicle, and to show a red light in such a position and manner as to be clearly visible at a distance of at least two hundred yards to any person approaching such motor vehicle from the rear:

Para. (b) amended by 2332, 1936, s. 20, and by 20, 1944, s. 6 (a).

Provided that—

(*a*) if one or more trailers are attached to such motor vehicle the light provided for by subdivision (*b*) hereof shall be placed on the rear of such trailer, or on the rear of the rearmost of such trailers, if there is more than one, instead of on such motor vehicle:

Amended by 20, 1944, s. 6 (a).

(*b*) this subsection shall not apply to any such motor vehicle if and so long as such motor vehicle is stationary in a road and is standing under or near a lighted public street lamp or other lamp, so illuminating such road as to render such motor vehicle clearly visible and to remove any risk of accident by collision or otherwise; and

(*c*) this subsection shall not apply to any such motor vehicle if and so long as such motor vehicle is stationary in a road, and the rear lamp of such motor vehicle is alight and is showing a light

Amended by 2332, 1936, s. 20.

s. 42. RUDALL AND OTHERS v. DEACON AND OTHERS (1943) S.A.S.R. 271. Appeal to the High Court dismissed (1943) 67 C.L.R. 642 (note); (1943) S.A.S.R. xxiii. (note). It is not necessary that the red light required to be carried pursuant to paragraph (*b*) of subsection (1) shall be carried at the extreme edge of the off side rear part of the vehicle.

sufficiently bright to indicate the presence of such motor vehicle, and to remove any risk of accident by collision or otherwise.

Inserted by 2332, 1936, s. 20, and amended by 2416, 1938, s. 17.

(1a) Every motor vehicle which, or the load on which, is more than six feet six inches wide and which is at any time between half an hour after sunset and half an hour before sunrise on any road, shall carry attached to the extreme off-side of the vehicle or, where there is a load projecting from the off-side of the vehicle, at the extreme off-side of that load, a lighted lamp so constructed and carried as to show a bright green light in front of the vehicle clearly visible at a distance of at least two hundred yards from the front of the vehicle, and a bright red light clearly visible at a distance of at least two hundred yards from the rear of the vehicle, or alternatively two lighted lamps showing respectively a green light and a red light complying with the foregoing provisions of this subsection. The lamp so carried shall be not less than three and not more than six feet from the ground, and shall be affixed as near as practicable to the edge of the vehicle or load.

It shall be sufficient compliance with this subsection if any lamp or lamps carried in pursuance of the other provisions of this Act also comply with this section.

Inserted by 2332, 1936, s. 20.

(1b) Every motor vehicle the load on which extends more than three feet behind the rear of the motor vehicle and which is at any time between half an hour after sunset and half an hour before sunrise on any road shall carry attached to the extreme rear of that load a lighted lamp so constructed and carried as to show a red light clearly visible from a distance of two hundred yards from the rear of the motor vehicle.

For the purpose of this subsection any frame work, fixed or placed on a motor vehicle, shall be deemed to be the load or portion of the load on that motor vehicle.

Inserted by 45, 1939, s. 14.

(1c) Whenever any part of a motor vehicle, which is at any time between half an hour after sunset and half an hour before sunrise on any road, projects to the rear for more than three feet beyond the lamp carried on the rear of the motor vehicle pursuant to paragraph (*b*) of subsection (1) of this section, a lighted lamp shall be kept attached to the rearward extremity of the said projecting part of the motor vehicle in such a position and manner as to show a red light clearly visible from a distance of two hundred yards from the rear of the motor vehicle.

(2) Every motor cycle which is on any road between half an hour after sunset and half an hour before sunrise shall carry—

(*a*) a lighted lamp attached to the front of the motor cycle and so constructed and carried as to show a bright white, yellow or amber-coloured light in front of the motor cycle and also illuminate and render easily distinguishable from a distance of at least ten yards each figure and letter on the number-plate attached to the front of the motor cycle: Amended by 2416, 1938, s. 16.

(*b*) a lighted lamp attached to the rear of the motor cycle and so constructed and carried as to show a red light clearly visible at a distance of at least two hundred yards from the rear of the motor cycle and illuminate and render easily distinguishable from a distance of at least forty feet each figure and letter on the number-plate attached to the rear of the motor cycle:

(*c*) if a side-car is attached to the motor cycle, in addition to the lighted lamps provided for by the preceding paragraphs a lighted lamp attached to the front of that side-car, such lamp being so constructed and carried as to show a bright white light in front of the side-car:

Provided that this subsection shall not apply to any motor cycle if and so long as such motor cycle is stationary in a road and is standing under or near a lighted public street lamp or other lamp so illuminating such road as to render the motor cycle clearly visible and to remove any risk of accident by collision or otherwise.

(3) If any person drives or leaves stationary on any road, or causes or permits any person to drive or leave stationary on any road, any motor vehicle which in any particular does not comply with this section, he shall be guilty of an offence. Substituted by 20, 1944, s. 6 (b).

Brakes on Motor Vehicles.

42a. (1) In this section, unless the context otherwise requires— Brakes on motor vehicles. Cf. U.K. 20 & 21 Geo. 5 c. 43, s. 59 (1) (*a*). Inserted by 2332, 1936, s. 21.

"independent brake" means a brake of which the entire operating mechanism or system is either—

(*a*) separate from all parts and connections of any other brake or brake system, so that the brake in question cannot be adversely

affected by the operation or failure of any other brake; or

(*b*) common to any other brake or brake system only in parts or connections which are of such design and strength, that there is no reasonable probability of failure of the independent brake by reason of the failure of any other brake or brake system:

"retaining brake" means a brake so constructed and of such a nature that it is capable, when applied on used grades with any load carried or likely to be carried by the vehicle, of retaining all road-wheels, other than the steering-wheels, immovable for an indefinite period and without further attention than the initial application:

"tractor" means any motor vehicle used solely for the purposes of traction, and not for the carriage thereon of passengers (other than the driver) or goods:

"used grades" includes every road of whatever grade upon which the motor vehicle in question is used or likely to be used.

(2) In this section the term "capable of stopping" as applied to a brake means capable of bringing to a standstill the vehicle to which it is attached from a speed of twenty miles per hour upon a hard, dry, level road having a surface of tar, bitumen, concrete, or similar substance, and free of loose material, without assistance from the compression of the engine, within the specified distance from the point at which the brake is applied.

(3) Every motor vehicle (not being a motor cycle, and not being a tractor the maximum possible speed of which is fifteen miles per hour or less) shall be equipped with two independent brakes attached thereto.

(4) At least one of the brakes shall be a retaining brake.

(5) At least one of the brakes shall be so constructed as to act directly on the wheels, and not through transmission gear.

(6) In the case of a vehicle driven by steam—

(*a*) if the engine is capable of being reversed; and

(*b*) if the engine is incapable of being disconnected from all the road-wheels or all the axles, other than the front wheel or axle, save by the sustained action of the driver; and

(*c*) if there is no differential gear or similar mechanism between any two of the axles,

then it shall be sufficient if the vehicle is equipped with one brake independent of the engine, and complying with the requirements of subsections (4) and (5) of this section.

(7) One brake of a motor vehicle shall, if that brake acts on four wheels, be capable of stopping the vehicle within thirty feet, and if it acts on two wheels, within forty-five feet, and the other brake shall be capable of stopping the motor vehicle within seventy feet.

(8) Every motor cycle (with or without a side-car attached) shall be equipped with at least one brake which shall be capable of stopping the cycle within forty feet.

(9) Every motor cycle having a side-car attached shall, after the first of April, nineteen hundred and thirty-eight, be equipped with two independent brakes attached thereto, one being a brake complying with the requirements of the last preceding subsection and the other a brake of reasonable efficiency. Amended by 2416, 1938, s. 19 (1).

(9a) A three wheeled motor vehicle (not being a motor cycle with a side-car attached) shall be equipped with two independent brakes, one of which shall be capable of stopping the vehicle within forty feet and the other a brake of reasonable efficiency. Inserted by 2416, 1938, s. 19 (2).

(10) A trailer need not be equipped with brakes, if the motor vehicle by which it is drawn has brakes capable of stopping that vehicle with the trailer attached, within the distance prescribed by this section.

(11) A motor vehicle of the self-laying track type, having a continuous band or bands as its sole means of locomotion or traction, or having in addition thereto no more than two wheels in contact with the ground, is hereby exempted from the requirement of subsection (5).

(12) Each brake referred to in this section shall be capable of easy adjustment, and shall be maintained at all times in good working order.

(12a) The Governor may make regulations prescribing the standards or percentages of efficiency (as ascertained or measured by any brake-testing apparatus mentioned in the regulations) for brakes on motor vehicles of any class and if the brakes on any motor vehicle do not comply with any Inserted by 2416, 1938, s. 19 (3).

such regulation, that motor vehicle shall be deemed not to comply with this section.

Nothing in this subsection or in the regulations made under this subsection shall affect the obligation to comply with the other subsections of this section.

(13) Any person who drives or causes or permits any person to drive on any road any motor vehicle which in any particular does not comply with this section shall be guilty of an offence.

Windscreen Wipers and Rear Vision Mirrors.

Windscreen wipers. Inserted by 2332, 1936, s. 21.

42b. (1) Every motor vehicle having a windscreen shall be equipped with a windscreen wiper, capable at all times of effectively removing rain or other moisture from the portion of the windscreen immediately in front of the driver, and so constructed and situated that it can be controlled or operated from the driver's seat of the vehicle.

(2) If the motor vehicle is registered for the first time after the first of January, nineteen hundred and thirty-seven, the windscreen wiper shall be capable of being operated by a mechanical power.

(3) Any person who drives or causes or permits any person to drive on any road any motor vehicle which in any particular fails to comply with this section, shall be guilty of an offence.

Reflecting mirrors. Inserted by 2332, 1936, s. 21.

42c. (1) Every motor vehicle, other than a motor cycle, shall be equipped with a mirror so constructed and fitted to the motor vehicle as to give the driver of the motor vehicle a view along the carriage-way of the road behind the vehicle, for at least one hundred yards on a straight road: Provided that this section shall not apply to a motor vehicle when drawing a trailer.

Subsec. (2) substituted by 2416, 1938, s. 18.

(2) Any person who drives or who, being the owner, causes or permits any person to drive on any road a motor vehicle which in any respect fails to comply with this section shall be guilty of an offence.

(3) It shall be a defence to any charge made under this section if the defendant shows that owing to the mode of construction of the vehicle, or the load carried thereon, it was not practicable to comply with this section.

Duties of Drivers and Owners of Motor Vehicles.

Provision as to speed of motor vehicles. 1480, 1921, s. 20. 2095, 1932, s. 9. Cf. U.K. 20 & 21 Geo. 5 c. 43, s. 10; 24 & 25 Geo. 5 c. 50, ss. 1, 2.

43. (1) Any person who drives a motor vehicle on any road at an excessive speed shall be guilty of an offence.

(2) It shall be *prima facie* proof only that a person has driven at an excessive speed if it is proved that he drove on a road—

(*a*) in any municipality, town, or township at a greater speed than twenty-five miles per hour; or

(*b*) outside a municipality, town, or township at a greater speed than forty miles per hour.

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Subsec. (3) repealed by 46, 1941, s. 4.

(4) In considering whether an offence has been committed under this section the court shall have regard to the nature, condition, and use of the road upon which the offence is alleged to have been committed and to the amount of traffic which at the time actually is or which might reasonably be expected to be upon such road and to the vehicle concerned, and to all other circumstances affecting the matter, whether of the same nature as those mentioned or not.

Speed of motor cycles carrying pillion passengers. Inserted by 2332, 1936, s. 22.

43a. (1) Any person who on any road, drives at a greater speed than twenty-five miles per hour a two wheeled motor cycle carrying any person in addition to the driver, shall be guilty of an offence.

(2) This section does not apply to a motor cycle having a side-car attached thereto.

Speed in municipalities and towns. Inserted by 55, 1948, s. 7, and substituted by 29, 1950, s. 6.

43b. (1) Any person who drives a motor vehicle on a road in a municipality, town, or township at a greater speed than thirty-five miles an hour shall be guilty of an offence.

(2) This section shall not restrict the operation of any other provision of this Act relating to the speed at which motor vehicles may be driven.

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s. 44 repealed by 2332, 1936, s. 23.

s. 43. BOND v. HALL (1938) S.A.S.R. 59. Where evidence was given as to speed by reference to a speedometer but there was evidence that the speedometer had not been tested, held that the recording by the speedometer was lawful evidence (and see also section 157 (3), enacted since this decision).

GIBSON v. JENNINGS AND ANOTHER (1938) S.A.S.R. 330. A speed exceeding that mentioned in subsection (2) is an element to consider on the question of negligence in a civil action.

Duty of driver to produce licence and give name and address.
1480, 1921, s. 22. Cf. U.K. 20 & 21 Geo. 5 c. 43, s. 4 (5).

45. (1) Any driver of a motor vehicle who—

(*a*) when requested by a member of the police force in the execution of his duty under this Act to produce his licence fails to do so within forty-eight hours of the making of the request; or

(*b*) when requested by a member of the police force to state his name and place of abode or the name and place of abode of the owner of such motor vehicle refuses or fails to do so or states a false name or place of abode,

shall be guilty of an offence.

(2) Any inspector may without any warrant other than this Act apprehend any driver of a motor vehicle who is guilty of any offence under this section.

S. 46 repealed by 2332, 1936, s. 24.

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S. 47 repealed by 2332, 1936, s. 26.

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Driving whilst drunk or under the influence of drugs.
Substituted by 2416, 1938, s. 20, and amended by 55, 1948, s. 8.

48. (1) Any person who—

(*a*) drives a motor vehicle; or

(*b*) occupies the driver's seat and attempts to put a motor vehicle in motion,

whilst he is so much under the influence of intoxicating liquor or a drug as to be incapable of exercising effective control of the vehicle shall be guilty of an offence.

s. 48. BURROWS v. HANLIN (1930) S.A.S.R. 54. The opinion of persons, not experts, as to whether a man is drunk, or capable of driving a car, is not admissible as evidence.

DAYMAN v. SIMPSON (1935) S.A.S.R. 320. Where the defence suggests that an expert witness, called by the prosecutor as to the condition of the defendant, has given an unsound opinion, that should be suggested to the witness before he leaves the box. Complaint referred for re-hearing where this rule was not observed.

HENNIG v. ROBERTSON. ROBERTSON v. HENNIG (1937) S.A.S.R. 400. Where a person, who had been convicted under section 26 of the Motor Vehicles Act, 1921, of driving a motor vehicle whilst so much under the influence of liquor as to be incapable of exercising effective control of the vehicle, committed this offence under section 48 of this Act, held that the penalty to be inflicted was that appropriate to a second offence under section 48.

CHUCK v. WEST (1938) S.A.S.R. 51. It is not necessary on a charge under section 48 to show that the defendant was drunk.

PULLEINE v. BUTTON (1948) S.A.S.R. 1. Upon a charge under section 48 proof that the defendant actually drove the vehicle for some distance in an apparently normal manner and without mishap does not necessarily compel a finding that he was capable of exercising effective control of it. The court may be satisfied that the defendant was incapable of exercising effective control of the vehicle upon inferences drawn from evidence which may not include any actual act of driving or notwithstanding evidence of acts of apparently normal driving.

Penalty—For a first offence, a fine of not less than thirty pounds and not more than fifty pounds and disqualification from holding and obtaining a driver's licence for such period as the court thinks fit, but in no case less than three months.

For a second offence, a fine of not less than fifty pounds and not more than one hundred pounds, or imprisonment for not less than two months and not more than six months, or both such fine and imprisonment, and in any case disqualification from holding and obtaining a driver's licence for such period as the court thinks fit but in no case less than six months.

For a third or any subsequent offence, imprisonment for not less than three months and not more than twelve months and disqualification from holding and obtaining a driver's licence for such period as the court thinks fit, but in no case less than three years.

(2) Notwithstanding any other Act the minimum amount of any fine and the minimum period of imprisonment or disqualification prescribed by this section shall not be reduced or mitigated in any way except as follows:—

In the case of a first offence, the court, if it is satisfied by evidence given on oath that the offence is trifling, may order disqualification for a period less than three months but not less than fourteen days.

(3) The court by which any person is convicted under this section on the complaint of a member of the police force, may, in addition to ordering any other penalty, order on the application of the complainant that the defendant pay to the complainant a reasonable sum to cover the expenses of any of the following things:—

(*a*) apprehending the defendant:

(*b*) conveying him to any police station:

(*c*) keeping him in custody until trial:

(*d*) medically examining him.

Any amount received by the complainant under this section shall be paid by him into the general revenue of the State.

(4) For the purposes of subsection (1) of this section a person shall be deemed to be incapable of exercising effective control of a vehicle if at the relevant time owing to the influence of intoxicating liquor or a drug the use of any mental or physical faculty of that person was lost or appreciably impaired. This subsection shall not be deemed

Inserted by 55, 1948, s. 8 (c).

to restrict the meaning of the words "incapable of exercising effective control of a vehicle."

S. 49 repealed by 2332, 1936, s. 26.

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Registered owners and licensed drivers to notify change of address.
1480, 1921, s. 28.

50. (1) Every person registered as the owner of a motor vehicle and every holder of a licence who permanently changes his place of abode shall, within fourteen days of so doing, give written notice to the registrar of his new place of abode.

Inserted by 46, 1941, s. 5.

(2) Every person to whom any trader's plates have been issued and who changes his principal place of business during the period of operation of those plates shall, within fourteen days of so doing, give written notice to the registrar of his new principal place of business.

Side-car to be on left side of motor cycle.
1480, 1921, s. 33.

51. (1) No motor cycle having a side-car attached thereto shall be driven or shall stand in any road unless such side-car is so attached on the left side of such motor cycle.

(2) If any person owns or drives any motor cycle not complying with this section in any particular he shall be guilty of an offence: Provided that where the owner and driver of the cycle are different persons both shall not be punished in respect of the same contravention.

S. 52 repealed by 2332, 1936, s. 27.

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Penalty for using motor vehicle without consent of owner.
1480, 1921, s. 37.
1695, 1925, s. 13.
Cf. U.K. 20 & 21 Geo. 5 c. 43, s. 28.

53. (1) Any person who drives or uses any motor vehicle without first obtaining the consent of the owner thereof shall be guilty of an offence.

Penalty—For a first offence, imprisonment for not more than twelve months. For any subsequent offence, imprisonment for not less than three months or more than two years.

Subsec. (1) amended by 2416, 1938, s. 21, and by 46, 1941, s. 6.

(2) The court may, in addition to any other penalty imposable under this section, order the defendant to pay to the owner of the motor vehicle used in contravention of this

S. 53. BOLLMEYER v. DALY (1933) S.A.S.R. 295; 5 Austn. Digest 168. "Use" covers every degree of use. The *mens rea* necessary to support a charge under section 53 is an intention to use a motor vehicle without the consent of the owner.

LOGAN v. COPP (1942) S.A.S.R. 45. When a soldier was convicted, on a plea of guilty, of unlawfully using a motor vehicle without first obtaining the consent of the "Commonwealth Military Defence Department" alleged in the complaint to be the owner of the vehicle, held that the conviction was bad as the owner of the vehicle must, by reason of section 111 of the Defence Act, 1903-1939, be deemed to be the commanding officer of the corps.

CRAFTER v. SIMPSON (1943) S.A.S.R. 87. When a soldier, without any authority from the officer commanding his unit, took and used on his own affairs a motor cycle belonging to the Commonwealth, held that he could properly be convicted of an offence under section 53.

section such a sum as the court thinks proper by way of compensation for any loss or damage suffered by the owner.

(3) This section shall not apply to any member of the police force in the execution of his duty under this Act.

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S. 54 repealed by 2332, 1936, s. 27.

55. Any person who interferes with or tampers with a motor vehicle or any part thereof, without first obtaining the consent of the owner thereof, shall be guilty of an offence.

Interfering with motor vehicle.
1480, 1921, s. 39.
Cf. U.K. 20 & 21 Geo. 5 c. 43, s. 29 (2).

56. Any person who procures the use or hire of any motor vehicle by fraud or misrepresentation shall be guilty of an offence and liable to a fine not exceeding twenty pounds or to imprisonment for any period not exceeding six months, or to both such fine and imprisonment.

Procuring use of car by fraud.
1480, 1921, s. 40.

57. (1) Whenever a licensed driver is charged with any breach of this Part he shall produce his licence to the court at the time of the hearing of the charge.

(2) Any such driver who fails without reasonable excuse to produce his licence as aforesaid shall be guilty of an offence.

Production of licence at court.
1480, 1921, s. 41.
Cf. U.K. 20 & 21 Geo. 5 c. 43, s. 8.

58. Any person who wilfully makes any false statement in an application under this Part for the registration of a motor vehicle, or in an application for the issue or renewal of a licence to drive a motor vehicle, shall be guilty of an offence.

False statement by applicant for licence or for registration punishable.
1480, 1921, s. 42.

59. (1)—

(*a*) If any commercial motor vehicle, for the registration of which a reduced registration fee has been paid as allowed by paragraph (7) of section 9 of this Act, is during the period of the registration used for the carriage of His Majesty's mails, goods, or passengers for pecuniary reward or for carrying goods in the course of any trade or business other than that of a primary producer; or

Penalty on improper use of vehicles registered for reduced fee.
Substituted by 2416, 1938, s. 22.

(*b*) if any commercial motor vehicle for the registration of which a reduced registration fee has been paid as allowed by paragraph (8) of section 9 of this Act is during the period of registration

Amended by 35, 1943, s. 10.

used for any purpose other than a purpose set out in the said paragraph (8) as the case may be; or

(*c*) if any motor tractor for the registration of which a reduced registration fee has been paid as allowed by paragraph (10) of section 9 of this Act is during the period of the registration used for any purpose other than a purpose set out in the said paragraph (10),

and the balance of the full registration fee for the said period has not been paid before the vehicle is so used, then the person driving the vehicle and, if that person is employed by any other person to drive the vehicle, then the employer also shall be guilty of an offence.

Inserted by 61, 1940, s. 7.

(1a) If any trailer which has been registered without fee as provided in subparagraph (*h*) of paragraph (13) of section 9 of this Act is during the period of the registration used for any purpose other than the carriage of equipment and fuel for generating producer gas for the propulsion of the motor vehicle by which the trailer is drawn, the full registration fee which would be payable under paragraph (5) of section 9 of this Act for the registration of the trailer for the said period, shall forthwith become due and payable and may be recovered from the owner by the registrar on complaint in a court of summary jurisdiction, and in addition the driver of the motor vehicle by which the trailer is drawn shall be guilty of an offence.

(2) The carriage of goods and passengers on any motor vehicle which is on the establishment of any unit of the military forces of the Commonwealth, shall not, if those goods or passengers are carried in connection with military training or other military operations carried on by the Commonwealth, be regarded as the carriage of goods or passengers within the meaning of paragraph (*a*) of subsection (1) of this section.

Powers and duties of police.

1480, 1921, s. 43. Cf. U.K. 20 & 21 Geo. 5 c. 43, s. 49.

60. (1) Every member of the police force shall see that this Part is duly observed.

(2) Any member of the police force in the execution of his duty under this Part may give such reasonable directions to persons driving motor vehicles upon any road as are, in his opinion, necessary for the safe and efficient regulation of the traffic thereon, or for the purpose of ascertaining whether any offence against this Part has been or is being committed.

(3) Any person who—

(*a*) obstructs or hinders any member of the police force in the exercise of his duties under this Part; or

(*b*) in any way interferes with or prevents the exercise of any of the powers conferred or the discharge of any of the duties imposed by this Part upon members of the police force; or

(*c*) disobeys any lawful order or direction of a member of the police force in the exercise of his duties under this Part,

shall be guilty of an offence.

Regulations as to Motor Vehicles.

Regulations. 1480, 1921, s. 44. Cf. U.K. 20 & 21 Geo. 5 c. 43, s. 30.

61. (1) In addition to any power by any other section of this Part conferred on the Governor to make regulations (which power shall in every case be implied for the purpose of any section in which the word "prescribed" is used), the Governor may make regulations prescribing all matters and things which by this Part are contemplated, required or permitted to be prescribed, or which appear to him to be necessary or convenient to be prescribed for the purpose of more effectually carrying out any of the provisions of this Part, or for better effecting the objects of this Act, and in particular (without limiting the effect of this section) for all or any of the following purposes, namely:—

I. Regulating the use of motor vehicles and the conditions under which they may be used;

II. Regulating the speed of motor vehicles in particular localities or under particular circumstances, and for such purposes varying the rates of speed declared by this Part to be *prima facie* evidence of driving at excessive speed;

III. Prescribing and regulating the affixing and use of warning devices on motor vehicles;

IV. Prescribing and regulating the affixing of efficient brakes on motor vehicles;

V. Providing for minimising the noise and the issue of smoke or fumes from the working of motor vehicles;

s. 61. GRAVES v. WALKOM (1926) S.A.S.R. 34. The breach of a statutory regulation may tend to show negligence on the part of the plaintiff or defendant.

FORBY v. LAUCKE (1933) S.A.S.R. 60. The existence of a statutory regulation for the use of the highway is a circumstance to be taken into account in applying the principles of common law in an action for negligence.

vi. Prohibiting the use of motor vehicles that, owing to defects in construction or other causes, are unsuitable for safe use;

vii. Prohibiting or restricting the use of motor vehicles upon any specified roads, or within the roads in any specified area, either generally or within certain hours;

Cf. U.K. 20 & 21 Geo. 5 c. 43, s. 16.

viii. Prohibiting or regulating the carrying of any person on a motor cycle in addition to the rider thereof;

ix. Regulating the form of the registered numbers assigned to motor vehicles, and the manner of placing them upon such vehicles;

x. Providing that any regulations under this section may be of a local nature and limited in their application to a particular area, or may be restricted in their operation to any specified class of motor vehicle;

xi. Providing for the erection of uniform signs and notices for the guidance of motor drivers;

Substituted by 45, 1939, s. 15.

xii. Providing for the temporary registration, or the exemption from registration, of motor vehicles owned by persons resident outside the State and temporarily in the State, and for the issue of temporary licences to the drivers of such vehicles or for the exemption of such drivers from the obligation to hold licences;

Inserted by 46, 1941, s. 7.

xiia. Providing for the transfer or cancellation of the registration of a motor vehicle when the ownership of the vehicle passes to any person on the bankruptcy of the registered owner, or on repossession of the vehicle pursuant to a hire-purchase agreement, or on any other involuntary alienation, and prescribing the conditions under which refunds of the registration fee may be made in such cases, and any other matters relevant to such changes of ownership;

xiii. Providing for the regulation of the owners and drivers of motor vehicles; and

xiv. Providing for any other purpose which the Governor may consider necessary for the safety or convenience of the public, or for the protection of property;

Inserted by 2416, 1938, s. 23.

xv. Requiring motor vehicles to be provided with apparatus for deflecting, dipping, dimming, or otherwise adjusting the headlights thereof and for regulating the use of such apparatus.

(2) Any such regulation may impose a penalty not exceeding twenty pounds for any breach of the same or any other regulation.

Inconsistency of regulation or by-law. 1480, 1921, s. 47.

62. When any regulation or by-law made by any municipal or district council or other authority is inconsistent with a regulation made under this Part, the latter shall prevail, and the former shall, to the extent of the inconsistency, be invalid.

Legal Proceedings and Evidence.

Offences. 1480, 1921, s. 48.

63. Any contravention of or failure to observe any provision of this Part, whether by act or omission, shall be an offence.

Penalties. 1480, 1921, s. 49.

64. Any person guilty of an offence under this Part for which no specific pecuniary penalty is provided shall be liable to a penalty of not more than twenty pounds.

Copy of record of registration and licences to be evidence. 1480, 1921, s. 50. 1695, 1925, s. 14. 2095, 1932, s. 15.

65. (1) A document purporting to be an extract from, or copy of, any entry contained in the register of motor vehicles or in the register of licences and purporting to be certified as such under the hand of the registrar shall, in all courts and upon all occasions whatsoever be admissible as evidence, and shall be *prima facie* evidence of the truth of the matters stated in such document without the production of such registers, or any licence, notice, or other document upon which any entry may be founded.

(2) A document purporting to be a certificate under the hand of the registrar stating all or any of the following matters, namely:—

(*a*) That the person therein described was not on any given date the holder of a licence:

(*b*) That the person therein described had not on any given date registered any motor vehicle whatever, or any particular motor vehicle therein described:

(*c*) That no trader's plate or no trader's plate bearing a particular number had on any given date been issued to the person therein described:

(*d*) That any number therein mentioned was not the number of any trader's plate in force on any given date:

(*e*) That any motor vehicle therein described was not on any given date a registered motor vehicle:

(*f*) That any number therein mentioned was not on any given date assigned to any motor vehicle what-

ever, or to any particular motor vehicle therein described:

(*g*) That any person therein described had not on any given date notified the registrar in the prescribed form of the transfer of any motor vehicle therein described:

(*h*) That any person therein described had not on any given date delivered to the registrar the registration card issued in respect of any transferred motor vehicle therein described:

(*i*) That any person therein described had not on any given date notified the registrar in writing of his permanent change of address from any address therein described to any other address therein described,

shall in all courts and upon all occasions whatsoever, be admitted as *prima facie* evidence of the truth of the matters stated as aforesaid.

Facilitation of proof.
1480, 1921, s. 51.

66. In any proceedings for an offence against this Part—

(*a*) proof that a motor vehicle has not upon it a distinguishing number as prescribed by this Part shall be *prima facie* evidence that that motor vehicle is not registered;

(*b*) proof that a person is registered as the owner of a motor vehicle shall be *prima facie* evidence that that person is the owner of that motor vehicle;

(*c*) the fact that any place is described as a street or road shall be *prima facie* evidence that that place is a road within the meaning of this Part; and

(*d*) the allegation in the complaint that any road whereon it is alleged that any such offence was committed is situated in a municipality, or in a town or township, shall be *prima facie* evidence that that road is situated as alleged.

Endorsement of disqualification.
Cf. U.K. 20 & 21 Geo. 5 c. 43, ss. 7, 8.
Cf. U.K. 24 & 25 Geo. 5 c. 50, s. 5.
Substituted by 2332, 1936, s. 28.

67. (1) When a holder of a driver's licence is disqualified under this Act from holding and obtaining a licence, or when the licence of any such holder is suspended, he shall forthwith produce his licence to such person as the court or other person or authority ordering the disqualification or suspension directs for the purpose of having a memorandum of the disqualification or suspension endorsed thereon.

(2) Any person who fails to produce a licence as and when required to do so under this section shall be guilty of an offence.

Effect of disqualification from holding licence.

Cf. U.K. 20 & 21 Geo. 5 c. 43, ss. 4 (6), 7.

Inserted by 2332, 1936, s. 28.

67a. (1) A driver's licence shall during the period during which it is suspended or the holder is disqualified from holding and obtaining a licence be of no force or effect.

(2) The registrar shall not issue a driver's licence to any person who is disqualified from holding and obtaining a driver's licence.

Enforcement of obligation to procure driver's licence.

Inserted by 2332, 1936, s. 28.

67b. The Commissioner of Police shall at intervals of not less than twelve months take such steps as are reasonably practicable to ascertain whether any persons are driving motor vehicles without holding driver's licences.

Suspension of registration.

Inserted by 2332, 1936, s. 29.

67c. In any proceedings against the owner of a motor vehicle for any offence against this Act if the court is satisfied that the vehicle does not comply with any requirement of this Act or is otherwise so defective that it cannot be driven on a road without danger to the public, the court may order that—

(*a*) the registration of the vehicle be suspended and not renewed; or

(*b*) if the vehicle is unregistered, that the vehicle be not registered,

until the vehicle is made to comply with this Act or otherwise rendered safe for use to the satisfaction of a police officer.

Offences by employees.

Inserted by 2332, 1936, s. 30.

67d. If a person charged with driving a motor vehicle which does not comply with a requirement of this Act as to lights, warning devices, brakes, windscreen wipers, rear-vision mirrors, or other equipment, proves—

(*a*) that he is the employee of another person;

(*b*) that he drove the vehicle on the relevant occasion under the express instructions of his employer;

(*c*) that he was not aware that the vehicle did not comply with this Act or that before driving the vehicle he called the attention of his employer to the fact that the vehicle did not comply with this Act,

that person so charged shall be acquitted.

Suspension of orders of disqualification.

Inserted by 2416, 1938, s. 24.

67e. (1) A person who by virtue of an order of a court under this Act is disqualified from holding and obtaining a driver's licence may appeal against the order in the same manner as against a conviction.

s. 67e. COX v. BUTTON (1949) S.A.S.R. 244. On an appeal under section 67e the appellate court may rescind the order of disqualification or may increase or reduce the period of disqualification. Observations as to the principles upon which the appellate court will act.

(2) Pending the hearing and determination of any such appeal the operation of any such order may be suspended—

(*a*) in the case of an order made by a court of summary jurisdiction, by the court which made the order, or a judge of the Supreme Court;

(*b*) in the case of an order made by the Supreme Court, by a judge of that Court.

(3) An order of suspension may be made before or after the institution of the appeal, but shall not have any effect until the defendant—

(*a*) has duly instituted the appeal and paid the appropriate court fees; and

(*b*) has served on the registrar the order of suspension or a copy thereof, and a notice that the appeal has been duly instituted and the fees paid.

Notice of disqualification of drivers and suspension of licences. Inserted by 45, 1939, s. 16.

67f. (1) Whenever a court makes an order disqualifying a person from holding and obtaining a driver's licence, and whenever the Commissioner of Police suspends a driver's licence, the proper officer of the court or, as the case may be, the Commissioner of Police, shall forthwith send to the registrar a notice in writing setting out the date on which the order of disqualification was made or the licence suspended, the period of the disqualification or suspension, and short particulars of the grounds thereof.

(2) If any such order of disqualification is quashed or varied by a court on appeal, the proper officer of the court shall forthwith send to the registrar a notice in writing setting out the date of the order made on the appeal and the effect thereof.

(3) If any such suspension is removed by the Commissioner of Police, he shall forthwith send to the registrar a notice in writing setting out the date of the removal of the suspension, the date as from which it takes effect and the grounds therefor.

(4) In this section "proper officer" means—

(*a*) in relation to the Supreme Court, the Master of that court:

(*b*) in relation to any other court, the clerk of that court.

Delivery of licence to registrar and endorsement. Inserted by 45, 1939, s. 16.

67g. (1) The registrar may by notice in writing served personally or by post on any holder of a driver's licence in relation to whom an order of disqualification has been made under this Act or whose licence has been suspended or

cancelled, require him to deliver his licence to the registrar or to some member of the police force specified by the registrar in the notice, at a place and within a reasonable time specified in the notice.

(2) Any person who without reasonable excuse (proof of which shall lie on such person) fails to comply with a notice under this section shall be guilty of an offence.

(3) The registrar or any member of the police force to whom a licence is delivered under this section—

(*a*) may endorse thereon particulars of any suspension or cancellation thereof or any order of disqualification made against the holder thereof; and

(*b*) in a case where the licence is cancelled or where the suspension or disqualification extends until or beyond the time of the expiration of the licence, may retain the licence.

Summary proceedings for offences.

68. All proceedings for offences against this Part shall be disposed of summarily.

Persons in service of the Crown bound.

69. This Part applies to persons in the public service of the Crown while engaged on such service, as well as when not so engaged.

Liability in tort of persons taking vehicles on hire and driving them for carriage of passengers and goods for hire.

Inserted by 46, 1941, s. 8.

69a. (1) If—

(*a*) the owner of a motor vehicle lets it on hire to a person who, for the purpose of or by virtue of any industrial award is deemed to be a servant of that owner; and

(*b*) whilst the vehicle is so let the person taking it on hire drives it in the course of a business of carrying passengers or goods for hire,

that person shall, as regards liability for any injury, loss, or damage caused by him whilst so driving the vehicle, be deemed to be the servant of the owner and to have been so driving the vehicle in the course of his employment by the owner.

(2) In this section "industrial award" means any award, order, or determination of the Commonwealth Court of Conciliation and Arbitration, or of the Industrial Court or any industrial board constituted by or under the Industrial Code, 1920-1937.

Common law or statutory liability not affected.
Cf. U.K. 20 & 21 Geo. 5 c. 43, s. 33.

70. Nothing in this Part shall affect any liability of any person under any statute or at common law.

PART IIA.

PART IIA.

INSURANCE AGAINST THIRD PARTY RISKS ARISING OUT OF THE USE OF MOTOR VEHICLES.

Interpretation and application of this Part.
Inserted by 2332, 1936, s. 31.

70a. (1) In this Part, unless the context otherwise requires—

"approved insurer" means any person or association of persons carrying on the business of insurance who or which has been approved by the Treasurer as an approved insurer under this Part:

Inserted by 45, 1939, s. 17.

"insured" when used as a noun has the same meaning as "insured person" as hereinafter defined:

"insured person" means the owner of a motor vehicle in respect of which a policy of insurance is in force under this Part and the driver and the person in charge at the material time whether with or without the consent of the owner:

"owner" includes every person who is the owner or joint owner or part owner of a motor vehicle and any person who has the use of any motor vehicle under a hire purchase agreement, but does not include an unpaid owner of a motor vehicle the subject of a hire purchase agreement:

"policy of insurance" includes a cover note which is binding on the insurer.

(2) Other words and expressions used in this Part shall, unless the context otherwise requires, have the same meaning as they have in Part II. of this Act.

(3) This Part shall not render it obligatory to insure any vehicle owned by the Crown and used solely in the public business of the State or any vehicle owned by the Municipal

s. 70. FORBY v. LAUCKE (1933) S.A.S.R. 60. Section 70 means that the other provisions of the Act are not to alter the principles upon which liability falls to be determined under any other statutes or at common law. The existence of a statutory regulation for the use of the highway is a circumstance to be taken into account in applying the principles of the common law in an action for negligence.

Tramways Trust and used solely in connection with the business of that Trust: Provided that in relation to any motor vehicle which is owned by the Crown or the Municipal Tramways Trust and is not insured the Crown or the Municipal Tramways Trust shall be under the same liabilities and have the same rights as an insurer who has issued to the Crown or the Municipal Tramways Trust (as the case may be) a policy of insurance complying with this Part in relation to the use of that vehicle.

Insurance against third party risks. U.K. 20 & 21 Geo. 5 c. 43, s. 35. Inserted by 2332, 1936, s. 31. Subsec. (1) amended by 35, 1943, s. 11 and by 20, 1944, s. 7.

70b. (1) After a day to be proclaimed by the Governor as the day on which this Part shall come into operation no person shall use, or cause or permit any other person to use, a motor vehicle on a road unless there is in force in relation to the use of the vehicle by that person or that other person, as the case may be, a policy of insurance complying with this Part.

Any person contravening this subsection shall be guilty of an offence.

s. 70b. RAKE v. BOND (1938) S.A.S.R. 253. The discretionary powers of the court to order disqualification discussed.

PENNEY v. BOURKE (1938) S.A.S.R. 328. Where a person had used a motor car without having a policy of insurance in force for approximately three weeks, held that the suspension of his driver's licence for a period of three months was not excessive.

SCOTT v. WARD (1939) S.A.S.R. 51. Where evidence was given by a police constable on a complaint for an offence against subsection (5) that he had required the appellant to produce his policy of insurance at a police station, held that the demand for the production of the policy was not a demand within the meaning of the subsection.

VEARS v. KERINS (1940) S.A.S.R. 99. Where the defendant drove an unregistered and uninsured motor vehicle along a country road and his only excuse was that he had not sufficient money to pay the premium, held that he should have been disqualified from holding a driver's licence.

GASSNER v. FROST (1940) S.A.S.R. 295, affirming GASSNER v. FROST (1940) S.A.S.R. 77. Where a farmer drove a motor tractor for the purpose of carting wheat over a public road which was merely a dirt track and hardly ever used, held that, in the circumstances, the justices' refusal to disqualify was correct. Observations on the meaning of "special reasons."

DAYMAN v. MCKENZIE (1941) S.A.S.R. 103. Where the only reason given by a defendant for driving a motor vehicle on public roads after his policy of insurance had expired was that he was a member of Parliament for a country district and required to use his car about the affairs of his constituents, held that this was not a sufficient reason for exempting from disqualification.

DAVIES v. SPROD (1943) S.A.S.R. 53. Where the defendant had an oral agreement with an insurance company to hold him covered each time his renewal premium became due up to a matter of three months and after the expiry of his policy, but before the expiration of three months, drove his motor car on a public road, held that no policy of insurance complying with Part IIA. was in force. The requirement of the Act is not satisfied by there being in force a contract by an insurance company to treat the position as being the same as it would be if there were a policy of insurance in force (in the business sense) and the Act requires that there be a policy itself in force and by "policy" is meant a document.

SCROOP v. DAYMAN (1944) S.A.S.R. 51. When a defendant pleaded guilty to an offence under section 70b but did not take advantage of an opportunity to obtain an adjournment to lead evidence of special circumstances and later appealed and affidavit evidence was admitted as to such circumstances, held, in those circumstances, the period of suspension should be reduced to three months.

HAMMOND v. O'SULLIVAN (1947) S.A.S.R. 1. Where the defendant gave evidence that he failed to renew his policy by oversight, that the insurance expired only a

Penalty: A fine of not less than twenty pounds and not more than one hundred pounds and disqualification from holding and obtaining a driver's licence for not less than three months and not more than twelve months.

Notwithstanding any other Act the minimum amount of any fine and the minimum period of disqualification prescribed by this section shall not be reduced or mitigated in any way except as follows:—

In the case of a first offence, if the court for special reasons thinks fit to do so, it may impose a fine of less than twenty pounds and order disqualification for a period less than three months.

Subsec. (2) repealed by 35, 1943, s. 11.

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(3) Proceedings for an offence under this section may be commenced—

(*a*) within a period of six months from the date of the commission of the alleged offence; or

(*b*) within a period which exceeds neither three months from the date on which it came to the knowledge of the prosecutor that the offence had been committed nor one year from the date of the commission of the offence,

whichever period is the longer.

(4) In any prosecution for an offence under this section, the allegation in the complaint that at any time mentioned in the complaint there was not in force in respect of any particular motor vehicle a policy of insurance complying with this Part shall be *prima facie* evidence of the fact so alleged.

Cf. U.K. 20 & 21 Geo. 5 c. 43, s. 40.

(5) Any owner of a motor vehicle shall on being so requested by a member of the police force produce evidence that there is in force in respect of every motor vehicle owned by him a policy of insurance complying with this Part. The owner shall be deemed to have complied with this subsection if he produces the necessary evidence at a police

s. 70b. (*contd.*) few days before the offence, that he required to use the vehicle for the purpose of his business, and that he was financially in a position to meet any claim up to £1,000, held that these facts did not amount to "special reasons" within the meaning of subsection (1).

JAMES v. COGHLAN (1950) S.A.S.R. 48. The minimum penalties prescribed by section 70b must be imposed except in cases where it is palpably unjust to do so, and the discretion of the court to reduce such minimum penalties for special reasons, in the case of a first offence, should be exercised only for grave and weighty reasons.

station (to be nominated by the owner to the member of the police force at the time when the request is made) within five days of the time when its production was requested.

Any person who without just excuse fails to comply with this subsection shall be guilty of an offence and liable to a fine not exceeding fifty pounds.

(6) Every application for registration of a motor vehicle shall contain a statement by the owner of the vehicle or by the person applying for registration on behalf of that owner that a policy of insurance complying with this Part is in force and a statement of the name of the insurer who has issued the policy.

Liability of insurers.
Inserted by 17, 1942, s. 5.

70ba. (1) An insurer who has issued a policy shall, notwithstanding that the insured person named therein has not agreed to pay or has not paid the premium for the policy, be bound by the policy to the same extent as if the said insured person had agreed to pay and had paid that premium: Provided that this section shall not affect any right which the insurer may have to cancel the policy with the consent of the Treasurer or to recover any premium owing under the policy.

(2) In this section "policy" includes any document purporting to be a policy or cover note and to comply with this Part.

Effect of certificate of insurance.
Inserted by 35, 1943, s. 12.

70bb. Where an insurer has given a certificate certifying that a policy of insurance has been issued by him in relation to a motor vehicle and that the policy complies with this Part and will unless lawfully cancelled remain in operation for a period specified in the certificate, he shall, until a policy conforming to the statements in the certificate is actually issued, or comes into force by virtue of the renewal of a previous policy, be deemed to have issued a policy conforming to the statements in the certificate.

Requirements in respect of policies.
Cf. U.K. 20 & 21 Geo. 5 c. 43, s. 36.
Inserted by 2332, 1936, s. 31, and amended by 35, 1943, s. 13.

70c. (1) In order to comply with this Part, a policy of insurance must—

(*a*) be issued by an approved insurer:

(*b*) except as provided in this section insure the owner of the vehicle mentioned in the policy and any other person who at any time drives that vehicle, whether with or without the consent of the owner, in respect of all liability for negligence which may be incurred by that owner or other

person in respect of the death of, or bodily injury to, any person caused by or arising out of the use of the vehicle in any part of the Commonwealth.

(2) A policy of insurance shall be deemed to comply with this Part notwithstanding that the liability of the insurer—

(*a*) is limited to two thousand pounds in respect of any claim made by or in respect of any passenger carried in the vehicle mentioned in the policy, and to twenty thousand pounds in respect of all claims made by or in respect of such passengers, and such limits shall be inclusive of all costs in relation to any such claim or claims:

Para. (b) repealed by 2416, 1938, s. 25 (1), and 35, 1943, s. 13 (2).

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Subsec. (2a) inserted by 2416, 1938, s. 25 (1), repealed and re-enacted by 45, 1939, s. 18, and repealed by 35, 1943, s. 13 (3).

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Subsec. (3) repealed by 2416, 1938, s. 25 (2).

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Policies to give cover required by amending Acts.

Inserted by 35, 1943, s. 14.

70ca. When any Act comes into operation which alters the insurance required to be given by a policy under this Part or the rights or liabilities of the insurer under any such policy, every policy of insurance which has been issued for the purpose of providing insurance required by this Part and is in force when the said Act comes into operation, or at any time thereafter, shall be deemed to be altered so as to provide the insurance required by this Part, as altered by the said Act.

Policy not affected by change of ownership of vehicle.

Inserted by 35, 1943, s. 14.

70cb. (1) Notwithstanding any agreement to the contrary a policy of insurance issued under this Part—

(*a*) shall not be cancelled or otherwise terminated solely by reason of a change of ownership of the vehicle in relation to which the policy was issued; but

(*b*) shall, subject to any lawful termination thereof, enure in favour of every person who during the period for which the policy was granted or renewed becomes an owner for the time being of the vehicle in respect of which the policy was

issued, and in favour of every person who during that period drives that vehicle whether with or without the consent of the owner.

(2) So long as a policy of insurance is in force every owner of the vehicle in respect of which the policy was issued (whether originally a party to the policy or not) shall be bound by all the terms warranties and conditions in the policy as if he had expressly agreed to them.

Liability of insurers.
Cf. U.K. 24 & 25 Geo. 5 c. 50, s. 10.
Inserted by 2332, 1936, s. 31.
Subsec. (1) amended by 2416, 1938, s. 26 (1), and 35, 1943, s. 15 (1).

70d. (1) Any person who has obtained a judgment against an insured person in respect of death or bodily injury caused by negligence in the use of a motor vehicle specified in a policy of insurance under this Part may recover by action from the insurer such amount of the money (including costs or a proportionate part thereof) payable pursuant to the judgment as relates to death or bodily injury and is unsatisfied: Provided that before the action in which judgment was obtained against the insured person, came on for hearing, the insurer knew that that action had been commenced, but this proviso shall not apply where the judgment was obtained outside the State: Provided also that the right to recover under this subsection shall be subject to any limitations prescribed by the policy of insurance as to the amount in respect of which the insured is indemnified.

(2) Where an insured person has caused death or bodily injury by negligence in the use of a motor vehicle specified in a policy of insurance under this Part but that insured person is dead or cannot be served with process, any person who could have obtained a judgment in respect of the death

s. 70d. MILLAR v. MILLER (1940) S.A.S.R. 185, special leave to appeal to the High Court refused, 64 C.L.R. 662 (note); (1940) S.A.S.R. VIII. (note). Where an accident occurred in November, 1938, and notice was given to the Treasurer in July, 1939, held that, in the circumstances, notice had not been given as soon as possible after the plaintiff knew that the identity of the driver of the vehicle causing the accident could not be ascertained. Discussion of the meaning of "knew."

HAUBER v. THE HALIFAX FIRE INSURANCE COMPANY LIMITED AND ANOTHER (1940) S.A.S.R. 341. Meaning of "specified" in subsection (1). Observations on the scheme of Part IIA.

WALTON v. FAWCETT (1948) S.A.S.R. 158; 22 A.L.J. 326. Where the wife of a driver of a vehicle was a passenger in the vehicle and was injured in a collision, held that the husband's claim in respect of the loss of his wife's services was within the ambit of subsection (2) and that the court had power to award such damages.

EXECUTOR TRUSTEE AND AGENCY COMPANY OF SOUTH AUSTRALIA LIMITED AND OTHERS v. THE INSURANCE OFFICE OF AUSTRALIA AND COMMONWEALTH RAILWAYS COMMISSIONER (1949) S.A.S.R. 337. The liability of an insurer under subsection (2) where the insured vehicle is not one used in the business of carrying passengers for hire, is unlimited in amount, whether or not the policy of insurance contains any limitation of liability. In the case of a vehicle used in the business of carrying passengers for hire, the insurer may by the policy limit his liability to the maximum amount specified in paragraph (*b*) of subsection (6).

or bodily injury so caused against that insured person if he were living or if he had been served with process may recover by action against the insurer the amount of the judgment which he could have so recovered against the insured person: Provided that he cannot so recover unless he proves that he gave to the insurer notice of the claim and a short statement of the grounds thereof as soon as possible after he knew that the insured person was dead or could not be served, or that such notice was given within such time as would prevent the possibility of the insurer being prejudiced by want of such notice.

(3) Where the driver of a motor vehicle has caused death or bodily injury by negligence in the use of a motor vehicle, but the identity of the vehicle cannot be ascertained, any person who could have obtained a judgment in respect of the death or bodily injury so caused against that driver may obtain by action against a nominal defendant to be named by the Treasurer the judgment which in the circumstances he could have recovered against the driver of the vehicle: Provided that as soon as possible after he knew that the identity of the vehicle could not be ascertained, he gave to the Treasurer notice of the claim and a short statement of the grounds thereof.

(4) It shall be no defence by an insurer to an action against him under this section that he is not liable under a policy of insurance by reason of the fact that—

(*a*) the policy was obtained by any mis-statement or non-disclosure whether fraudulent, material, or otherwise;

(*b*) the insured person has committed any breach of any term, condition or warranty of a policy or any provision of this Part; or

(*c*) the insured has failed to comply with any condition of the policy as to what the insured person should do or should not do after the event giving rise to liability.

(5) The insurer may, in addition to any other right or remedy he may have, recover from the insured person liable in respect of any such accident, and if two or more persons were so liable from those persons jointly and severally—

(*a*) such part of any judgment so obtained against the insurer; or

(*b*) such sums as the insurer has paid in payment settlement or compromise of the claim or judgment against the insured person or the insurer; and

(*c*) such costs and expenses,

as would not have been recovered from or incurred or paid by the insurer but for the last preceding subsection of this section, and that amount may be recovered either in a separate action or by means of third party procedure in the action against the insurer by the person who obtained the judgment: Provided that if the insured person has made any written request to the insurer that he should settle or compromise up to any specified sum or should pay or should contest the claim, and if the insurer acts unreasonably in failing to comply with such request then the insurer shall not recover more than the amount of the liability which the insurer would have paid or incurred if he had not so acted unreasonably.

(6) This section shall not apply—

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Para. (a) repealed by 35, 1943, s. 15 (2).

(*b*) so as to make an insurer liable for more than two thousand pounds (including costs) in respect of any one passenger nor more than twenty thousand pounds (including costs) in respect of all passengers in the motor vehicle specified in the policy if at the material time it was being used in the business of carrying passengers for hire:

Amended by 2416, 1938, s. 26 (2).

(*c*) to any accident which happened before the commencement of this Part.

(7) Subject to subsection (7a) of this section a nominal defendant shall not be liable to satisfy any judgment obtained against him but the judgment and the nominal defendant's costs shall be paid by all those who were approved insurers at the date of the accident giving rise to the liability in proportions determined by the Treasurer who, in so determining, shall have regard to the premium income for insurance under this Part received by each such insurer during the previous year.

Amended by 45, 1939, s. 19 (a).

The Treasurer may out of the general revenue of the State and without any appropriation other than this Act pay the amount of any judgment obtained against a nominal defendant under this section and of the nominal defendant's costs; and the approved insurers who are under this subsection liable for such judgment and costs shall upon demand made by the Treasurer repay to him their respective proportions of any amounts so paid by him.

Inserted by 2416, 1938, s. 27.

(7a) Any association consisting of not less than ten approved insurers may submit for the Treasurer's approval

Inserted by 45, 1939, s. 19 (b).

a scheme under which it is proposed that all approved insurers will contribute money in proportions provided for in the scheme for—

(*a*) satisfying claims made in respect of death or bodily injury caused by negligence in the use of a motor vehicle where the identity of the vehicle cannot be ascertained; and

(*b*) satisfying judgments obtained against nominal defendants under this section; and

(*c*) paying the costs of such defendants.

If the Treasurer approves of any scheme so submitted every approved insurer shall enter into and execute an agreement between himself and all other approved insurers for the purpose of carrying the scheme into effect, and shall carry out the obligations imposed upon him by the agreement; and the Treasurer may by notice in the *Gazette* declare that any approved insurer who refuses to enter into or execute such an agreement or fails or refuses to carry any such obligation shall cease to be an approved insurer.

Subsection (7) of this section, so far as it provides that the Treasurer shall determine the proportions in which approved insurers are to satisfy judgments and pay nominal defendants' costs, and that the Treasurer may satisfy judgments and pay a nominal defendant's costs, shall not apply in relation to any judgment against a nominal defendant which is satisfied pursuant to a scheme approved by the Treasurer under this subsection, or in relation to any nominal defendant's costs which are paid pursuant to any such scheme.

Cf. U.K. 20 & 21 Geo. 5 c. 43, s. 38; 24 & 25 Geo. 5 c. 50, s. 12.

(8) No policy shall be deemed to comply with this Act if any term, warranty, or condition thereof is in form or substance a term, warranty, or condition of which the committee appointed under section 70m of this Act has expressed its disapproval by notice in the *Gazette*: Provided that every such notice shall come into effect upon the expiration of three months after the publication thereof in the *Gazette* and not earlier.

Duties of owner or insurer.
Cf. U.K. 24 & 25 Geo. 5 c. 50, s. 13.
Inserted by 2332, 1936, s. 31.

70e. (1) Upon the happening of any accident which results in the death of or causes bodily injury to any person and is caused by, or arises out of the use of a motor vehicle, the driver and the person in charge thereof shall give written notice forthwith to the insurer concerned, and such notice (which notice shall not be subject to discovery or admissible in evidence in any proceedings except proceedings for an

offence under this section) shall set forth the following information with as full particulars as the owner is able to give:—

(*a*) The fact of the accident:

(*b*) The time and place at which it occurred:

(*c*) The circumstances of the accident:

(*d*) The name and address of any person killed or injured therein:

(*e*) The names of any witnesses of the accident.

(2) When neither the driver nor the person in charge of the motor vehicle is the owner of the motor vehicle concerned the owner shall give a like notice immediately upon the accident coming to his knowledge.

(3) An insured person, immediately upon any claim being made upon him in respect of an accident, shall give notice of the claim to the insurer concerned, and supply to that insurer such particulars of the claim as he requires.

(4) If any person fails to comply with any requirement of subsection (1) or subsection (3) of this section he shall be guilty of an offence and liable to a fine not exceeding five pounds.

(5) An insured person shall not, without the consent in writing of the insurer concerned—

(*a*) enter upon, or incur any expense in, any litigation:

(*b*) make any offer or promise of payment or settlement:

(*c*) make any payment or settlement: or

(*d*) make any admission of liability,

in respect of any claim in respect of which he is insured with such insurer, but this provision shall not prevent any person truthfully answering any question reasonably asked of him.

(6) The insurer shall be entitled to recover from an insured person who has failed to comply with any provision of this section all moneys paid and costs incurred by the insurer in relation to any claim arising out of the accident in respect of which such failure has occurred.

Power of insurers to deal with claims against insured.
Inserted by 2332, 1936, s. 31.

70f. (1) The insurer may on behalf of the insured, conduct the negotiations in respect of any claim against the insured, and may assume the conduct and control of any legal proceedings in respect of any such claim, and at any stage of those negotiations or proceedings may pay, compromise, or settle any such claim.

(2) The insured shall sign and execute all such warrants, authorities, and other documents as are necessary to give effect to this section, and, if the insured makes default in doing so or is absent or cannot be found, the warrants, authorities, or other documents may be signed or executed by the insurer on behalf of the insured.

Inserted by 2416, 1938, s. 28.

(3) Where, as the result of the use of a motor vehicle an accident happens which results in the death of or bodily injury to any person, as well as damage to property, and claims are made in respect of the death or bodily injury and also in respect of the damage to property, and the person against whom claims are made is insured against his liability for death or bodily injury but not against his liability for damage to property, then nothing said or done in any negotiations for settlement of either of the claims, and no judgment given in any legal proceedings in respect of either of the claims, shall be evidence in any legal proceedings in respect of the other claim unless the negotiations or proceedings in respect of both claims are conducted or controlled by the person against whom the claims are made with the authority of the insurer, or by the insurer with the authority of the said person.

Emergency treatment.
Cf. U.K. 24 & 25 Geo. 5 c. 50, s. 16.
Inserted by 2332, 1936, s. 31.

70g. (1) Where—

(*a*) (i.) any legally qualified medical practitioner or registered nurse renders emergency treatment in respect of bodily injury (including fatal injury) to any person caused by or arising out of the use of a motor vehicle; or

(ii.) the person so injured is immediately after such injury conveyed in any vehicle; and

Para. (b) repealed by 2416, 1938, s. 29 (a).
Amended by 2416, 1938, s. 29 (b).

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(*c*) notice in writing of a claim under this section is given by the medical practitioner, nurse, or person who conveyed the injured person, to the insurer who issued the policy of insurance in force under this Part in relation to the said motor vehicle within one month after the occurrence out of which the death or bodily injury arose,

the insurer shall make such of the following payments as are applicable to the case:—

(i.) To the medical practitioner the sum of twelve shillings and sixpence for each person to whom emergency treatment is rendered together with

any travelling expenses reasonably and necessarily incurred in respect of the emergency treatment so rendered:

(ii.) To the nurse the sum of ten shillings and sixpence for all emergency treatment rendered by her to the person or persons injured in the accident together with any travelling expenses reasonably and necessarily incurred in respect of the emergency treatment so rendered which sum shall, if emergency treatment is rendered to two or more persons, be deemed to have been paid on behalf of all those persons in equal shares:

(iii.) To any person who conveyed the injured person as mentioned in paragraph (*a*) of this subsection, an amount to be ascertained in accordance with the regulations.

(2) Where bodily injury (including fatal injury) is caused by or arises out of the use of two or more motor vehicles in respect of which policies were issued by different insurers each such insurer shall pay an equal share of the payments required to be made under subsection (1) of this section. Substituted by 2416, 1938, s. 29 (c).

(3) The liability (if any)—

(*a*) of the owner or driver of such motor vehicle in respect of the death or bodily injury;

(*b*) of the insurer to the owner or driver in respect of the contract of insurance; and

(*c*) of the injured person or his personal representatives to the person to whom the payment is made under this section, Inserted by 2416, 1938, s. 29 (d).

shall be reduced by the amount paid by the insurer under this section.

(4) In this section "emergency treatment" means such medical or surgical treatment or examination by a legally qualified medical practitioner or a registered nurse as is immediately required as the result of any such injury as mentioned in subsection (1).

(5) Every policy issued in pursuance of this Part of this Act which is in force at the time of the enactment of this subsection shall be deemed to impose an obligation on the insurer named therein to make the payments prescribed by this section. Inserted by 2416, 1938, s. 29 (e).

Every policy of insurance issued after the enactment of this subsection shall not be deemed to comply with this Part

unless it binds the insurer to make the payments prescribed by this section.

Inserted by 2416, 1938, s. 29 (e).

(6) A sum payable under this section shall be recoverable as if it were a simple contract debt due from the insurer to the person entitled to that sum.

Inserted by 2416, 1938, s. 29 (e).

(7) The Commissioner of Police shall if so requested by a person who alleges that he is entitled to a payment under this section furnish that person with any information at his disposal as to the identification marks of any motor vehicle which that person alleges to be a motor vehicle out of the use of which the death or bodily injury arose, and as to the identity and address of the person who was using the vehicle at the time of the event out of which the death or bodily injury arose.

Inserted by 2416, 1938, s. 29 (e).

(8) Any person who was using a motor vehicle at the time when death or bodily injury was caused by or arose from such use, shall upon request of any person who alleges that he is entitled to payment under this section, furnish such person with the name and address of the insurer who issued the policy in force in relation to that vehicle at the time of the death or injury.

Hospital treatment.
U.K. 24 & 25 Geo. 5 c. 50, s. 16.
Inserted by 2332, 1936, s. 31.

70h. (1) Where—

(*a*) any payment is made (whether or not with an admission of liability) by an insurer, under or in consequence of a contract of insurance under this Part, in respect of the death of or bodily injury to any person caused by or arising out of the use of a motor vehicle; and

(*b*) the person who has so died or been injured received treatment at a hospital whether as an in-patient or as an out-patient in respect of the bodily injury (fatal or otherwise) so caused or arising; and

(*c*) notice in writing of a claim under this section is made by that hospital to the insurer within one month after the occurrence out of which the death or bodily injury arose,

there shall be paid by the insurer to the hospital the amount owing to the hospital in respect of treatment afforded to the person who has so died or been injured.

(2) Where two or more insurers make payments under or in consequence of a contract of insurance under this Part in respect of the death or of bodily injury to a person

caused by or arising out of the use of two or more motor vehicles each such insurer shall pay an equal share of the payments required to be made under subsection (1) of this section.

(3) The liability (if any)—

(*a*) of the owner or driver of the motor vehicle in respect of the death or bodily injury; and

(*b*) of the insurer to the owner or driver in respect of the contract of insurance,

shall be deemed to be reduced by the amount paid by the insurer to the hospital under this section.

(4) The amount to be paid by the insurer to the hospital in respect of any such bodily injury (fatal or otherwise), shall not exceed fifty pounds for each person so treated as an in-patient or five pounds for each person so treated as an out-patient: Provided that in either case the amount to be paid to the hospital as aforesaid shall not exceed one-fifth of the total amount (exclusive of costs) paid by the insurer in respect of such fatal or bodily injury.

(5) If the person who has died or been bodily injured has received treatment at more than one hospital, and the total amount owing to those hospitals in respect of treatment afforded to that person exceeds fifty pounds, the sum of fifty pounds shall be divisible between the hospitals in proportion to the claims of the hospitals.

(6) The insurer shall not be liable to pay the amounts payable under this section as well as the amount payable under the Public Hospitals (Charges) Act, 1931, but shall pay the larger of such amounts.

Actions to be tried without jury. Inserted by 2332, 1936, s. 31.

70i. Every action brought against the owner or driver of a motor vehicle for damages in respect of the death of or bodily injury to any person caused by or arising out of the use of that vehicle, shall be tried without a jury.

Insurance by visiting motorists. Inserted by 2332, 1936, s. 31.

70j. The registrar shall not grant a certificate of temporary registration in respect of any motor vehicle of a person visiting the State unless in his opinion that person is adequately insured against any liability which may be incurred by him in respect of the death of or bodily injury to any person caused by or arising out of the use of that motor vehicle in the State.

s. 70h. (6) The Public Hospitals (Charges) Act, 1931, has been repealed by the Hospitals Act, 1934, and superseded by Part VI. of that Act.

Power to suspend or cancel driver's licences on application of approved insurer.
Inserted by 2332, 1936, s. 31.

70k. (1) Any approved insurer may apply on complaint to a court of summary jurisdiction for an order that any person be disqualified for such period as the court fixes from holding and obtaining a driver's licence.

(2) If it is proved to the satisfaction of the court that the defendant is likely, in the event of his continuing to drive motor vehicles, to endanger unduly the safety of the public, the court may make such order under subsection (1) as it thinks just.

Amended by 40, 1945, s. 10.

(3) An insurer shall not terminate a policy of insurance complying with this Part before its expiry by effluxion of time except upon twenty-one days' notice in writing given to the person to whom the policy was issued and to the Registrar of Motor Vehicles, unless the insurer substitutes another policy of insurance which complies with this Part, and commences immediately upon the termination of the previous policy.

(4) Upon the termination of the policy on such a notice, the motor vehicle specified in the policy shall be an unregistered vehicle unless and until the registrar is satisfied that another policy of insurance has been issued in respect of the use of that vehicle.

Information to be furnished by insurers.
Inserted by 2332, 1936, s. 31.

70l. (1) Every approved insurer shall, whenever so required by the Treasurer, furnish to the Treasurer such information as the Treasurer reasonably requires relating to the following matters:—

(*a*) Premiums received for insurance under this Part:

(*b*) Claims paid under this Part:

(*c*) Persons insured under this Part:

(*d*) Any other matters relevant to this Part.

(2) Any insurer who without lawful excuse fails to furnish any information to the Treasurer within two months after receipt of a written notice demanding such information shall be guilty of an offence and liable to a penalty of one hundred pounds.

(3) Any insurer who wilfully or negligently furnishes any false information to the Treasurer shall be guilty of an offence and liable to a penalty of two hundred pounds.

Inquiries into premium.
Inserted by 2332, 1936, s. 31.

70m. (1) Upon the recommendation of the Treasurer the Governor may from time to time appoint a committee to inquire into and report upon the question whether the premiums charged for insurance under this Part are fair and reasonable.

(2) The persons appointed to such a committee shall be—

(*a*) a judge of the Supreme Court or a special magistrate or a legal practitioner actually practising law, who shall be chairman:

(*b*) the Public Actuary:

(*c*) two person appointed as representing owners of motor vehicles:

(*d*) two persons appointed as representing approved insurers.

(3) The members referred to in paragraphs (*c*) and (*d*) of the last preceding subsection shall be appointed after consultation with such body or bodies as in the opinion of the Treasurer represent the interests of approved insurers and owners of motor vehicles respectively.

(4) The committee shall have all the powers of a Royal Commission, and the Royal Commissions Act, 1917, with the necessary modifications shall apply to the chairman and other members of the committee and its proceedings and to witnesses and persons summoned as witnesses before the committee.

(5) The Treasurer shall lay every report of the committee before Parliament.

70n. Proceedings for any offence against this Part shall be disposed of summarily.

Summary procedure.
Inserted by 2332, 1936, s. 31.

70o. The Governor may make any regulations necessary or convenient for carrying this Part into effect or for facilitating the operation of this Part, and may by any regulation impose penalties recoverable summarily and not exceeding twenty pounds for breach of any regulation.

Regulations.
Inserted by 2332, 1936, s. 31.

70p. Any contract (whether under seal or not) by virtue of which any person in advance contracts out of any right to claim damages or any other remedy for the negligence of any other person in driving a motor vehicle shall to that extent be void.

Contracting out of liability for negligence.
Inserted by 2416, 1938, s. 30.

70q. Notwithstanding anything in any enactment, a person issuing a policy of insurance whether under this Part or otherwise in relation to a motor vehicle shall, as from the date of the policy, be liable to indemnify the persons or classes of persons specified in the policy in respect of any liability which the policy purports to cover in the case of these persons or classes of persons.

Rights of persons named in policies.
Inserted by 2416, 1938, s. 30.

Medical examination of claimants.
Inserted by 2416, 1938, s. 30.

70r. (1) Where any claim has been made by or on behalf of any person for bodily injury caused by or arising out of the use of a motor vehicle, such person shall from time to time if and as required by the person against whom the claim is made, submit himself for examination by a duly qualified medical practitioner provided and paid by the person against whom the claim is made: Provided that a person shall not be required to submit himself for examination under this section otherwise than in accordance with such regulations (if any) as may be made by the Governor nor at more frequent intervals than are prescribed by those regulations.

(2) If any person refuses to submit himself to any examination as required by this section, or in any way obstructs the examination his right to commence proceedings or (if commenced) to continue proceedings shall be suspended until the examination has taken place.

(3) A person shall not be entitled to any damages or compensation for any period during which he refuses to submit himself to or obstructs the examination or during which he has unreasonably delayed making a claim.

(4) Upon demand made by or on behalf of the person submitting himself to an examination under this section the person against whom the claim is made shall deliver to him a full and true copy of any report of the medical practitioner, and if default is made in such delivery for one week the report shall cease to be privileged from discovery.

Soliciting instructions to claim.
Inserted by 2416, 1938, s. 30, and repealed and re-enacted by 45, 1939, s. 20.
Subsec. (1) substituted by 46, 1941, s. 9 (1).

70s. (1) No person shall—

(*a*) for or in the expectation of directly or indirectly receiving any reward accept instructions or authority to act on behalf of any person in respect of the making, commencement, resisting, compromise or settlement of any claim or action for damages for the death of or bodily injury to any person or for injury to the property of any person arising out of the use of a motor vehicle;

(*b*) for or in the expectation of directly or indirectly receiving any reward make, commence, cause to be made or commenced, negotiate, settle, or compromise, on behalf of any person, any such claim or action;

(*c*) hold himself out as being willing to act for reward on behalf of any person in making, commencing,

resisting, negotiating, settling, or compromising any such claim or action.

(2) This section shall not apply to— Substituted by 35, 1943, s. 16.

(*a*) any qualified legal practitioner acting in the course of his profession;

(*b*) any officer of an association *bona fide* formed for the protection of the interests of employees and whether registered under any Commonwealth or State Act or not, when acting in the course of his duties for a member of that association;

(*c*) any person employed or instructed by an approved insurer to act on its behalf in connection with—

I. any claim or action in a case where the insurer is liable to indemnify the person against whom the claim is made or the action brought:

II. any claim for injury to property in a case where the insurer is exercising rights of subrogation in respect of that injury and where the person so employed or instructed limits himself to making and settling the claim without threatening or otherwise referring to legal proceedings in respect thereof.

(3) Any agreement to pay any money for work done or services rendered contrary to this section shall be void, and any money so paid shall be recoverable by the person who has paid it.

(4) If any person contravenes this section in any way he shall be guilty of an offence and liable to a fine not exceeding one hundred pounds.

PART III. PART III.

LICENSING OF VEHICLES OTHER THAN MOTOR VEHICLES.

71. In this Part, unless the context otherwise requires— Interpretation.

"licence" means a licence issued pursuant to this Part and "licensed" and "unlicensed" have corresponding meanings: 1699, 1925, s. 3. 1823, 1927, s. 3.

"metropolitan area" means the Municipalities of Adelaide, Brighton, Glenelg, Henley and Grange, Hindmarsh, Kensington and Norwood, Port Adelaide, Prospect, St. Peters, Thebarton, Unley, and Woodville, and the District Council Districts of Burnside, Campbelltown, Marion, Mitcham, Payneham, Walkerville, West Torrens, and Yatala South, and the Garden Suburb, and any other municipalities and district council districts or parts of municipalities or district council districts contiguous to any part of the metropolitan area as defined for the time being to which the Governor, by proclamation, declares that this Act shall apply:

"owner" includes the holder under a hire purchase agreement and the verb "to own" has a corresponding meaning:

"registrar" means the Registrar of Motor Vehicles holding office under Part II. of this Act, or any deputy registrar of motor vehicles:

"road" includes every public road, street, terrace, thoroughfare, or other public place, and every private road or street commonly used by the public, or to which the public are permitted to have access:

"vehicle" means every vehicle of any description whatsoever which is drawn or propelled by animal but not human power and used or ordinarily intended to be used on roads or streets.

Exemption of certain vehicles.
1699, 1925, s. 4.

72. The following vehicles are exempted from the operation of this Part, namely:—

(*a*) Every vehicle owned by the Fire Brigades Board, or any volunteer fire brigade:

(*b*) Any ambulance vehicle for the use of which no charge is made:

(*c*) Any vehicle owned by the corporation or council of any municipality, or by any district council, and used solely in connection with the construction and maintenance of roads.

s. 71. (Definition of "metropolitan area.") The following district council districts have been constituted municipalities:—Burnside, *Gazette* 16th May, 1935, p. 1308; West Torrens, *Gazette* 9th December, 1943, p. 755; Mitcham, *Gazette* 16th December, 1943, p. 781; Marion, *Gazette* 30th March, 1944, p. 381; Walkerville, *Gazette* 24th August, 1944, p. 221; Payneham, *Gazette* 27th September, 1945, p. 489; Campbelltown, *Gazette* 11th April, 1946, p. 569. The name of the district council district of Yatala South has been altered to Enfield, *Gazette* 11th July, 1935, p. 38, and the district constituted a municipality, *Gazette* 30th March, 1944, p. 415.

Duty to obtain licences for vehicles.
1699, 1925, ss. 5, 10, 11. Cf. U.K. 10 & 11 Geo. 5 c. 72, s. 13.
Amended by 17, 1942, s. 6.

73. (1) Any person who on any road within the metropolitan area drives, or causes or permits to be driven, any vehicle which is not licensed pursuant to this Part shall be guilty of an offence and liable to a penalty of not more than twenty pounds: Provided that a vehicle shall not be required to be licensed by reason only of the fact that it is drawn or towed unladen behind another vehicle, if that other vehicle is licensed.

(2) Any person who owns any vehicle which is driven on any road within the metropolitan area and is not licensed pursuant to this Part shall be guilty of an offence and liable to a penalty of not more than twenty pounds.

Applications for and issue of licences.
1699, 1925, ss. 5 (2), 6.

74. (1) A licence may be obtained on application duly made in accordance with this Part and the regulations to the registrar or some other person authorized for that purpose by the Minister.

(2) No licence shall be issued to any applicant unless and until the fee as set out in the next succeeding section has been paid to the registrar or other person authorized pursuant to the last preceding subsection.

(3) Every application for a licence shall be made during the currency of the year in which the licence is to have effect or in the month immediately preceding that year.

Fee for licence.
1699, 1925, the schedule. 1823, 1927, s. 5. Cf. U.K. 51 & 52 Vict. c. 8, s. 4; 10 & 11 Geo. 5 c. 72, s. 7 (6).

75. (1) The licence fee for a vehicle shall be calculated as follows:—

(*a*) If the weight unladen of the vehicle does not exceed 25cwts. the fee shall be calculated at the rate of two shillings per cwt. of such weight:

(*b*) If the weight unladen of the vehicle exceeds 25cwts. but does not exceed 40cwts. the fee shall be calculated at the amount of the fee for a vehicle of 25cwts., plus five shillings for every cwt. by which the weight unladen of the vehicle exceeds 25cwts.:

(*c*) If the weight unladen of the vehicle exceeds 40cwts. the fee shall be calculated at the amount of the fee for a vehicle of 40cwts., plus nine shillings for every cwt. by which the weight unladen of the vehicle exceeds 40cwts.

The weight of a vehicle shall be calculated to the nearest hundredweight.

(2) Where a licence is issued to take effect from a date between the thirty-first day of March and the thirtieth day

of September in any year one-half the amount payable for a licence for a year shall be payable.

(3) Notwithstanding the foregoing provisions of this section—

(*a*) the minimum fee payable for a licence for a vehicle used or ordinarily capable of being used solely or mainly for the carriage of goods or merchandise shall be one pound, or, if the licence is issued between the first day of April and the thirtieth day of September, ten shillings; and

(*b*) the minimum fee payable for a licence for any other vehicle shall be ten shillings, or, if the licence is issued between the first day of April and the thirtieth day of September, five shillings.

Duration of licences.
1699, 1925, s. 6 pt.

76. Every licence shall remain in force until the thirtieth day of September next after the day on which it commences to take effect.

Evidence in support of application for licence.
1699, 1925, s. 7.
Cf. U.K. 10 & 11 Geo. 5 c. 72, s. 5 (1).

77. The applicant for a licence shall produce to the registrar or other person authorized to issue licences such evidence as to the nature and weight of the vehicle in respect of which a licence is applied for as the registrar or other person authorized as aforesaid requires or as is prescribed.

Licence discs.
1699, 1925, s. 8.
1823, 1927, s. 4.
Cf. U.K. 10 & 11 Geo. 5 c. 72, s. 6.

78. (1) The registrar or other person issuing a licence shall deliver to the applicant a metal disc of a size and shape to be fixed annually by the Minister by notice published in the *Gazette*, and to be annually varied, on which shall be inscribed the year of issue and any other particulars which may be prescribed.

(2) The disc shall, during the whole period in respect of which it is issued, be kept securely affixed to the vehicle in respect of which the disc and the licence are issued.

(3) Any person—

(*a*) who drives a vehicle licensed under this Part to which vehicle there is not affixed the metal disc delivered with the licence for such vehicle to the person applying for the same; or

(*b*) who drives a vehicle licensed under this Part on which vehicle the said disc is affixed otherwise than in the manner prescribed by this Part or any regulation under this Part,

shall be guilty of an offence and shall be liable to a penalty not exceeding ten pounds.

Duplicate licences and discs.
1699, 1925, s. 9.

79. (1) Upon application, the registrar or other person authorized to issue licences, may, on proof to his satisfaction of the loss or destruction of any licence or disc, and on payment of a fee of two shillings and sixpence, issue to the applicant a duplicate licence or disc.

(2) Any such duplicate licence or disc shall be effectual for all purposes as if it were the original licence or disc.

Penalty for affixing discs to wrong vehicles.
1699, 1925, s. 12.

80. Any person who affixes any disc issued pursuant to this Part, to any vehicle other than the vehicle in respect of which the disc was issued, shall be guilty of an offence and liable to a penalty of not more than twenty pounds.

Penalty for unlawfully obtaining licence.
1699, 1925, s. 13.
Cf. U.K. 10 & 11 Geo. 5 c. 72, s. 13 (2), (11).

81. Any person who—

(*a*) by any false statement or misrepresentation obtains or attempts to obtain a licence or disc under this Part; or

(*b*) without lawful excuse has in his possession a licence or disc, or any article resembling a licence or disc and liable to be mistaken therefor; or

(*c*) forges or fraudulently alters or uses, or fraudulently lends or allows to be used by any other person, any licence or disc,

shall be guilty of an offence and liable to a penalty of twenty pounds.

Facilitation of proof.
1699, 1925, s. 14.
Cf. U.K. 10 & 11 Geo. 5 c. 72, s. 13 (3).

82. In any proceedings for an offence against this Part—

(*a*) proof that a vehicle has not affixed upon it a disc of the size and shape fixed by the Minister for the current year shall be *prima facie* evidence that the vehicle is unlicensed;

(*b*) the allegation in the complaint that any person is the owner of a vehicle shall be *prima facie* evidence that that person is the owner of the vehicle;

(*c*) the allegation in the complaint that any place is a road shall be *prima facie* evidence that the place is a road within the meaning of this Part;

(*d*) the allegation in the complaint that any road wherein it is alleged that any such offence was committed is situated within the metropolitan area shall be *prima facie* evidence that the road is situated as alleged; and

(*e*) any conveyance shall be deemed to be a vehicle within the meaning of this Part unless the defendant satisfies the court to the contrary.

Summary proceedings for offences. 1699, 1925, s. 15.

83. All proceedings in respect of offences against this Part shall be disposed of summarily.

Regulations.

84. The Governor may make any regulations necessary or convenient for carrying into effect the provisions and objects of this Part, including (though without limiting the operation of this section) regulations in respect of the following matters:—

I. the form of licence and the application therefor:

II. any matters in this Part left to be expressed or ascertained by regulations.

PART IV.

PART IV.

WIDTH OF TIRES.

Interpretation. 1580, 1923, s. 3.

85. In this Part, unless some other meaning is clearly intended—

"council" means a municipal or district council, and includes the Renmark Irrigation Trust No. 1:

"inspector" means inspector of the Highways and Local Government Department appointed for the purposes of this Act by the Minister:

"load" includes everything inanimate or animate carried on a vehicle:

"local government area" or "area" means a municipality or a district council district, and includes the area of the Renmark Irrigation Trust No. 1:

Part IV. JAMES v. JOHNSON (1922) S.A.S.R. 294. The term "carry" in Part IV. means to support or sustain and applies to a stationary vehicle. Held, that the weight of the load carried by a jinker usually connected with a horse dray, was its weight ascertained when the jinker was disconnected from the dray and stationary.

"motor vehicle" means any motor vehicle within the meaning of Part II. of this Act: Provided that the term shall not include—

(*a*) any motor vehicle not used exclusively or principally for the conveyance of goods; or

(*b*) any trailer, semi-trailer, or jinker:

"non-mechanical vehicle" means any waggon, dray, trolly, cart, car, truck, or any other vehicle drawn or propelled by animal power, or any trailer, semi-trailer, or jinker attached to any vehicle (howsoever drawn or propelled) or to any motor vehicle; but does not include any motor vehicle:

"owner", when used in relation to a vehicle, includes not only the owner but also the hirer or borrower or other person for the time being entitled to the possession of the vehicle and also any manager, overseer, foreman, agent, or other representative of the owner with whose orders the driver or other person in charge of the vehicle is bound to comply:

"road" means any street, road, terrace, thoroughfare, court, lane, alley, cul-de-sac, or other place, commonly used by the public, or to which the public are permitted to have access:

"vehicle" includes motor vehicles and non-mechanical vehicles:

"width" when used in relation to the tire of a wheel of a vehicle means— Substituted by 35, 1943, s. 17.

(*a*) in the case of a metal tire or a solid rubber tire, the width of the bearing surface of the tire:

(*b*) in the case of a pneumatic tire, the full width of the tire measured at any part where the tire is not distorted.

86. Any person who drives or causes or permits to be driven on any road— Maximum axle load for non-mechanical vehicles. Substituted by 35, 1943, s. 18.

(*a*) any non-mechanical vehicle carrying on any axle thereof a greater weight than the maximum which may lawfully in accordance with the rules contained in section 92 be carried on a two-wheeled vehicle fitted with wheels of the same diameter and width of tire as the two wheels turning on such axle;

(*b*) any non-mechanical vehicle having metal tires and carrying on any axle thereof a greater weight than six tons and ten hundredweights; or

(*c*) any non-mechanical vehicle having rubber tires and carrying on any axle thereof a greater weight than eight tons,

shall be guilty of an offence.

Maximum total load for non-mechanical vehicles.
1580, 1923, s. 4 (1).

87. Any person who drives or causes or permits to be driven on any road—

(*a*) any non-mechanical vehicle carrying a weight greater than that calculated in accordance with the rules contained in section 92;

(*b*) any non-mechanical vehicle having metal tires and carrying a weight greater than that calculated at the rate of five tons for each axle of such vehicle; or

(*c*) any non-mechanical vehicle having rubber tires and carrying a weight greater than that calculated at the rate of six tons for each axle of the vehicle,

shall be guilty of an offence.

Maximum axle load for motor vehicles.
1580, 1923, s. 6 (1).

88. Any person who drives or causes or permits to be driven on any road—

(*a*) any motor vehicle carrying on any axle thereof a greater weight than the maximum which may lawfully in accordance with the rules contained in section 92 to be carried on a two-wheeled vehicle fitted with wheels of the same diameter and width of tire as the two wheels turning on such axle;

(*b*) any motor vehicle having metal tires and carrying on any axle thereof a greater weight than six tons and ten hundredweights; or

(*c*) any motor vehicle having rubber tires and carrying on any axle thereof a greater weight than eight tons,

shall be guilty of an offence.

Maximum total load for motor vehicles.
1580, 1923, s. 6 (2).

89. Any person who drives or causes or permits to be driven on any road any motor vehicle carrying a weight greater than that computed in accordance with the rules contained in section 92 shall be guilty of an offence.

Exemptions. 1580, 1923, s. 4 (4).

90. The provisions of this Part as to the maximum total load or maximum axle load for vehicles shall not apply to—

(*a*) any tractor or traction engine not usually used upon a road; or

(*b*) the conveyance of any piece of heavy machinery or other merchandise which cannot be taken apart without great expense or loss: Provided that the vehicle conveying such machinery follows the special route (if any) along which the town or district clerk of every municipality or district through which such machinery is carried, has ordered that it be conveyed to its destination.

Penalty. 1580, 1923, ss. 4 (3), 6 (3). Amended by 55, 1948, s. 9.

91. If any person is guilty of an offence against section 86, 87, 88, or 89 he shall be liable to a penalty calculated at the rate of not less than two shillings and sixpence and not more than ten shillings for each hundredweight or part of a hundredweight carried in excess of the weight allowed by this Act.

Rules as to maximum weight. 1580, 1923, the schedule.

92. The rules for determining by reference to the width of tires, the maximum weight which may be carried by any vehicle are as follows:—

Amended by 35, 1943, s. 19 (a).

I. The maximum weight which may be carried on any vehicle shall be calculated at the rate of seven hundredweights for each inch of the total width of the tires on all wheels fitted to such vehicle which are thirty inches or less in diameter and at the rate of eight hundredweights for each inch of the total width of the tires on all wheels fitted to such vehicle which are more than thirty inches in diameter: Provided that where the vehicle has metal tires and carries a load any part of which exceeds ten feet in height from the level of the roadway or ten feet in width the maximum weight shall be calculated at the rate of seven hundredweights for each inch of the total width of all tires on all wheels fitted to such vehicle:

II. In computing the maximum weight which may be carried on a three-wheeled vehicle that vehicle shall be treated as if it were a two-wheeled vehicle fitted with two wheels of such vehicle which turn on the same axle:

Amended by 35, 1943, s. 19 (b).

III. (*a*) For the purpose of these rules if the two wheels on any vehicle which turn on the same axle are not

of the same width the wider tire shall be deemed to be of the same width as the narrower tire:

(*b*) The total width of each tire shall be calculated to the nearest quarter of an inch:

IV. In computing the actual weight carried on any vehicle or axle the weight of the vehicle itself shall be taken into account:

V. These rules apply in respect to all vehicles.

Rules to be observed with respect to tires.
1580, 1923, s. 5.

93. (1) The following rules shall be observed in respect of every vehicle having metal tires on any road:—

I. The tire of each wheel of any such vehicle shall have an even-bearing surface across it full width:

II. No tire of any such vehicle shall be less than one-and-a-quarter inches in width.

(2) If any vehicle in respect of which any of the said rules is not complied with is on any road, the person in charge of such vehicle and also the owner of such vehicle shall be guilty of an offence: Provided that both shall not be punished in respect of the same non-compliance.

(3) This section shall not apply to any vehicle not plying for hire, and constructed or adapted and ordinarily used for the carriage of passengers only, even if goods or merchandise are on any particular occasion carried in such vehicle.

Authorized officers.
1580, 1923, s. 7.
1714, 1925, s. 2.

94. (1) Any council may appoint any person to be an authorized officer for the purpose of carrying out the provisions of this Part within the area of such council, and any person so appointed shall, within the area of the council appointing him, be an authorized officer for the purposes of this Part.

(2) The Minister may appoint any person to be an authorized officer for the purpose of carrying out the provisions of this Part in any part of the State, and any person so appointed shall, within any such part of the State, be an authorized officer for the purposes of this Part.

Weighing machines.
1580, 1923, s. 8.
1641, 1924, s. 2.

95. (1) Any council may within its area erect weighing machines with suitable houses or structures for the weighing of vehicles, goods, or merchandise, or may provide any weighing apparatus of a prescribed kind for similar purposes, and may license any weighing machine erected, or any such apparatus as aforesaid provided, by any person within its area.

(2) The Minister may in any part of the State erect weighing machines with suitable houses or structures for the weighing of vehicles, goods, or merchandise, or may provide any weighing apparatus of a prescribed kind for similar purposes, and may license any weighing machine erected, or any such apparatus as aforesaid provided, by any person within any part of the State not within a local government area.

Vehicles and load to be weighed if required. 1580, 1923, s. 9.

96. (1) Every person in charge of a vehicle on any road shall, if required by any member of the police force, any inspector, or any authorized officer, forthwith cause such vehicle, with the load (if any) thereon, to be weighed by means of any available weighing apparatus of a prescribed kind provided or licensed by a council or the Minister, or at the most convenient weighing machine erected or licensed by a council or the Minister, for the purpose of ascertaining the weight of such vehicle, and the load thereon, or the weight carried on any axle of such vehicle.

(2) If there is any such weighing apparatus or such a weighing machine within one mile of the place where the requisition is made, and any such person refuses or fails to comply with any such requisition, that person shall be guilty of an offence.

Load may be measured. 1580, 1923, s. 10.

97. (1) Every person in charge of any vehicle on any road shall, if required by any member of the police force, any inspector, or any authorized officer, allow that member of the police force, inspector, or officer—

(*a*) to measure and examine such vehicle, or the tires or the load on such vehicle; or

(*b*) to ascertain the weight of the load on the vehicle, or the weight carried on any axle of such vehicle, by measurement or otherwise in accordance with the appropriate regulation.

(2) If any such person—

(*a*) refuses or fails to comply in any respect with subsection (1) of this section; or

(*b*) obstructs or interferes with any such member, inspector, or authorized officer, in doing any act mentioned in subsection (1),

he shall be guilty of an offence.

Weight ascertained in accordance with regulation *prima facie* proof.
1580, 1923, s. 11.

98. (1) The weight of the load on any vehicle ascertained in accordance with the appropriate regulation shall, in any proceedings in respect of any offence against this Act, be taken to be, in the absence of proof to the contrary, the actual weight of that load, unless the owner or the person in charge of the vehicle—

(*a*) at the time of the ascertainment as aforesaid, gives notice to such member of the police force, inspector, or authorized officer of his intention to have the load weighed at a weighing machine erected or licensed by a council or the Minister, or by means of any weighing apparatus of a prescribed kind provided or licensed by a council or the Minister; and

(*b*) forthwith upon such weighing delivers, or causes to be delivered, to such member of the police force, inspector, or authorized officer the document showing the result of such weighing.

(2) In the event of any proceedings for an offence against this Act in respect of the load so weighed, the document (if any) showing the result of such weighing received by such member of the police force, inspector, or authorized officer shall be produced to the court at the hearing.

(3) The weight carried on the axle of any vehicle ascertained in accordance with the appropriate regulation shall, in any proceedings in respect of any offence against this Act, be taken to be, in the absence of proof to the contrary, the actual weight carried on such axle.

Vehicles may be stopped and questions asked.
1580, 1923, s. 12.

99. (1) Any member of the police force, any inspector, or any authorized officer may require the person in charge of any vehicle on any road to stop, and may request such person to state his name and address and the name and address of the owner of the vehicle.

(2) Any person in charge of any vehicle on any road who—

(*a*) upon being requested to stop as aforesaid, refuses or fails to stop; or

(*b*) upon being requested to stop as aforesaid, refuses or fails to state his name or address, or the name or address of the owner of the vehicle, or states a false name or address,

shall be guilty of an offence.

(3) Any member of the police force may, without any warrant other than this Act, apprehend any person who is guilty of any offence under this section.

* * * * * * * * * * *

S. 100 repealed by 2332, 1936, s. 32.

101. (1) The owner of any vehicle, upon being served with a notice in the prescribed form signed by any member of the police force, any inspector, or any authorized officer and by a justice of the peace, requiring him with all practical speed to cause the vehicle to be weighed unladen by means of any apparatus of a prescribed kind provided or licensed by a council or the Minister, which is available, or on any weighing machine erected or licensed by a council or the Minister, shall forthwith obey such order, and shall forthwith upon such weighing deliver, or cause to be delivered, to such member of the police force, inspector, or officer the document showing the result of such weighing.

Vehicle to be weighed if required. 1580, 1923, s. 14.

(2) Any such owner who refuses or fails forthwith to obey any such order or forthwith upon such weighing to forward the document showing the result of such weighing, as provided by subsection (1) hereof, shall be guilty of an offence.

(3) This section shall not apply if—

(*a*) the distance from the place where such vehicle is at the time of service of the notice to such apparatus or the nearest weighing machine erected or licensed by a council or the Minister is greater than two miles; and

(*b*) the owner produces to the inspector or authorized officer signing such notice a statement of the weight of such vehicle signed by the person in charge of any such apparatus or weighing machine, wherever situated.

102. (1) In addition to any power by any other section of this Part conferred on the Governor to make regulations (which power shall in every case be implied for the purpose of any section in which the word "prescribed" is used) the Governor may make regulations—

Regulations. 1580, 1923, s. 15.

(*a*) prescribing the method of ascertaining the weight of the load on any vehicle, and the weight carried on any axle of any vehicle, whether by weighing, measurement, or otherwise; and

(*b*) prescribing the kinds of apparatus which the Minister or a council may provide or license for the weighing of vehicles, goods, or merchandise for the purposes of this Part; and

(*c*) prescribing all matters and things which by this Part are contemplated, required, or permitted to be prescribed, or which appear to him to be necessary or convenient to be prescribed, for the purpose of more effectually carrying out any of the provisions of this Part or for better effecting the objects of this Part.

(2) Any such regulation may fix penalties not exceeding in any case the sum of ten pounds for the breach of the same or any other regulation.

Alteration of maximum loads.
1580, 1923, s. 16.
1961, 1930, s. 3.

103. (1) The Governor may make regulations restricted in their application to any road or roads named therein, or any part or parts of the State described therein, prescribing for vehicles or any class of vehicles a maximum weight which may be carried on any such vehicle or on the axle thereof, lower than that fixed by or under this Part. Such regulations may definitely fix the maximum weight applicable to any case or may prescribe the method by which the said maximum weight is to be calculated, and may differentiate between vehicles having different kinds of tires.

(2) Any maximum weight so fixed shall, subject to the restrictions aforesaid, be deemed to be substituted for that fixed by or under the relevant provisions of this Part.

Evidence.
1580, 1923, s. 17.

104. In any proceedings for an offence against this Part—

(*a*) the production of a statement purporting to be signed by the person in charge of any apparatus of a prescribed kind owned or licensed by a council or the Minister, or any weighing machine erected or licensed by a council or the Minister shall be *prima facie* evidence of the weight of the load or of the vehicle therein specified, or of the weight both of such load and of such vehicle, or the weight carried on the axle of such vehicle; and

(*b*) any apparatus of a prescribed kind or weighing machine shall, until the contrary is proved, be deemed to be apparatus of a prescribed kind or a weighing machine erected or licensed by a council or the Minister (as the case may require) for the purposes of this Part.

Penalty. 1580, 1923, s. 18.

105. Any person who is guilty of any offence against this Part for which no other penalty is provided shall be liable for the first offence to a penalty of not more than ten pounds, and for every subsequent offence to a penalty of not less than two pounds and not more than twenty pounds.

Summary proceedings for offences. 1580, 1923, s. 19.

106. All proceedings in respect of offences against this Part shall be disposed of summarily.

Appropriation of penalties. 1580, 1923, s. 20.

107. All money collected as fines in respect of convictions under this Part shall be paid into general revenue: Provided that where any fine is imposed in respect of an offence committed within a local government area and the complaint in respect of the offence was made by an officer of the council of such area, one moiety of such fine shall be paid to the council for the use and benefit of the area.

PART V.

LIGHTS AND EQUIPMENT ON VEHICLES OTHER THAN MOTOR VEHICLES.

Heading amended by 2416, 1938, s. 31.

Interpretation. 1370, 1919, s. 4. Cf. U.K. 17 & 18 Geo. 5 c. 37, s. 15.

108. In this Part, unless the context or subject matter requires a different construction—

"council" means any municipal or district council, and includes the Renmark Irrigation Trust No. 1:

"bicycle" does not include motor bicycle:

"inspector" means any inspector appointed by or under this Part:

"local government area" means a municipality or district council district, as the case may require, and includes the Renmark Irrigation District No. 1:

"owner", used with reference to a vehicle, includes not only the owner, but also the hirer or borrower or other person for the time entitled to the possession of the vehicle, and also any manager, overseer, foreman, agent, or other representative of the owner, with whose orders the driver or other person in charge of the vehicle is bound to comply:

"road" includes every public street, road, terrace, thoroughfare, or other public place, and every private street or road commonly used by the public, or to which the public are permitted to have access:

"tricycle" does not include motor tricycle:

"vehicle" means any vehicle other than a motor vehicle within the meaning of Part II. of this Act, and includes a handcart and a road roller.

Vehicles to carry lights at night.
1370, 1919, s. 5.
1858, 1925, s. 2.
Cf. U.K. 17 & 18 Geo. 5 c. 37, s. 1.

109. (1) No person shall drive upon any road or cause or permit to be upon any road at any time between half an hour after sunset and half an hour before sunrise, any vehicle which has not attached thereto:—

(*a*) two lighted lamps carried one on each side of such vehicle, each lamp being so constructed and carried as to show a bright white light in front of such vehicle; and

(*b*) a lighted lamp carried on the off side of the rear of such vehicle, such lamp being so constructed and carried as to show a red light at the rear of such vehicle, which said light is clearly visible to any person approaching the vehicle from the rear.

Subsec. (2) inserted by 2332, 1936, s. 33.

(2) No person shall drive upon any road or cause or permit to be upon any road at any time between half an hour after sunset and half an hour before sunrise any vehicle which, or the load on which, is more than seven feet wide unless that vehicle carries attached to the extreme off side of the vehicle or, where there is a load projecting from the off side of the vehicle, at the extreme off side of the load, a lighted lamp so constructed and carried as to show a bright green light in front of the vehicle.

It shall be a sufficient compliance with this subsection if any lamp carried in pursuance of subsection (1) of this section also complies with this subsection.

Lights on bicycles and tricycles.
1370, 1919, s. 6.
1858, 1928, s. 3.
2019, 1931, s 2.
2169, 1934, ss. 2, 3.
Cf. U.K. 17 & 18 Geo. 5 c. 37, ss. 5, 9; 24 & 25 Geo. 5, c. 50, s. 19.

110. (1) No person shall ride any bicycle or any tricycle upon any road at any time between half an hour after sunset and half an hour before sunrise unless it has attached thereto either one or two lighted lamps complying with this section.

(2) Where one lamp is carried it shall be affixed on the off side of the bicycle or tricycle in such a position and manner as to show a bright white light clearly visible to any person approaching the bicycle or tricycle from the

s. 109. YELLOW CABS (SOUTH AUSTRALIA) LIMITED v. BLIGHT (1929) S.A.S.R. 118. Failure to comply with section 109 may be negligence.

front and a red light clearly visible to any person approaching the bicycle or tricycle from the rear.

(3) Where two lamps are carried—

(*a*) one shall be affixed on the front of the bicycle or tricycle in such a position and manner that a bright white light from the lamp is clearly visible to any person approaching the bicycle or tricycle from the front; and

(*b*) one shall be affixed on the rear of the bicycle or tricycle not more than twenty inches above the ground in such a position and manner that a red light from the lamp is clearly visible to any person approaching the bicycle or tricycle from the rear.

Para. (b) amended by 2332, 1936, s. 34.

(4) In this section the term "visible" means "visible at a distance of at least two hundred yards from the bicycle or tricycle on which the lamp or lamps is or are carried".

Amended by 2332, 1936, s. 34.

(5) This section shall apply within—

Substituted by 45, 1939, s. 21.

(*a*) every municipality and every district council district:

(*b*) the Garden Suburb:

(*c*) such other areas as the Governor declares by proclamation to be areas within which this section applies.

The Governor may by proclamation declare any area defined or mentioned in the proclamation to be an area within which this section shall apply, and may by proclamation revoke or vary any proclamation previously made under this subsection.

(6) This section shall come into operation on a day to be fixed by proclamation which shall not be earlier than the first of March, one thousand nine hundred and thirty-five, and may be a day other than the day on which the remainder of this Act comes into operation.

(7) Until this section comes into operation section 6 of the Lights on Vehicles Act, 1919, as existing prior to the passing of the Lights on Vehicles Act Amendment Act, 1934, shall remain in operation.

111. (1) Whenever any load carried on any vehicle which is being driven or is standing upon any road at any time between half an hour after sunset and half an hour before sunrise projects more than three feet behind the body of the vehicle, a lighted lamp shall be kept attached to the

Lights where load projects. 1370, 1919, s. 7. Cf. U.K. 17 & 18 Geo. 5, c. 37, s. 6.

rearward extremity of such load in such a position and manner as to show a red light clearly visible to any person approaching such vehicle from the rear or passing such vehicle from the front.

Substituted by 20, 1944, s. 8.

(2) If any person drives or leaves stationary on any road or causes or permits any person to drive or leave stationary on any road, any vehicle which in any particular does not comply with this section, he shall be guilty of an offence.

Lights on projecting parts of vehicles.
Inserted by 45, 1939, s. 22.

111a. (1) Whenever any part of a vehicle which is being driven or is standing upon any road at any time between half an hour after sunset and half an hour before sunrise, projects to the rear for more than three feet beyond the lamp carried on the rear of the vehicle pursuant to paragraph (*b*) of subsection (1) of section 109 of this Act, a lighted lamp shall be kept attached to the rearward extremity of the said projecting part of the vehicle in such a position and manner as to show a red light clearly visible from a distance of two hundred yards from the rear of the vehicle.

Substituted by 20, 1944, s. 9.

(2) If any person drives or leaves stationary on any road or causes or permits any person to drive or leave stationary on any road, any vehicle which in any particular does not comply with this section, he shall be guilty of an offence.

Duty to stop and give name and address.
1870, 1919, s. 8.

112. (1) Any driver of a vehicle or any rider of a tricycle or bicycle who, when requested by an inspector, in the execution of his duty under this Part, to stop or to state his name and place of abode, refuses or fails to do so, or when so requested, states a false name or place of abode, shall be guilty of an offence.

(2) Any inspector may, without any warrant other than this Part, apprehend any person who is guilty of any offence under this section.

Brakes on bicycles.
Inserted by 2416, 1938, s. 32.

112a. No person shall ride any bicycle or tricycle on any road unless that bicycle or tricycle is equipped with an efficient brake in proper working order.

Warning devices on bicycles.
Inserted by 2416, 1938, s. 32.

112b. No person shall ride any bicycle or tricycle on any road unless that bicycle or tricycle has attached thereto a bell or other suitable instrument capable of giving audible and sufficient warning of the approach of that bicycle or tricycle.

A siren shall not be a suitable instrument within the meaning of this section.

112c. Every rider of a bicycle or tricycle shall, whenever necessary, by sounding the warning instrument attached thereto, give audible and sufficient warning of the approach of the bicycle or tricycle.

Duty to use warning instrument.
Inserted by 2416, 1938, s. 32.

113. (1) Every member of the police force and every inspector in the Highways and Local Government Department of the public service shall, without any further appointment, be an inspector under this Part for the whole State.

Who to be inspectors under Act.
1370, 1919, s. 9.

(2) The Governor may appoint any other person to be an inspector under this Part for the whole State, or for any particular portion of the State.

(3) Any council may appoint any other person to be an inspector under this Part within the local government area of such council.

(4) The exercise by every inspector appointed otherwise than for the whole State of his powers and duties under this Part shall be limited to the portion of the State or the local government area, for which he was appointed.

114. Any contravention of or failure to observe any provision of this Part, whether by act or omission, shall be an offence.

Offences.
1370, 1919, s. 10.

115. Any person guilty of an offence under this Part shall be liable to a penalty for a first offence of not more than five pounds, and for any subsequent offence of not more than ten pounds.

Penalties.
1370, 1919, s. 11.
Amended by 55, 1948, s. 10.

116. All moneys received for or on account of penalties imposed for offences against this Part shall be paid to the Treasurer for the public uses of the State; except moneys received in respect of an offence committed within the limits of a local government area, which shall be paid over to, and for the use of, the council of such area.

Appropriation of penalties.
1370, 1919, s. 15.

117. Whenever in any proceedings for an offence against this Part, any place is described as a road such description shall be *prima facie* evidence that that place is a road within the meaning of this Part.

Facilitation of proof.
1370, 1919, s. 14 (*a*).
1609, 1924, s. 2.

118. All proceedings in respect of offences against this Part shall be disposed of summarily.

Summary proceedings for offences.
1370, 1919, s. 16.

PART VI.

PART VI.

GENERAL RULES TO BE OBSERVED BY TRAFFIC.

General provisions as to traffic.
Cf. U.K. 20 & 21 Geo. 5 c. 43, ss. 1, 2.
Inserted by 2332, 1936, s. 35, and amended by 55, 1948, s. 11.

119. (1) In this Part, unless the context otherwise requires—

"vehicle" includes motor vehicle as defined in Part II. of this Act, vehicle propelled by animal power, bicycle, tricycle, and any other like vehicle propelled by human power, but except as provided in subsection (3) of this section, does not include a vehicle run on a tramway or railway line:

"animal" means horse, mule, ass, bullock, camel, or other beast used to draw or carry vehicles, loads, or human beings:

"driver" means any person driving or riding a vehicle or animal and as regards a trailer means a person driving the vehicle by which the trailer is being drawn:

"left" means left reckoned by reference to the direction in or towards which the vehicle, animal, or person is proceeding or facing at the material time:

"road" includes every public road, street, terrace, thoroughfare, or other public place, and every private road or street commonly used by the public, or to which the public are permitted to have access:

"trailer" means any vehicle without motive power constructed or adapted or used for being drawn by another vehicle: Provided that a vehicle without motive power constructed and adapted for being drawn by a motor vehicle shall not be deemed a trailer, but shall be deemed part of the motor vehicle by which it is drawn if—

Para. (a) repealed by 46, 1941, s. 10.

* * * * * * * * * * *

(*b*) it is constructed for attachment to a motor vehicle by means of a turntable and king pin; and

(*c*) a substantial part of its weight and of the weight of its load rests upon the motor vehicle by which it is drawn.

(2) This Part does not apply to any stock travelling loose on a road.

(3) In sections 120, 121, 123, and 139 of this Act the word "vehicle" shall include a tramcar. Inserted by 55, 1948, s. 11 (b).

120. (1) If any person drives or rides any vehicle or animal or walks on a road without due care or attention or without reasonable consideration for other persons using the road he shall be guilty of an offence. Careless driving. U.K. 20 & 21 Geo. 5 c. 43, s. 12. Inserted by 2332, 1936, s. 35.

(2) If any person rides a bicycle on any road without having at least one hand upon the handle-bar in such a

s. 120. HUNT v. BOND (1930) S.A.S.R. 46; 12 Austn. Digest 285. Held, that a complaint alleging negligent driving, without giving particulars of the negligence, was sufficient.

WINTULICH v. LENTHALL (1932) S.A.S.R. 60. Held (under section 21 of the Motor Vehicles Act, 1921, which made it an offence to drive a motor car negligently) that the standard of care required was that which an ordinarily prudent man would deem necessary in the circumstances presented to him, in order to avoid injury or damage to the person or property of others. Wilful or intentional negligence need not be proved.

NEALE v. WALSH (1932) S.A.S.R. 429. Any substantial breach of the ordinary duty to take care amounted to "driving negligently" within the meaning of section 21 of the Motor Vehicles Act, 1921.

KIERNAN v. PIERCE (1933) S.A.S.R. 137. Where the circumstances proved against a defendant proved to have been involved in a collision are such that he may be presumed to know why the collision occurred, and the only evidence before the court indicates that the other party was not blameworthy, the defendant must either explain why the collision occurred or submit to the conclusion that it occurred because he was driving negligently.

TAYLOR v. GEARY (1939) S.A.S.R. 89. Where the defendant, driving a motor vehicle, had collided with a horse-drawn vehicle emerging from a side-street and crossing over the road on which the defendant was travelling, and there was evidence to show that the defendant, had he been keeping a proper look-out, could have seen there was ample room to pass behind the other vehicle, held that he had been properly convicted under subsection (1) for driving without due care.

JOHNS v. SILBEY (1939) S.A.S.R. 133. Where a collision occurred between a motor vehicle driven by the defendant and a cycle, held that the dismissal of a complaint under subsection (1) for driving without due care could be supported upon the view that the defendant had been guilty of a mere error of judgment in the emergency created by the cyclist. The court should take into account the difficulty created by conditions of poor visibility.

DAYMAN v. SARIS (1939) S.A.S.R. 176. The negligence of a driver of a vehicle contributing to a collision with another vehicle is irrelevant on a charge under subsection (1) for driving without due care against the driver of the second vehicle.

VIRGO v. ELDING (1939) S.A.S.R. 294. To constitute the offence of driving without due care, it is not necessary to show that the driver is driving without due regard to the safety of other users of the highway. Where a driver had fallen asleep at the wheel and his car had run off the road, held that he was properly convicted of driving without due care.

DAYMAN v. SARIS (1939) S.A.S.R. 445. Held, in the particular facts, that the driver of a vehicle drove without due care.

STEPHENS v. STEWART (1941) S.A.S.R. 24. Where a driver of a vehicle turned his vehicle for the purpose of proceeding in the opposite direction, held out his hand to signal the turn, but did not look for traffic whilst on the turn, held that he drove without due care.

DAYMAN v. GILL (1941) S.A.S.R. 208. Where a driver of a vehicle turned across a street and his explanation was accepted that when he commenced his turn approaching vehicles were at a distance which made it appear safe to cross in front of them, held that the dismissal of the complaint should not be disturbed.

FRASER v. DAYMAN (1942) S.A.S.R. 5. Where a motor car stopped at about twenty feet from the kerb and a motor omnibus overtook and ran down the motor car,

position as to have adequate control of the steering of the bicycle he shall be guilty of an offence.

Reckless driving.
U.K. 20 & 21 Geo. 5 c. 43, s. 11; 24 & 25 Geo. 5 c. 50, ss. 4, 5.
Inserted by 2332, 1936, s. 35.

121. (1) If any person drives or rides any vehicle or animal on a road recklessly or at a speed or in a manner which is dangerous to the public he shall be guilty of an offence and liable to a fine for a first offence of not less than ten pounds and not more than fifty pounds, and for any subsequent offence of not less than fifty pounds and not more than one hundred pounds, and may for any subsequent offence be imprisoned for any term not exceeding three months.

(2) In considering whether an offence has been committed under this section the court shall have regard to all the circumstances of the case including the nature, condition and use of the road upon which the offence is alleged to have been committed, and to the amount of traffic which at the time actually is or which might reasonably be expected to be upon that road.

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s. 120. (*contd.*) held that, notwithstanding the unexpected place where the motor car was stopped, the driver of the omnibus had driven without due care.

HOWE v. DAYMAN (1943) S.A.S.R. 20. There is no general rule that a driver is guilty of driving without due care if he makes a right hand turn in a busy thoroughfare without looking behind him to see whether there is any risk of collision with a following vehicle.

MILKINS v. ROBERTS (1949) S.A.S.R. 251. Nature of the offence of driving or riding a vehicle or animal without due care or attention considered.

s. 121. MOORE v. THE KING (1926) S.A.S.R. 52; 5 Austn. Digest 280; affirmed by MOORE v. THE KING (1926) 39 C.L.R. 602. *Semble,* that if the accused (although not guilty of criminal negligence) had committed the offence of negligent or dangerous driving, and thereby killed a person, he could not make out the defence of homicide by misadventure.

KELLY v. WALSH (1929) S.A.S.R. 481. On a charge of dangerous driving it is not necessary to show that the safety of any particular person was endangered. It is enough if there is some substantial possibility of injury to persons who might reasonably be expected to come upon a road. Conviction quashed where the defendant had not endangered any person and the court was of opinion that there was no potentiality of mischief to the public in the circumstances.

BARNETT v. WALSH (1934) S.A.S.R. 303. Where the defendant and another person, through an error of judgment, endangered each other's safety, but not that of the public, held that the defendant was not guilty of dangerous driving.

KELDOULIS v. FRENCH (1935) S.A.S.R. 192. An attempt to pass between stationary motor cars held to be dangerous driving.

THOMPSON v. COPELAND (1936) S.A.S.R. 45. Held that "recklessness" implies that the possible consequences of his act are adverted to by the actor, but he is indifferent whether they occur or not.

BOND v. COCKS (1938) S.A.S.R. 14. Circumstances which would justify a reduction of penalty under section 75 of the Justices Act, 1921, discussed.

DANKEL v. BOND (1938) S.A.S.R. 45. Where evidence was given that the defendant (who collided with a woman) drove in a normal manner and at a reasonable speed and that he was not drunk but to some extent under the influence of liquor, and it was inferred he did not keep a proper look-out, held that a conviction for driving in a manner dangerous to the public could not be supported.

SMITH v. DAYMAN. DAYMAN v. THOMSON (1938) S.A.S.R. 477. The condition of the vehicle being driven is part of the manner of driving.

Driving horse-drawn and other vehicles while drunk. Inserted by 35, 1943, s. 20.

121a. (1) Any person who—

(*a*) drives or rides any vehicle, not being a motor vehicle; or

(*b*) occupies the driver's or rider's seat on a vehicle, not being a motor vehicle, and attempts to put the vehicle in motion,

while he is so much under the influence of intoxicating liquor or a drug as to be incapable of exercising effective control of the vehicle or of any animal attached thereto, shall be guilty of an offence and liable to a fine of not more than fifty pounds.

(2) The court by which any person is convicted under this section on the complaint of a member of the police force, may, in addition to ordering any other penalty, order on the application of the complainant that the defendant pay to the complainant a reasonable sum to cover the expenses of any of the following things:—

(*a*) Apprehending the defendant:

(*b*) Conveying him to any police station:

(*c*) Keeping him in custody until trial:

(*d*) Medically examining him.

Any amount received by the complainant under this subsection shall be paid by him into the general revenue of the State.

Inserted by 55, 1948, s. 12.

(3) For the purposes of subsection (1) of this section a person shall be deemed to be incapable of exercising effective control of a vehicle or animal if, at the relevant time, owing to the influence of intoxicating liquor or a drug, the use of any mental or physical faculty of that person was lost or appreciably impaired. This subsection shall not be deemed to restrict the meaning of the words "incapable of exercising effective control of a vehicle".

Crossing railways at unauthorized places. Inserted by 2332, 1936, s. 35.

122. (1) If any person crosses or attempts to cross or rides or drives or attempts to ride or drive any vehicle or animal across any line of railway elsewhere than at an authorized crossing place he shall be guilty of an offence.

s. 122. BOND v. CLARKE (1938) S.A.S.R. 55. It is unnecessary to prove *mens rea* to establish an offence.

FLINT v. BARBER (1944) S.A.S.R. 49. It is not necessary that a complaint under paragraph (*b*) of subsection (2) charging a driver with attempting to drive a motor vehicle across a railway line when there was a possibility of a collision with a train should contain a direct and specific allegation that the defendant was the driver of the vehicle.

(2) If any person crosses or attempts to cross or rides or drives or attempts to ride or drive any vehicle or animal across any line of railway at an authorized crossing place—

(*a*) carelessly; or

(*b*) in such a manner or at such a time as to give rise to the possibility of a collision between that person, vehicle or animal and any train or vehicle which is using the railway at or in the vicinity of the crossing place; or

(*c*) when warned not to do so by an employee of the Railways Commissioner; or

(*d*) when any mechanical or electrical or other warning device at or in the vicinity of the crossing is operating,

he shall be guilty of an offence.

Inserted by 2416, 1938, s. 33.

(3) Subsection (1) of this section shall not apply to any part of the State not comprised within a municipality or a district council district.

Obedience to police directions and traffic signs.

Cf. U.K. 20 & 21 Geo. 5 c. 43, ss. 20 (3), 49.

Inserted by 2332, 1936, s. 35.

123. (1) If any person driving or riding or in charge of any vehicle or animal or walking on any road—

(*a*) fails to obey any reasonable direction of any member of the police force given for the purpose of regulating traffic; or

(*b*) fails to conform to the indication given by any sign lawfully placed on or near any road for regulating the movement of traffic or indicating the route to be followed by traffic,

he shall be guilty of an offence.

Inserted by 20, 1944, s. 10.

(2) A traffic sign placed at or near an intersection and showing a light signal shall be deemed to indicate the following rules to be observed by the drivers and riders of vehicles and animals:—

(*a*) While a red, amber, amber-with-red, or amber-with-green signal is being shown, a person shall not drive or ride a vehicle or animal across the stop line in the direction of the signal, except as allowed in paragraph (*c*) of this subsection, and a person driving or riding a vehicle or animal shall not turn to the right within the intersection so as to proceed in the direction of the signal.

(*b*) While a green signal is being shown a person may drive or ride a vehicle or animal across the stop

line in the direction of the signal, and having done so may, notwithstanding a change in the colour of the signal, complete the crossing of the intersection in the direction of the signal, or turn to the left.

(*c*) If, when the signal changes from green to amber or amber-with-green, a vehicle or animal proceeding in the direction of the signal is so close to the stop line that it cannot safely be stopped before crossing that line, a person may drive or ride the vehicle or animal across the stop line in the direction of the signal, and having done so may, notwithstanding a change in the colour of the signal, complete the crossing of the intersection in the direction of the signal, or turn to the left.

(3) A traffic sign placed at or near an intersection and showing a light signal shall be deemed to indicate the following rules for pedestrians:— Inserted by 20, 1944, s. 10.

(*a*) While the red, amber, amber-with-red, or amber-with-green signal is showing a pedestrian must not proceed in the direction of the signal, beyond the edge of the footpath on the side of the road opposite to the signal.

(*b*) While the green signal is showing a pedestrian proceeding in the direction of the signal may commence to cross the intersection and having so commenced may, notwithstanding a change in the colour of the signal, complete such crossing except as provided in paragraph (*c*) of this subsection.

(*c*) If, while a pedestrian is on the carriage-way the amber or amber-with-green signal appears, and there is a safety zone between the pedestrian and the signal towards which he is proceeding, he shall not proceed beyond the safety zone until the green signal is shown.

(4) For the purposes of this section a person shall be deemed to be proceeding in the direction of a signal and a vehicle or animal shall be deemed to be driven or ridden in the direction of a signal if, within the intersection, the person proceeds or the vehicle or animal is driven or ridden towards the side or the prolongation of the side of the intersection from which the signal is shown. Inserted by 20, 1944, s. 10.

(4a) Notwithstanding the other provisions of this section a tramcar may, while an amber light is showing— Inserted by 55, 1948, s. 13.

(*a*) be driven over the stop line for the purpose of turning; and

(*b*) complete a turn.

Inserted by 20, 1944, s. 10.

(5) Where the indication given by a light signal is inconsistent with a reasonable direction given by a member of the police force for the purpose of regulating traffic, the direction shall prevail.

Inserted by 20, 1944, s. 10.

(6) In this section—

"intersection" means—

(*a*) the quadrilateral or other area comprised within straight lines joining the corners formed by the intersection of two or more roads; and

(*b*) every part of a road which is within twenty feet of any such quadrilateral or area:

"stop line" means, in relation to any signal, a line marked with studs, paint or other material on the road in such a position as to indicate a stopping place for vehicular traffic approaching the intersection from the side opposite the signal:

"safety zone" means a space on a road indicated as a safety zone by the words "safety zone" marked on the surface of the road or on a sign.

Duty to keep vehicles and animals to the left.

Inserted by 2332, 1936, s. 35.

124. If any person riding or driving any vehicle or animal upon any road—

(*a*) does not keep as near as practicable to his left hand side of that road; or

(*b*) when meeting any other vehicle or animal going in the opposite direction, does not pass on his left hand side of that other vehicle or animal,

he shall be guilty of an offence.

Duty to keep stationary vehicle on left of road.

Cf. U.K. 20 & 21 Geo. 5 c. 43, s. 50.

Inserted by 2332, 1936, s. 35.

125. If any person leaves any vehicle or animal stationary on the carriage-way of any road, and not being drawn in as near as practicable to the left hand side of the road, he shall be guilty of an offence.

S. 124. DUNN v. BEEVOR (1937) S.A.S.R. 386. Held that the regulation which required vehicles to keep close to the left of the road was not directed to the safety of vehicles emerging from by-streets.

WILLIAMS v. STEWART (1944) S.A.S.R. 254. *Quaere*, whether the word "practicable" is to be interpreted subjectively or objectively.

S. 125. RUDALL AND OTHERS v. DEACON AND OTHERS (1945) S.A.S.R. 271. Appeal to the High Court dismissed (1945) 67 C.L.R. 641 (note); (1945) S.A.S.R. xxiii. (note). Section 125 is a remedial section and should receive a liberal consideration pursuant to section 22 of the Acts Interpretation Act. Meaning of "as near as practicable" discussed.

O'SULLIVAN v. BARTON (1947) S.A.S.R. 4. Where a taxi driver was hailed by three pedestrians and stopped his vehicle but kept his engine running and when about to move off a motor cycle collided with the rear of his taxi, held that he had not left his vehicle stationary on the carriage-way within the meaning of section 125.

Overtaking vehicles and animals.
Inserted by 2332, 1936, s. 35, and substituted by 29, 1950, s. 7.

126. (1) The rider or driver of any vehicle or animal on any road when passing any other vehicle or animal going in the same direction shall—

(*a*) if the driver or rider of that other vehicle or animal has signalled his intention to turn to the right keep on his left hand side of that other vehicle or animal;

(*b*) in any other case keep on his right hand side of that other vehicle or animal.

(2) Any person contravening this section shall be guilty of an offence.

Overtaking tram cars.
Inserted by 2332, 1936, s. 35.

127. If any person riding or driving any vehicle or animal does not, when passing any tram car travelling or about to travel in the same direction, keep on his left hand side of the tram car, he shall be guilty of an offence: Provided that if the tramway line is laid so near the left hand side of the road as not to permit the free passage of the animal or vehicle on the left of the tram car, or if owing to any obstruction in the road, it is not practicable to pass on the left of the tram car, the animal or vehicle may lawfully be ridden or driven on the right of the tram car.

Mode of making right turns.
Inserted by 29, 1950, s. 8.

127a. (1) Notwithstanding sections 124, 125, and 126 of this Act, where the driver of a vehicle is about to turn his vehicle to the right from one road to another at an intersection or junction—

(*a*) he shall, except where the road which he is about to leave is a one-way traffic road, so drive his vehicle that when it reaches the intersection or junction it will be as near as practicable to, but on the left of, the centre of the carriage-way of that road:

(*b*) he shall, where the road which he is about to leave is a one-way traffic road, so drive his vehicle that when it reaches the intersection or junction it will be as near as practicable to the right hand boundary of the carriage-way of that road; and

(*c*) in every case he shall upon entering the intersection or junction drive his vehicle parallel with the left boundary of the carriage-way of the road which he is leaving until it is as near as practicable to the left boundary of the carriage-way of the road which he is entering;

(*d*) if there is upon or near any portion of the intersection or junction any vehicle or any animal with which his vehicle if turned to the right might collide, he shall cause his vehicle to stand until it may turn with safety.

(2) Notwithstanding subsection (1) of this section the driver of a vehicle who is about to turn or who turns the vehicle to his right at an intersection or junction shall not drive the vehicle in a position where it is likely to obstruct the progress of any tram car nor allow the vehicle to stand in any such position.

(3) Where the driver of a vehicle turns his vehicle to the right from one road into another at an intersection or junction—

(*a*) if a traffic dome or beacon is placed at or near the centre of the intersection or junction he shall drive his vehicle so as to keep such dome or beacon on his right;

(*b*) he shall in all circumstances take adequate precautions to prevent his vehicle from colliding with any obstruction which may be upon any portion of the intersection or junction.

(4) This section shall also apply to riders of animals and to the animals ridden by them and for that purpose the expression "driver of a vehicle" and the word "driver" shall be deemed to include a rider of an animal, and the word "vehicle" shall be deemed to include an animal.

Pedestrians on road to face traffic.
Inserted by 2332, 1936, s. 35.

128. (1) If any person walking on the carriage-way of a road parallel with the line of the traffic thereon, does not keep as near as practicable to his right hand side of that carriage-way, he shall be guilty of an offence.

Inserted by 2416, 1938, s. 34, and repealed and re-enacted by 46, 1941, s. 11.

(1a) Subsection (1) of this section shall not apply to—

(*a*) a person walking on the carriage-way of a road if he is drawing or pushing any vehicle, or leading any animal:

(*b*) any persons marching on the carriage-way of a road in a column or other regular formation;

but section 124 of this Act shall apply to all such persons.

s. 128. CORRELL v. THOMAS (1939) S.A.S.R. 39. The primary distinction intended by subsection (1) is between carriage-way and footway, and if there is no part of the road apparently reserved for walking or some other special purpose, so much of the whole road as is practicable for vehicular traffic is a carriage-way.

DELLAMINA v. GIBBS (1940) S.A.S.R. 282. A "carriage-way" includes any part of the highway which is commonly and reasonably used by vehicles.

(1b) If any person riding or driving any vehicle or animal upon any road, does not, when passing any pedestrian who is proceeding towards him on the same side of the road, keep on his right hand side of that pedestrian, he shall be guilty of an offence. Inserted by 2416, 1938, s. 34.

(2) This section shall not restrict the operation of any Act, regulation, or by-law which regulates walking upon roads.

129. If any driver of a vehicle on any road commences to overtake any vehicle proceeding in the same direction, and if the road is not then clearly visible to the driver of the overtaking vehicle, or is not clear of traffic in front of the vehicle which is being overtaken, for a sufficient distance to enable the overtaking vehicle to completely pass the other vehicle without impeding the free passage or endangering the safety of traffic on that road, the driver of the overtaking vehicle shall be guilty of an offence. Overtaking other vehicles. Inserted by 2332, 1936, s. 35.

130. (1) If any driver of a motor vehicle, before overtaking another vehicle, signals by use of the warning instrument his desire to pass that other vehicle, thereupon the driver of that other vehicle shall move to his left, if the movement is possible with safety, so as to allow the overtaking vehicle a reasonable space in which to pass. Warning by driver of overtaking vehicle. Cf. U.K. 20 & 21 Geo. 5 c. 43, s. 59 (1) (*b*). Inserted by 2332, 1936, s. 35.

(2) After the signal has been given, the driver of the vehicle being overtaken shall not increase his speed until the overtaking vehicle has had a reasonable opportunity to pass and draw clear of the overtaken vehicle.

(3) If any person contravenes this section in any way, he shall be guilty of an offence.

130a. (1) The Commissioner of Police or any municipal or district council with the approval of the Commissioner of Police, may erect or cause to be erected at any place on any road, a sign containing in clearly legible letters of the size prescribed by regulation the word "Stop". Stop signs. Inserted by 2416, 1938, s. 35, and repealed and re-enacted by 61, 1940, s. 8.

(2) The Commissioner of Police shall, at least one month before the erection of any such sign or, as the case may be,

s. 129. BLUNDERFIELD v. MATES AND OTHERS (1942) S.A.S.R. 1, appeal to the High Court dismissed, 66 C.L.R. 669 (note). Observations on section 129.

s. 130a. PAGET v. STEWART (1941) S.A.S.R. 148. *Semble*, "The road on both sides" of the intersection refers to so much of the road intersecting the road on which the stop sign is erected as lies on either side of the medial line of the last mentioned road; and it would be an offence to enter the intersection while there was a vehicle travelling along the intersecting road and *a fortiori* if that vehicle had entered the quadrilateral formed by the intersection.

SMALLACOMBE v. DAY (1943) S.A.S.R. 368. Where the appellant had approached a stop sign and failed to see a motor car approaching along the road into which he was converging, held that the appellant was guilty of an offence and

giving his approval to such erection, publish in the *Gazette* a notice of his intention to erect such sign or approve the erection thereof. The notice shall specify the type of sign proposed to be erected or approved and the place where it is to be erected.

(3) Any person objecting to the erection of any such sign may within one month after the publication of the notice in the *Gazette* give the Minister written notice of his objection and of the grounds thereof and the Minister may thereupon either prohibit or approve the erection of the sign, or may approve the erection of the sign subject to any conditions, and the Minister's decision shall be final.

(4) When any such sign is erected at any intersection or junction the driver or rider of a vehicle or animal approaching the intersection or junction from the direction in which the sign is facing—

(*a*) shall before entering the intersection or junction stop his vehicle or animal; and

(*b*) shall not enter the intersection or junction until the road on both sides thereof is sufficiently clear of traffic to allow his vehicle or animal to pass through the intersection or junction without danger.

(5) Section 131 of this Act shall not apply to the driver or rider of a vehicle or animal approaching an intersection or junction, if the driver or rider of the vehicle or animal on his right is required by virtue of this section to stop his vehicle or animal before entering the intersection or junction; but section 131 shall apply in other respects at intersections or junctions at which a sign is erected under this section.

(6) When any such sign is erected elsewhere than at an intersection or junction the driver or rider of any vehicle or animal approaching the sign from the direction in which it is facing shall stop his vehicle or animal before any part thereof passes the sign.

(7) Subsections (4) and (6) of this section shall not apply if at the intersection, junction, or place where the sign is erected the traffic was at the material time being controlled

s. 130a. (*contd.*) it was immaterial whether the driver of the motor car had or had not been guilty of negligence.

SMITH AND OTHERS v. DYER AND WILSON (1949) S.A.S.R. 187. The presence of a stop sign at an intersection does not relieve the driver who has the right of way from the duty of exercising vigilance with reference to possible traffic emerging from the intersecting road, and he is not entitled to assume that he may safely drive across the intersection without looking to see if there is any such traffic.

by a member of the police force or some other authorized person.

(8) If any person fails to comply with any requirement of subsection (4) or subsection (6) of this section he shall be guilty of an offence.

(9) The Commissioner of Highways shall, at the request of the Commissioner of Police, provide and erect on behalf of the Commissioner of Police any signs which the Commissioner of Police desires to erect under this section.

The cost of all signs so erected shall be defrayed from the moneys appropriated by Parliament for main roads.

(10) Any sign containing the word "Stop" in clearly legible letters of the size prescribed by regulation and erected before the passing of the Road Traffic Act Amendment Act, 1940, shall be deemed to be a sign erected under this section.

(11) In this section—

"intersection" means the quadrilateral or other area comprised within straight lines joining the corners formed by the intersection of two or more roads:

"junction" means that part of a road which is comprised between the lines formed by the production of the alignments of another road which abuts on the first-mentioned road.

(12) For the purposes of this section— Inserted by 29, 1950, s. 9.

(*a*) each carriage-way of a double road shall be deemed to be a separate road;

(*b*) where a road intersects both carriage-ways of a double road it shall be deemed to form a separate intersection with each such carriage-way;

(*c*) where a road intersects one carriage-way of a double road and adjoins but does not extend beyond the other carriage-way of that double road it shall be deemed to form an intersection with the first-mentioned carriage-way and a junction with the other;

(*d*) any vehicular track which passes through the strip of land separating the carriage-ways of a double road and joins one carriage-way to the other shall be regarded as a separate road forming a junction with each carriage-way;

(*e*) a sign erected under this section on a road at the approach to a double road shall operate only as regards the intersection formed by the road first mentioned and the carriage-way nearest to the sign;

(*f*) a double road means a double road having two carriage-ways separated by a strip of land.

Stop signs at railway crossings. Inserted by 2416, 1938, s. 35.

130b. (1) The South Australian Railways Commissioner may on any road at or near any level crossing erect signs clearly visible to traffic approaching the crossing and containing in clearly legible letters of the size prescribed by regulation the word "Stop".

Substituted by 45, 1939, s. 24.

(2) The rider or driver of any vehicle or animal approaching a level crossing at or near which any such sign is erected, from the direction in which the sign is facing—

(*a*) shall stop his vehicle or animal at least ten yards from the railway line:

(*b*) if, while the vehicle or animal is so stopped, any mechanical or electrical or other warning device in the vicinity of the crossing is operating, shall not put the vehicle or animal in motion again until the warning device has ceased operating.

Inserted by 45, 1939, s. 24.

(2a) Any person approaching on foot a level crossing at or near which any such sign is erected, from the direction in which the sign is facing—

(*a*) shall stop at least ten yards from the railway line:

(*b*) if, while he is stationary, any mechanical or electrical or other warning device in the vicinity of the crossing is operating, shall not move forward until the warning device has ceased operating.

Inserted by 45, 1939, s. 24.

(2b) If any person fails to comply with subsection (2) or subsection (2a) of this section in any respect he shall be guilty of an offence.

Inserted by 45, 1939, s. 24.

(2c) Nothing in this section shall affect the obligation of any person to comply with any other provision of this Act relating to railway crossings.

(3) In this section "level crossing" means a place at which a road and a railway cross each other at the same level.

Centre lines on roads. Inserted by 2416, 1938, s. 35. Subsecs. (1) to (3) substituted by 55, 1948, s. 14.

130c. (1) The Commissioner of Highways may mark on any part of a road—

(*a*) a broken line for the purpose of indicating the division of that road into traffic lanes;

s. 130c. SANDERS v. LITSTER (1947) S.A.S.R. 21. A moving vehicle is not an "obstruction" within the meaning of section 130c.

(*b*) on either side of any broken line a continuous line for the purpose of controlling the movement of traffic to the right as hereinafter provided.

Every such line shall be of the colour and width fixed by the Commissioner.

(2) Where a continuous line is on the left-hand side of a broken line it shall be a traffic control line within the meaning of this section.

(3) If any person drives or rides a vehicle or animal so that the whole or any part of that vehicle or animal passes over a traffic control line marked on the right-hand side of the traffic lane in which the vehicle or animal was being driven, he shall be guilty of an offence: Provided that no person shall be punished for contravening the foregoing provisions of this subsection if he proves that he was obliged to cross the traffic control line in order to avoid an accident or owing to an obstruction on the roadway.

(4) The allegation in any complaint for an offence against this section that any line was marked on any road in accordance with this section shall be *prima facie* evidence of that fact.

(5) For the purposes of this section any bridge used for carrying vehicular traffic or any part of any such bridge shall be deemed to be part of a road. Inserted by 45, 1939, s. 25.

130d. (1) The Commissioner of Police may— Speed limits on bridges. Inserted by 55, 1948, s. 15.

(*a*) cause to be erected in accordance with this section, signs indicating a speed limit for vehicles crossing any bridge;

(*b*) cause any signs erected under this section to be removed.

(2) The powers conferred on the Commissioner of Police by this section may be exercised either of his own motion or on the application of the municipal or district council in whose area the bridge is situated.

(3) If the Commissioner of Police refuses an application made to him by a council under this section the council may appeal to the Minister against the decision of the Commissioner.

When an appeal is so made the Minister after obtaining such information as he thinks fit shall decide the matter and his decision shall be final.

(4) The speed limit for a bridge shall be indicated by two signs. One shall be placed at or near each abutment

of the bridge, or on the approach to the bridge within two hundred yards of each abutment.

(5) A sign erected under this section shall—

(*a*) have marked thereon figures showing the miles per hour of the speed limit intended to be fixed thereby, followed by the letters m.p.h.;

(*b*) be of such size and shape and be erected in such manner as the Commissioner of Police determines.

(6) A person who drives a vehicle on a bridge at a speed in excess of that indicated by the signs erected on that bridge or the approaches thereof pursuant to this section shall be guilty of an offence.

(7) The allegation in a complaint that any signs are erected pursuant to this section shall be *prima facie* evidence of that fact.

(8) The Commissioner of Highways shall at the request of the Commissioner of Police provide and erect on behalf of the Commissioner of Police any signs which the Commissioner of Police desires to erect under this section.

Right of way at points where roads meet. Inserted by 2332, 1936, s. 35.

131. (1) When two vehicles are approaching the junction or intersection of two or more roads in such circumstances that there is a reasonable possibility that they might arrive at the same point simultaneously, or that a dangerous situation might otherwise be created, the rider or driver of the vehicle who has the other vehicle on his right shall either

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S. 131. THE MUNICIPAL TRAMWAYS TRUST v. AUSTIN (1930) S.A.S.R. 81. In civil proceedings the onus of proving a breach of section 131 and of negativing the proviso to section 131 (1) is on the party who alleges the breach.

MORRIS v. PFUHL (1932) S.A.S.R. 78. Section 131 does not apply to two vehicles approaching an intersection from the same direction along the same road.

RECHNER v. PALMER (1934) S.A.S.R. 409. Held as regards regulation 6A (which section 131 follows, with alterations):—(*a*) Regulation 6A did not apply only when the driver having the other vehicle on his right could see or was otherwise made aware of the approaching vehicle before he reached the intersection: (*b*) the area to which the regulation applied included not only the quadrilateral of the intersection but the immediate neighbourhood: (*c*) regulation 6A did not lessen the obligation of a person who was about to drive out of a by-street into a main thoroughfare.

SUTER v. RUEDIGER AND ANOTHER (1936) S.A.S.R. 130. Held that the driver of a vehicle is entitled to assume that other drivers will observe the regulation applicable to traffic at an intersection, but is not entitled to disregard the possibility of traffic approaching from the left.

RAKE v. ADELAIDE CO-OPERATIVE SOCIETY LIMITED (1937) S.A.S.R. 281. Where two roads running northerly came together in the form of a V at the point of junction with a main road running north-east, held, under the regulation relating to traffic at intersections, that the junction of the two roads was an intersection within the meaning of the regulation. Held also that, in applying the regulation, allowance must be made for the nature of the intersection.

DREW v. GLEESON (1937) S.A.S.R. 380. Where a vehicle is already on a junction the driver does not, by altering his course, acquire a right-of-way as against the driver of another vehicle who is continuing his course and thus crossing the

decrease the speed of his vehicle to such an extent, or stop his vehicle for such time, as is necessary to allow the vehicle on his right to continue on its course in front of his vehicle without change of speed: Provided that a person shall not be convicted for failure to comply with this section, if it appears to the court that he was not aware, and could not, by exercising reasonable care, have become aware, of the approach of the other vehicle.

(2) When a vehicle and a tram car are approaching the junction or intersection of two or more roads in such circumstances that there is a reasonable possibility that they might arrive at the same point simultaneously, or that a dangerous situation might otherwise be created, the rider

s. 131. (*contd.*) junction. Subsection (1) gives a right to continue a course, not to alter it across that of another vehicle. Meaning of "junction" examined.

DUNN v. BEEVOR (1937) S.A.S.R. 386. Held under the regulation relating to traffic at intersections that an intersection is a place where two or more ways cross each other and that the regulation made no provision for a by-road which merely meets or enters a main thoroughfare without anything in the nature of a crossing.

PEARCE v. BOURKE (1937) S.A.S.R. 404. Where justices, prior to the hearing, visited the intersection for the purposes of refreshing their memories and qualifying themselves to follow the evidence, but it did not appear that they used their own knowledge to correct or supplement the evidence, held that this did not constitute a ground of objection to the proceedings.

ELLIS v. HOEPNER AND ANOTHER (1937) S.A.S.R. 461. Observations as to the application of the regulation relating to traffic at intersections.

BOND v. HOLLOWAY (1938) S.A.S.R. 41. A driver of a motor vehicle on approaching an intersection is not entitled to ignore the risk that another driver will cross over the intersection at a speed beyond that allowed by law.

BOURKE v. SMITH (1938) S.A.S.R. 74. The driver of a vehicle, approaching an intersection when another vehicle is approaching from his right, is not entitled to assume that the other vehicle will alter its course or speed. The speed or course of the other vehicle may become relevant when it becomes necessary to consider whether the defendant's ignorance of its approach was consistent with due care on his part. There is no rule of law which requires a driver to approach an intersection at a speed which enables him to see whether any other vehicle is approaching from his right; the circumstances of each case must be taken into consideration (but see section 130a enacted since this decision).

HART v. BRATCHELL (1938) S.A.S.R. 141. Where two roads intersect by reason of one road curving towards and meeting the other, section 131 applies. It does not necessarily follow that, because a person commits a breach of section 131, the breach confers upon a party injured thereby a civil cause of action for damage. Where section 131 applies, there is an implied duty on the part of the person entitled to proceed to continue on his course without change of speed, unless and until some other course of conduct, being possible, becomes prudent, proper, and imperative in the interests of safety and to avoid a collision.

BARRINGTON v. POWER (1938) S.A.S.R. 321. Where the driver of a motor vehicle approaching a junction became aware of the approach of another vehicle on his right, held that the proviso to subsection (1) did not apply.

SMITH v. MAY (1938) S.A.S.R. 410. In an action for negligence arising out of the death of a person who failed to give way as required by section 131, held that the onus of showing that the defendant could have avoided the collision, if he had acted reasonably, was upon the plaintiff.

MADDERN v. DAYMAN (1939) S.A.S.R. 12. The course of an oncoming vehicle having the right of the road at an intersection is not necessarily a straight line as a divergence from this course may be necessary. The driver of the vehicle whose duty it is to stop or slacken must so manage his vehicle that no act or omission on his part constrains the driver of the vehicle having the right to the road to deviate from his course. The degree of care reasonable to be

or driver of the vehicle shall either decrease the speed of his vehicle to such an extent, or stop his vehicle for such time, as is necessary to allow the tram car to pass in front of his vehicle without change of speed.

Amended by 61, 1940, s. 9.

(3) This section shall not apply if at the junction or intersection the traffic was at the material time being controlled by a member of the police force or some other authorized person, or by any system of lights.

(4) Subsection (1) and subsection (2) of this section shall each be deemed to create a single offence, and no objection shall be taken on the ground of duplicity or uncertainty to a complaint under either subsection alleging that, in the circumstances mentioned in the subsection, the defendant "did not decrease the speed of his vehicle to such an extent or stop his vehicle for such time" as is required by the subsection.

(5) This section shall also apply in cases where two animals, or an animal and a vehicle or tram car are approach-

s. 131. (*contd.*) taken in the circumstances of a given case by the driver of a vehicle under the obligation to stop or slacken speed will be the greater the more hindrances there are to his getting a clear view of the traffic approaching along an intersecting street.

DAYMAN v. DARWIN (1939) S.A.S.R. 29. The degree of error of judgment that can render it inexpedient to inflict any punishment when there has been any infringement of the rule laid down by subsection (1) should be very slight.

TAYLOR v. GEARY (1939) S.A.S.R. 89. Subsection (1) does not mean that a slow moving vehicle cannot enter upon an intersection so long as any fast moving vehicle is approaching at a speed which might create a situation of danger if maintained without alteration. If the circumstances are such that the approaching vehicle must of necessity have ample notice and opportunity to slacken speed, the driver of the slow moving vehicle may be justified in assuming that it will do so and that no situation of danger will be created.

DAYMAN v. SARIS (1939) S.A.S.R. 445. A driver of a vehicle does not comply with the section if he so drives as to suggest that he does not intend to give way.

VIRGO v. FIDDAMAN (1940) S.A.S.R. 17. If a defendant is driving at a reasonable speed along a main road and sounds his horn when approaching an intersection, he is not bound to stop at every blind corner upon the bare chance of another vehicle ignoring his horn and emerging upon the main road without answering.

MATTHEW v. FLOOD (1940) S.A.S.R. 48. *Semble,* an unmade road is sufficiently a road for the locality to be a junction within the meaning of section 131.

BOWDEN v. PETHERICK (1940) S.A.S.R. 90. Where a cyclist was riding along a street and the driver of a motor car proceeding in the opposite direction along the same street turned into another street at right angles to the first street and so that each vehicle had the other on its right, held that section 131 did not apply.

PETERS v. BECK (1940) S.A.S.R. 204. Where a cyclist crossing an intersection at slow speed was struck by a motor vehicle, the driver of which thought, without justification, that the cyclist intended to turn to the left, that is, in the same direction as the motor vehicle was proceeding, held that a breach of section 131 had been committed.

SKINNER v. DAY (1941) S.A.S.R. 19. The provisions of section 131 are applicable not only to an intersection but also to a junction of roads.

DAYMAN v. BLEWETT (1941) S.A.S.R. 32. To escape liability for failure to give way to the vehicle on the right, the person charged must establish on the balance of probabilities that he was not aware, and could not, by exercising reasonable care, have become aware of the approach of the other vehicle. The awareness referred

ing a junction or intersection in the circumstances mentioned in subsection (1) or (2), and the term "vehicle" shall be so construed as to include an animal.

(6) For the purpose of this section— Inserted by 29, 1950, s. 10.

(*a*) each carriage-way of a double road shall be deemed to be a separate road;

s. 131. (*contd.*) to in the proviso to subsection (1) is of the approach to the intersection and not of the situation of the two vehicles at the time when the approach is over and the intersection is reached or is being crossed. The duty to become aware is directed to the same time.

SWANN v. THOMPSON (1941) S.A.S.R. 150. Where a collision occurred at an intersection where the plaintiff was travelling at an excessive speed and the defendant failed to give way, held that the plaintiff was guilty of contributory negligence and the action failed.

DAYMAN v. TISHER (1941) S.A.S.R. 205. Section 131 is directed to the regulation of crossing and converging lines of traffic.

DAYMAN v. WILCKENS (1942) S.A.S.R. 88. Section 131 requires the driver of a vehicle having an approaching vehicle on the right so to act that the driver of the approaching vehicle can maintain his course and speed, and it is no defence to a complaint under the section that the driver of a motor vehicle is approaching and crossing over an intersection at a slow speed and fails to give way to a vehicle approaching at a fast speed from his right.

PARKER v. DAYMAN (1943) S.A.S.R. 326. A driver with the right of way is to be expected to maintain his course and speed when crossing an intersection unless there is something in the circumstances existing at the time that might reasonably demand a change in either. *Semble*, a substantial change of speed by the driver having the right of way while crossing the intersection from that at which the vehicle is travelling when approaching would seem to relieve the other driver from liability under the section, assuming that otherwise there would have been no reasonable possibility of danger.

SLATTER v. DAY (1946) S.A.S.R. 146. Duty of driver having another vehicle on his right discussed.

BORN v. O'SULLIVAN (1947) S.A.S.R. 121. A tramway thoroughfare and viaduct, used by tram cars and pedestrians but not by public vehicular traffic is not a "road" within the meaning of section 131.

ROBINSON v. CREASER (1948) S.A.S.R. 47. Held: (1) Where vehicles collide within a junction or intersection, having been visible to each other on their approach, and having maintained their respective courses and speeds, the impact affords cogent proof that the relationship of the vehicles to each other and to the junction or intersection was one to which subsection (1) applies. (2) Where the situation postulated in subsection (1) arises, an unqualified duty is imposed on the driver who has the other vehicle on his right to decrease his speed or stop to allow the other vehicle to continue on its course; and the existence of the duty is not negatived by showing that the other driver was negligent. (3) A driver approaching a junction or intersection is relieved by subsection (1) from maintaining a continuous lookout for the actions of drivers approaching a junction or intersection on his left; and his failure to look during the approach or when traversing the junction or intersection will not amount to negligence. If he has received some actual warning of the creation of a situation of danger by the approach of another vehicle from his left hand side, and unreasonably fails to act to prevent a collision, which he has had an opportunity of preventing, he may be guilty of negligence; but the onus is on the other party to prove these facts.

BAKER v. O'SULLIVAN (1949) S.A.S.R. 127. The driver of a vehicle who has another vehicle on his right at a junction or intersection is not relieved from the liability to give way by stopping his vehicle at the boundary of the junction or intersection, and then starting again to cross the junction or intersection.

O'SULLIVAN v. SARIS (1950) S.A.S.R. 127. Where a road bifurcated at an intersection, held that it was the duty of the driver of a vehicle entering the intersection to give way to another vehicle on his right.

(*b*) where a road intersects both carriage-ways of a double road it shall be deemed to form a separate intersection with each such carriage-way;

(*c*) where a road intersects one carriage-way of a double road and adjoins but does not extend beyond the other carriage-way of that double road it shall be deemed to form an intersection with the first-mentioned carriage-way and a junction with the other;

(*d*) a double road means a road having two carriage-ways separated by a strip of land.

Speed at intersections. Inserted by 2332, 1936, s. 35.

132. (1) If any person in any municipality, town, or township drives or rides any vehicle or animal over that part of any intersecting roads, which is common to two or more roads, at a greater speed than twenty-five miles per hour, he shall be guilty of an offence.

(2) In this section "intersecting roads" means roads each of which completely crosses and extends on both sides of the other.

Subsec. (3) repealed by 46, 1941, s. 12.

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Speed in certain circumstances. Inserted by 2332, 1936, s. 35.

133. (1) If any person rides or drives any vehicle or animal at a greater speed than six miles per hour—

(*a*) when proceeding from any land abutting on a road into that road; or

(*b*) when passing any tram car which, on any road in the course of a journey in the same direction as the overtaking vehicle or animal, has stopped for the purpose of allowing passengers to board or alight,

he shall be guilty of an offence.

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s. 132. BOND v. GOUDIE (1937) S.A.S.R. 416, reversing BOND v. GOUDIE (1937) S.A.S.R. 371. The Port Road is comprised of two carriage ways, one reserved for up and the other for down traffic; the ways are separated by a reserve and cross roads intersect the ways and reserves. Held that, for the purposes of section 132, the Port Road was one road only and, accordingly, that a road entering the Port Road and crossing the up track and the reserve to enter the down track but not continuing further, does not form an intersection with the up track.

s. 133. JOLLY v. WALLMAN (1936) S.A.S.R. 121. Held that a Sunday school was not a school within the meaning of a regulation prescribing a speed limit for vehicles passing schools. (But see subsection (4) enacted since this decision.)

GERAGHTY v. ANGUS AND OTHERS (1938) S.A.S.R. 455, appeal to the High Court dismissed, 62 C.L.R. 747 (note). "Passing" a tram car in a regulation relating to the passing of stationary tram cars, held to mean overtaking a tram car which is using the same road and is going in the same direction as the vehicle.

(2) If any person rides or drives within ten miles from the General Post Office at Adelaide any vehicle or animal at a greater speed than ten miles per hour when turning from one road into another he shall be guilty of an offence.

(3) If any person rides or drives any vehicle or animal at a greater speed than fifteen miles an hour whilst passing any school or school playground or children's playground at any time when children are going into or coming out of that school or playground, he shall be guilty of an offence: Provided that no person shall be convicted of an offence against this subsection unless the prosecution shows that on or near the road on which the defendant rode or drove a vehicle or animal as aforesaid there was a sign bearing in clear letters the word "school", "school playground" or "children's playground", as the case may be, and erected in such a position as to give reasonable warning to the defendant of the existence of the school or playground.

Proviso added by 2416, 1938, s. 36 (1).

(4) In this section "children's playground" means a children's playground which is maintained by a municipal or district council and "school" includes any church or other building used as a Sunday school, together with the land used in connection therewith.

Amended by 2416, 1938, s. 36 (2).

134. (1) Whenever the driver or rider of a vehicle or animal is about to turn his vehicle or animal to the right in or into any road he shall give a clear signal of his intention to do so by extending his right arm horizontally from the right side of the vehicle or animal with the palm facing the front and the fingers extended.

Signals. Substituted by 40, 1945, s. 11.

(2) Whenever the driver or rider of a vehicle or animal is about to slow down or stop he shall give a clear signal of his intention to do so by raising his right fore-arm and hand in a vertical position with the palm of the hand turned to the front and the fingers extended and pointing upwards.

(3) A clear signal for the purposes of this section means a signal which—

(*a*) is so given as to be clearly visible to traffic approaching the vehicle or animal from behind; and

s. 134. COLLINS v. GOTTSH (1941) S.A.S.R. 256. It does not follow that, if circumstances arise in which prudence calls for slowing down without being able to comply with subsection (2), a driver is free from negligence in not slowing down.

LE CORNU v. BARRINGTON (1945) S.A.S.R. 163. There is a duty on the driver of a car in starting a stationary car ranked alongside a kerb and intending to turn to his right to give the signal prescribed in subsections (1) and (1a).

LITTLE v. FOX (1950) S.A.S.R. 40. Provided the signal is given for such time as is necessary to give reasonable warning to traffic approaching from behind, it is not necessary that it should also have been given continuously for a distance of one hundred feet before the point where the vehicle turns.

(*b*) is given for such time as is necessary to give reasonable warning to traffic approaching the vehicle or animal from behind.

A signal shall be deemed to comply with paragraph (*b*) of this subsection if it is given continuously for a distance of one hundred feet before the point where the vehicle or animal turns, slows down, or stops.

(4) It shall be sufficient compliance with the provisions of this section if the appropriate signal is given by a mechanical or electrical device which has been approved by the Registrar of Motor Vehicles.

(5) If any person fails to comply with this section he shall be guilty of an offence.

Requirements as to towing.
Inserted by 2332, 1936, s. 35.

135. (1) No person shall drive upon any road any vehicle having any vehicle (not being a trailer) attached thereto for the purpose of being towed, if any of the following provisions is not observed:—

(*a*) The space between the vehicles shall not exceed twelve feet:

(*b*) When the towed vehicle is a motor vehicle, a competent person shall be in charge of that vehicle, to control it so far as the condition of its brakes and mechanism will permit:

(*c*) Where the two vehicles are joined by means of a tow rope, chain or wire, there shall be displayed on the tow rope, chain or wire, midway between the two vehicles, a white flag or cloth, so as to be clearly visible as a warning of danger:

(*d*) Between half an hour after sunset, and half an hour before sunrise, a lighted lamp, showing a bright white light, shall be affixed to the front of the towed vehicle in such a manner as to render clearly visible, any flag or cloth displayed in accordance with paragraph (*c*) of this subsection, and a lighted lamp shall be affixed to the off side of the rear of the towed vehicle, showing a red light clearly visible at a distance of 200 yards, to any person approaching the vehicle from the rear:

Provided that where the vehicle being towed is fastened in actual contact with the towing vehicle, the white flag or cloth mentioned in paragraph (*c*), and the lighted lamp affixed to the front of the towed vehicle, mentioned in paragraph (*d*), shall not be required.

(2) If any person contravenes this section in any respect, he shall be guilty of an offence.

Causing danger of obstruction.
Cf. U.K. 20 & 21 Geo. 5 c. 43, s. 50.
Inserted by 2332, 1936, s. 35, and substituted by 29, 1950, s. 11.

136. If any person causes or permits any vehicle or animal to remain at rest on any road—

(*a*) in such a position or in such condition or circumstances as to be likely to cause danger to other persons using the road or so as to obstruct the passage of traffic on the road; or

(*b*) in such a position as to obstruct any gate, door or entrance by which vehicles gain access to any land or building, or so as to obstruct any crossing leading from the carriage-way of a road across a footpath to any such gate, door, or entrance,

he shall be guilty of an offence.

Driving or riding on footpaths, etc.
Cf. U.K. 20 & 21 Geo. 5 c. 43, s. 14.
Inserted by 2332, 1936, s. 35.

137. If any person rides, drives, or leads any animal, or rides or drives any vehicle so that that animal or vehicle or any part thereof is on any footpath, causeway, or place set apart or constructed on or by the side of any road for the accommodation of foot passengers, he shall be guilty of an offence: Provided that this section shall not apply where the animal or vehicle is ridden, driven, or led across any such footpath, causeway, or place at right angles in crossing to or from any premises.

Control of animals by driver.
Inserted by 2332, 1936, s. 35.

138. If the driver of a vehicle drawn by an animal on any road, is at such a distance from that vehicle or in such a situation that he cannot properly guide and control the animal drawing the vehicle, he shall be guilty of an offence.

Duty to stop in case of accident.
U.K. 20 & 21 Geo. 5 c. 43, ss. 20, 22, 113 (3).
Inserted by 2332, 1936, s. 35.
Subsec. (1) amended by 2416, 1938, s. 38 (a), and by 20, 1944, s. 11.

139. (1) If, owing to the presence of a vehicle on a road, an accident occurs, whereby damage or injury is caused to any person, vehicle, or animal, or any other property real or personal, the driver of the vehicle shall as soon as practicable after the accident happens stop and, if required so to do by any person having reasonable grounds for so requiring, give his name and address, and also the name and address of the owner of the vehicle and, if the vehicle is a registered motor vehicle, the registered number of the vehicle.

s. 136. NOONAN v. JOHNS (1940) S.A.S.R. 4. Where the driver of a motor car stopped his car with its near side about twelve feet from the kerb in a busy street to allow a passenger to alight and there was a space a short distance away where the driver could have pulled in alongside the kerb, held that the driver had committed an offence against section 136.

s. 139. MINERVINI v. WALSH (1928) S.A.S.R. 286. The obligation to stop implies that the vehicle must be brought to rest within such a distance and time as is reasonable in the circumstances.

NOBLET v. CONDON (1935) S.A.S.R. 329. Held that section 52 of the Road Traffic Act, 1934 (re-enacted by section 139 with amendments not material to this case),

(2) When any such accident happens, the driver of the vehicle shall also report the accident at a police station or to a police constable as soon as reasonably practicable, and in any case, within twenty-four hours after the occurrence thereof.

(3) In this section, the expression "animal" means any horse, cattle, ass, mule, sheep, pig, goat, or dog.

(4) If any person fails to comply with this section in any respect he shall be guilty of an offence: Provided that no person shall be punished for failing to comply with this section if the court is of opinion that the accident was a trivial one or if the defendant satisfies the court that he did not know that any accident had occurred: Provided also that it shall be a defence to a charge of an offence under this section if it is shown that the only damage or injury resulting from the accident was damage or injury to property owned by the defendant.

Proviso added by 2416, 1938, s. 38 (b).

Inserted by 2416, 1938, s. 38 (c).

(5) An apparently genuine document produced by the prosecution, purporting to be signed by the Commissioner of Police and to certify that any accident specified in the document (whether by reference to the approximate time and place thereof, or to the person or persons involved or otherwise so as to reasonably identify it) had not been reported at a police station or to a police constable prior to any date mentioned in the certificate shall be *prima facie* evidence of the matter so certified.

Duty to give information as to identity of driver.

Cf. U.K. 20 & 21 Geo. 5 c. 43, s. 113 (3).

Inserted by 2332, 1936, s. 35, and substituted by 29, 1950, s. 12.

140. (1) Any person shall, when requested by a member of the police force or by an inspector appointed under Part II. of this Act, truly answer any question put to him seeking information which may lead to the identification of the person who was driving any vehicle on any occasion.

(2) Any person who refuses to answer, or fails to answer truly any such question shall be guilty of an offence.

Projecting loads.

Inserted by 2332, 1936, s. 35.

141. If any person drives or causes or permits to be driven on any road any vehicle, upon which the load extends beyond any portion of the vehicle, and—

S. 139. (*contd.*) required the driver to stop so long as reasonably necessary to enable the proper questions to be put, if there was anyone in the vicinity who desired to put them.

JARMAN v. WALSH (1936) S.A.S.R. 25. Held that section 52 of the Road Traffic Act, 1934 (re-enacted by section 139 with amendments not material to this case), required the driver of a motor vehicle to stop in case of accident as soon as practicable in the circumstances.

BOND v. GILBERT (1938) S.A.S.R. 37. The offence of failing to stop may be of a trifling nature although the accident occasioning the stop may be more than trivial.

COX v. BUTTON (1949) S.A.S.R. 244. Observations on the duty to stop imposed by section 139.

(*a*) the load is not as nearly as practicable parallel to the sides of the vehicle; or

(*b*) any iron, timber, piping, or other solid materials projecting beyond any portion of the vehicle, is not wrapped at the projecting ends thereof, with bagging or other suitable material, and securely tied so as to prevent noise, flapping, and swaying, and covered with some white material so as to indicate the presence of such projection; or

(*c*) the load is not firmly stacked, arranged, or tied down so that it will retain its position in or upon the vehicle whilst the vehicle is in motion, Inserted by 61, 1940, s. 10.

he shall be guilty of an offence.

141a. If any person drives on any road a motor vehicle while any part of the vehicle, or the load on the vehicle, or anything attached or affixed to the vehicle prevents him from having a clear view of the areas in front and on either side of the vehicle, he shall be guilty of an offence. Driving without clear view. Inserted by 46, 1941, s. 13.

142. (1) No person shall drive any motor vehicle on any road if— Width of vehicles, and number of trailers.

(*a*) the width of the vehicle or of any part of the load thereon exceeds eight feet; or Cf. U.K. 20 & 21 Geo. 5 c. 43, s. 18.

(*b*) the over-all length of the vehicle (including the length of any trailers attached thereto and of any load projecting from the front or rear of the vehicle or of any trailer attached thereto) exceeds sixty-six feet; or Inserted by 2332, 1936, s. 35. Subsec. (1) amended by 46, 1941, s. 14, and by 55, 1948, s. 16 (a).

(*c*) the vehicle has more than two trailers attached thereto.

(2) Any person who contravenes this section shall be guilty of an offence.

In any proceedings for an offence of driving on a road a motor vehicle the width of which exceeds eight feet it shall be a defence to prove that the motor vehicle was, on the first day of September, nineteen hundred and thirty-six, a registered motor vehicle, and that at the said date the motor vehicle was of the same width as at the time of the alleged contravention, and that the load on the motor vehicle did not project beyond either side of the vehicle.

s. 142. KEANE v. KNOWLES AND ANOTHER (1942) S.A.S.R. 13. Failure to comply with conditions of a permit under subsection (3) is a departure from the proper standard of care for the safety of the highway.

Amended by 17, 1942, s. 7, and by 55, 1948, s. 16 (a).

(3) If the Registrar of Motor Vehicles is satisfied that it is reasonable to permit any vehicle to be driven on any road, although the width of that vehicle or of any part of the load thereon exceeds eight feet or although the overall length of the vehicle (including the length of any trailers attached thereto and of any load projecting from the front or rear of the vehicle or of any trailer attached thereto) exceeds sixty-six feet he may on the application of the owner of the vehicle grant a permit, either general or restricted as to time, place, or circumstances, permitting that vehicle to be driven on any specified roads or on roads generally and such a permit shall render lawful anything done in accordance therewith.

(4) The Governor may by proclamation declare that this section shall not apply to any road or part of a road mentioned in the proclamation, and may from time to time revoke or alter any such proclamation. The operation of this section shall be restricted according to the terms of all proclamations for the time being in force under this subsection.

(5) Notwithstanding subsection (1) of this section it shall be lawful to drive on any road a vehicle carrying a load more than eight feet wide if that load consists of any agricultural machine or motor bodies more than eight feet wide.

(6) No agricultural machine shall be deemed to be a vehicle within the meaning of this section.

Amended by 55, 1948, s. 16 (b).

(7) In this section "agricultural machine" means any machine (other than a tractor) used for cultivating land or sowing or harvesting crops and "trailer" includes any vehicle of any kind drawn by a motor vehicle.

Inserted by 2416, 1938, s. 40.

(8) For the purposes of this section any frame work fixed or placed on a motor vehicle shall be deemed to be the load or portion of the load of that motor vehicle.

Restriction on carriage of persons on bicycles.
U.K. 24 & 25 Geo. 5 c. 50, s. 20.
Inserted by 2332, 1936, s. 35.

143. (1) If more than one person is carried on a road on a bicycle not propelled by mechanical power and not constructed or adapted for the carriage of more than one person, each of those persons shall be guilty of an offence.

(2) In this section references to a person carried on a bicycle shall include reference to a person riding the bicycle.

(3) This section shall apply only within the areas in which the Governor declares that it shall apply. The Governor may by proclamation declare the areas within which this section shall apply and may at any time by proclamation

alter any such area, or revoke any proclamation in force under this section.

143a. No person shall on any road drive any motor vehicle carrying any person on the roof or bonnet thereof.

Places where passengers must not be carried.

Inserted by 2416, 1938, s. 41, and amended by 40, 1945, s. 12.

144. (1) If the driver of a vehicle knowingly permits any person riding a bicycle or other vehicle propelled by human power to attach himself to the vehicle being driven while it is in motion on any road, that driver shall be guilty of an offence.

Holding on to motor vehicles, and riding without driver's consent.

Cf. U.K. 20 & 21 Geo. 5 c. 43, s. 29.

(2) Any rider of a bicycle or other vehicle propelled by human power, who attaches himself to any other vehicle whilst that vehicle is in motion on any road shall be guilty of an offence.

Inserted by 2332, 1936, s. 35.

(3) Any person who rides on a vehicle without the consent of the driver of that vehicle shall be guilty of an offence.

145. If any person riding a bicycle travels on any road for more than three hundred yards behind any motor vehicle and within six feet from that vehicle he shall be guilty of an offence.

Pacing by cyclists.

Inserted by 2332, 1936, s. 35.

146. Any person who in any road, boards or alights from any tram car or vehicle whilst in motion, shall be guilty of an offence.

Boarding and alighting from moving vehicles.

Inserted by 2332, 1936, s. 35.

147. (1) If two or more vehicles are driven or ridden abreast of each other in the same direction on any road, the rider or driver of each of those vehicles shall be guilty of an offence: Provided that this section shall not apply—

Driving and riding abreast.

Inserted by 2332, 1936, s. 35 and amended by 2416, 1938 s. 42, and by 23, 1939, s. 3 (a).

(*a*) where two bicycles and no more are ridden abreast:

(*b*) where a vehicle is driven abreast of another vehicle for the purpose of passing that other vehicle.

(2) A vehicle shall be deemed to be abreast of another vehicle if any part of the vehicle is by the side of any part of that other vehicle.

s. 144. WALSH v. FAEHRMANN (1936) S.A.S.R. 49. The onus is on the complainant to prove that the driver did not consent to the defendant's action.

Inserted by 23, 1939, s. 3 (b).

(3) If two bicycles are ridden abreast of each other in the same direction on any road, the rider of the bicycle on the left-hand side of the road shall be guilty of an offence if he does not ride as near as practicable to such left-hand side of the road and the other rider shall be guilty of an offence if he does not ride as near as practicable to the rider on the inside of him.

Prohibition of riding horses abreast.
Inserted by 2332, 1936, s. 35.

148. (1) If three or more horses are ridden abreast on the carriage-way of any road within twelve miles of the General Post Office at Adelaide, the rider of each horse shall be guilty of an offence: Provided that this section shall not apply where the horses are ridden by members of the police force on duty.

(2) A horse shall be deemed to be abreast of another horse if any part of that horse is by the side of any part of the other horse.

Leading animals.
Inserted by 45, 1939, s. 26, and amended by 55, 1948, s. 17.

148a. If any person on any road within twelve miles of the General Post Office at Adelaide, whilst riding an animal or driving a vehicle, leads three or more animals, he shall be guilty of an offence.

Injurious matter on roads.
Inserted by 2332, 1936, s. 35.

149. If any person deposits or drops or causes or suffers to be deposited or dropped upon any road, any matter or substance likely to cause damage or danger to vehicles, being any wood, stone, sand, gravel, nail, tack, scrap iron, glass, wire, tin, bottle, thorn, clipping, oily or sticky substance or other matter or substance, he shall be guilty of an offence: Provided that it shall be a defence to a charge under this section if the defendant proves that he had taken reasonable precautions to prevent the matter or substance from being so deposited or dropped.

Removal of vehicles from roads.
Cf. U.K. 20 & 21 Geo. 5 c. 43, s. 59 (1) (*e*); 24 & 25 Geo. 5 c. 50, s. 22.
Inserted by 2332, 1936, s. 35.

150. (1) If—

(*a*) any vehicle or animal is left unattended on a road in such a position or in such a condition or in such circumstances as to be likely to cause danger to other persons using the road; or

(*b*) on any day on which a road is closed to the public or forms part of the route of a procession which has been duly advertised under any enactment, regulation, or by-law, any vehicle is left unattended for more than one hour,

any member of the police force or any officer of any municipal or district council may remove that vehicle or animal to a place of safe custody.

(2) Forthwith after such removal, the person removing the vehicle or animal, or some person on his behalf, shall give the owner written notice of the removal, and of the place to which the vehicle or animal was removed. The notice shall, wherever practicable, be served upon the owner personally; but if it is not so served within fourteen days after the removal, it shall forthwith upon the expiration of those fourteen days be given by public advertisement in two newspapers circulating generally in the State.

(3) If the owner of the vehicle or animal does not, within one month after the service or advertisement of the notice, pay all expenses in connection with the removal, custody, and maintenance of the vehicle or animal, and of serving or advertising the notice, and take possession of the vehicle or animal, the Commissioner of Police, or the municipal or district council whose officer removed the vehicle or animal shall sell it by public auction, and apply the proceeds as follows:—

(*a*) Firstly, in payment of the expenses of the sale:

(*b*) Secondly, in payment of the cost of removal, custody, and maintenance of the vehicle or animal, and of the notice served or advertised under this section:

(*c*) Thirdly, in payment of the balance to the owner, or if, after reasonable inquiry, the owner cannot be found, to the Treasurer, in aid of the general revenue of the State.

Control of parking outside Parliament House.

Inserted by 2332, 1936, s. 35.

151. (1) The Governor may by proclamation declare that any area in that part of any street which abuts on the site of either House of Parliament shall be a prohibited area within the meaning of this section and may revoke or amend any such proclamation.

(2) If any person, whether holding any other licence, permit, or other authority or not, leaves any vehicle or animal stationary in any prohibited area proclaimed under this section, without the permission of the Minister of Works, he shall be guilty of an offence.

(3) This section shall take effect notwithstanding anything in the Local Government Act, 1934, or any other Act or any regulation or by-law.

(4) No prosecution for an offence against this section shall be commenced except with the authority of the Minister

s. 151. References to the "Commissioner of Public Works" altered to "Minister of Works" pursuant to the Amendments Incorporation Act, 1937.

of Works. A document purporting to give such consent and purporting to be signed by the Minister of Works shall be *prima facie* evidence of such consent.

Power of police to examine and test vehicles.
Inserted by 2332, 1936, s. 35.

152. (1) Any member of the police force may, if he has reasonable cause to suspect that any vehicle has been involved in an accident or has been driven on a road recklessly or at a speed or in a manner which is dangerous to the public or has been stolen or taken without the consent of the owner and is on any land or premises, enter such land or premises and therein search for that vehicle and examine it if found.

(2) Any person who hinders any member of the police force, in the exercise of any power conferred upon him by this section, shall be guilty of an offence.

(3) If any member of the police force or any inspector appointed under Part II. of this Act has reasonable cause to suspect that any motor vehicle does not comply with any requirement of this Act he may—

(*a*) require the owner or person in charge of the vehicle to produce the vehicle to him or to some person named by him for the purpose of being tested:

(*b*) for that purpose remove the vehicle to the nearest convenient place where it can be tested:

(*c*) detain the vehicle for such time as is necessary for testing it.

(4) If the owner or person in charge of any vehicle when so requested by a member of the police force or an inspector appointed under Part II. of this Act does not produce the vehicle, together with any key or other device necessary for starting the engine, in accordance with a request under subsection (3) of this section, he shall be guilty of an offence.

Closing roads for races and exemptions.
Cf. U.K. 20 & 21 Geo. 5 c. 43, ss. 13, 46.
Inserted by 2332, 1936, s. 35.
Para. (a) substituted by 2416, 1938, s. 43.

153. (1) Upon the application of any persons interested the Minister of Local Government may make either or both of the following orders:—

(*a*) That any road or part of a road upon which any races or tests are to be held, and any other adjacent or adjoining road or part of any such road shall be closed to traffic on any day or days:

(*b*) That persons taking part in any races or tests be exempted from the duty to observe any enactment, regulation or by-law prescribing speed limits or other rules to be observed on roads by drivers and riders of vehicles.

(2) No order closing a road shall be made under this section except with the consent of every municipal or district council within whose area the road or part of a road is situated.

(3) At least two clear days before any road is to be closed or any exemption is to operate pursuant to an order under this section the Minister shall by advertisement in two newspapers, one of which shall be a daily newspaper, circulating generally in the State, give notice of the intended closing of the road or exemption. The costs of every such advertisement shall be paid by the applicants.

(4) Any order made under this section shall be subject to any conditions which the Minister thinks fit to impose and upon breach of any condition shall cease to have any effect.

(5) An order under this section shall render lawful anything done in accordance therewith.

(6) If any person is requested by a member of the police force to depart from any road or part of a road closed under this section or to remove any vehicle of which he is in charge from any such road or part of a road and does not forthwith comply with that request he shall be guilty of an offence.

153a. If the Treasurer is satisfied that any vehicle is intended to be ridden or driven on roads solely for the purpose of taking part in a street procession or other like entertainment, he may in writing exempt the owner and driver of that vehicle from the obligation to comply with any specified provisions of this Act on any day or days.

Vehicles taking part in processions. Inserted by 2416, 1938, s. 44.

154. (1) After a day to be fixed by the Governor by proclamation for the commencement of this section no person shall drive any vehicle or cause any vehicle to be driven for the purpose of carrying passengers for hire unless that vehicle has been inspected and certified to be safe for the carriage of passengers by an officer appointed by the Registrar of Motor Vehicles: Provided that this section shall not apply where a vehicle is driven pursuant to a licence under the Road and Railway Transport Act, 1930, or under any by-law of a local governing authority, or to any vehicle operated or licensed by the Municipal Tramways Trust.

Vehicles used for carrying passengers for hire. Inserted by 2332, 1936, s. 35, and amended by 55, 1948, s. 18.

(2) Every certificate granted under this section shall remain in force for twelve months from the date of the granting thereof unless revoked by any such officer as

aforesaid before the expiration of that period on the ground that the vehicle is no longer safe for the carriage of passengers.

Inserted by 2416, 1938, s. 45.

(3) Any certificate granted under this section may contain a condition prescribing the maximum number of passengers which may lawfully be carried upon the vehicle to which the certificate relates.

Any person who drives any vehicle carrying more than the maximum number of passengers prescribed in a certificate relating to such vehicle shall be guilty of an offence.

Inserted by 2416, 1938, s. 45.

(4) An apparently genuine document produced by the prosecution and purporting to be signed by the Registrar of Motor Vehicles and to certify that any vehicle specified in the certificate has not during any period specified in the certificate been inspected and certified to be safe for the carriage of passengers as required by this section shall be *prima facie* evidence of the fact so certified.

Inserted by 2416, 1938, s. 45.

(5) It shall lie on the defendant to prove that any vehicle in respect of which a complaint has been laid under this section was driven pursuant to a licence under the Road and Railway Transport Act, 1930, or under any by-law of a local governing authority.

Inserted by 2416, 1938, s. 45.

(6) The Governor may make any regulations necessary or convenient for the due administration and enforcement of this section and may by regulations impose penalties recoverable summarily and not exceeding ten pounds for breach of any such regulation.

Dangerous lights and signs.
Inserted by 2332, 1936, s. 35.

155. (1) If any light, or any sign showing a light, is on or over or adjacent to any footpath or road in any municipality or district council district or is affixed to the wall or roof or other external part of any building or verandah in any municipality or district council district, and the council of the municipality or district council district is satisfied that the light or sign is dangerous to traffic on any road, the council may give notice in writing to the owner of the light or sign requiring him to remove the light or sign within a reasonable time specified in the notice.

(2) If within the time specified in the notice that owner does not remove the light or sign, the council may remove it and recover the costs of so doing from that owner in any court of competent jurisdiction as a debt due to the council.

(3) Any notice under this section may be given by post addressed to the last known place of business or abode of the person to whom it is to be given, or by delivering it to that person.

Inconsistency of this Part with regulations and by-laws.
Inserted by 2332, 1936, s. 35.

156. When any regulation or any by-law is inconsistent with any provision of this Part, that provision shall prevail and the regulation or by-law shall, to the extent of the inconsistency, be invalid.

Exemption of fire, ambulance, and police vehicles from certain provisions.
Inserted by 46, 1941, s. 15.

156a. (1) For the purposes of this section the following shall be exempt vehicles—

(*a*) any motor vehicles used by the Fire Brigades Board or by a fire brigade, while it is being driven to any place in answer to a call for the services of a fire brigade, or is in use at a fire:

(*b*) any motor ambulance while it is being driven in the course of, or in connection with, the carriage of patients:

(*c*) any motor vehicle being driven by a member of the police force in the execution of his duty.

(2) While a vehicle is an exempt vehicle, the following provisions of this Act, namely:—Paragraph (*b*) of subsection (1) of section 40a; paragraph (*b*) of section 123; sections 124 to 127 inclusive, 130a, 130b, 130c, 131 to 133 inclusive, 136, 137, subsection (1) of section 139, 143a, 146, 147, 169, 174 to 176 inclusive, shall not apply in relation to that vehicle or the owner, driver, or person in charge thereof.

Evidentiary provisions.
Inserted by 2332, 1936, s. 35.

157. (1) The allegation in any complaint for an offence against this Act, or against any regulation under this Act, that any person was, at any time mentioned in the complaint, the rider or driver of any animal or vehicle shall be *prima facie* evidence of that fact.

Inserted by 2416, 1938, s. 46, and amended by 55, 1948, s. 19 (a), and by 29, 1950, s. 13.

(2) In any complaint for an offence against this Act or against any regulation under this Act allegations as to all or any of the following matters—

(*a*) that any sign was lawfully placed on or near any road, or that any such sign was for any purpose specified in the complaint:

(*b*) that any sign on a road was erected under or complied with any specified statutory provision:

(*c*) that any sign on a road contained any specified words:

s. 156a. THE SOUTH AUSTRALIAN AMBULANCE TRANSPORT INCORPORATED v. WAHLHEIM (1948) 77 C.L.R. 215; 22 A.L.J. 545, reversing Wahlheim v. The South Australian Ambulance Transport Incorporated (1948) S.A.S.R. 152. Observations upon the duties of a driver of an exempt vehicle.

THE FIRE BRIGADES BOARD v. MUNICIPAL TRAMWAYS TRUST (1950) S.A.S.R. 262. The duties of drivers of tramcars and vehicles, such as fire engines, exempted from compliance with normal provisions for the regulation of road traffic, considered.

(*d*) that any specified place was or was not on any specified date an authorized crossing place on any line of railway:

(*e*) that any place is or was a road:

(*f*) that any intersection, intersecting roads, or part of any intersecting roads was or were within a municipality, town, or township named in the complaint:

shall be *prima facie* evidence of the matters so alleged.

Inserted by 2416, 1938, s. 46, and substituted by 55, 1948, s. 19 (b).

(3) A document produced by the prosecution and purporting to be signed by the Commissioner of Police, or by a superintendent or an inspector of police, and purporting to certify that any stop-watch or speedometer specified therein had been tested on a day mentioned therein and was shown by the test to be accurate to the extent indicated in the document, shall be *prima facie* evidence of the facts certified and that the stop-watch or speedometer was accurate to the said extent on each of the fourteen days following the day of the test.

Offences. Inserted by 45, 1939, s. 27.

157a. Any contravention of or failure to observe any provision of this Part, whether by act or omission, shall be an offence.

Penalty. Inserted by 2332, 1936, s. 35.

158. Any person guilty of any offence against this Part, for which no other penalty is provided, shall be liable to a fine of not more than twenty pounds.

Summary proceedings. Inserted by 2332, 1936, s. 35.

159. Proceedings for offences against this Part shall be disposed of summarily.

S. 160 inserted by 2332, 1936, s. 35, and repealed by 2416, 1938, s. 47.

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PART VII.

PART VII.

PROTECTION OF ROADS.

Interpretation. Cf. U.K. 20 & 21 Geo. 5 c. 43, ss. 3, 24, 25. Inserted by 2332, 1936, s. 35.

161. In this Part unless the context otherwise requires or some other meaning is clearly intended—

"commissioner" means the Commissioner of Highways appointed pursuant to the Highways Acts, 1926 to 1935:

"improved main road" means any main road within the meaning of the Highways Acts, 1926 to 1935, which has been formed, metalled, or gravelled, or which has any prepared surface, and includes the shoulders and drains thereof, and any bridge, culvert, guard fence, or post thereon:

"road authority" means the municipal or district council within whose area the road in question is situated, and includes the commissioner when exercising the powers of a council in respect of any work:

"shoulders", when used in relation to a main road, means the protection work formed or constructed of any material whatsoever for strengthening, backing up, or protecting the edges of any improved main road:

"drain", when used in relation to a main road, means any work formed or constructed of any material whatsoever, which is provided for the drainage of such road:

"motor lorry" means a motor vehicle constructed in such a manner as to be ordinarily used for the carriage of goods, wares, or merchandise, or for the conveyance of any kind of material used in any trade, business, or industry, or for use in any work whatsoever other than the conveyance of passengers:

"motor vehicle" means a motor vehicle as defined in Part II. of this Act:

"tractor" means a motor vehicle used for hauling other vehicles, but not built to carry passengers or loads other than fuel or water for its own consumption.

Farm implements. Inserted by 2332, 1936, s. 35.

162. If any person drives or hauls over any improved main road any farm or other implement constructed in such a manner as to injure or damage any portion of the road when travelling thereon he shall be guilty of an offence.

Locking of wheels. Inserted by 2332, 1936, s. 35.

163. If any person locks or prevents from revolving any wheel of any horse-drawn vehicle whilst such vehicle is proceeding along any improved main road, he shall be guilty of an offence.

Drags. Inserted by 2332, 1936, s. 35.

164. If any person draws or drags any sledge, timber, tree, or other heavy material on any improved main road, he shall be guilty of an offence.

Wheels with bars, studs, etc.
Inserted by 2332, 1936, s. 35.

165. If any person, except in crossing a road, drives on or within six feet of any part of the metalled, gravelled, rubbled, tarred, or other prepared surface of any improved main road any motor vehicle having attached to the surface of any wheel or tire, which comes into contact with the road, any metal bar, spike, stud, grip, or other metal projection, he shall be guilty of an offence: Provided that this section shall not apply where the wheels or tires of the motor vehicle have no projection on the surface thereof which comes into contact with the road other than cross bars affixed thereto at an angle of not more than forty-five degrees with the edge of the wheel or tire, and each extending the full width of the wheel or tire, and being not less than three inches in width and not more than three-quarters of an inch in thickness, and being separated by a space of not more than three inches from the cross bar nearest to it on either side.

Caterpillar tractors.
Inserted by 2332, 1936, s. 35.

166. If any person, except in crossing a road, uses or drives on or within six feet of any part of the metalled, gravelled, or other prepared surface of any improved main road any tractor of the caterpillar type which has any metal bar, spike, stud, grip, or other metal projection on the track or belt of that tractor, he shall be guilty of an offence.

Stopping vehicles on bridges.
Inserted by 2332, 1936, s. 35, and amended by 2416, 1938, s. 48.

167. (1) If any person stops a vehicle on any bridge or culvert on any road for any purpose whatever except in case of a breakdown or other unavoidable accident or the purpose of enabling any person to enter or alight from the vehicle, he shall be guilty of an offence.

(2) If the owner of any vehicle which has stopped on a bridge or culvert because of a breakdown or other unavoidable accident or the purpose of enabling any person to enter or alight from the vehicle, fails to remove the vehicle from that bridge or culvert without unnecessary delay, he shall be guilty of an offence.

Damage to bridges.
Inserted by 2332, 1936, s. 35.

168. If any person drives any vehicle on any main road in such a way as to damage any bridge, culvert, guard fence, or post on or appertaining to that main road, he shall be guilty of an offence.

Driving on shoulders of roads.
Inserted by 2332, 1936, s. 35.

169. If any person drives any vehicle on the shoulders of any improved main road except for the purpose of passing another vehicle, or leaving the metalled, gravelled, rubbled, tarred, or other improved surface, he shall be guilty of an offence.

170. If any person discharges any ashes, cinders, or other refuse from a tractor or any motor vehicle upon or within twenty feet of a bridge or culvert upon a main road, or upon any main road within twenty feet of the centre of that road, and does not completely extinguish and spread out such ashes, cinders, or refuse, so as not to injure that road or any fence thereon or adjacent thereto, and so as not to interfere with the drainage, he shall be guilty of an offence.

Actions likely to cause fire.
Inserted by 2332, 1936, s. 35.

171. If any person without the permission of the commissioner in writing stacks or deposits any wood, sand, stone, or material of any description on any main road or part of a main road which is in any way being maintained by the commissioner, he shall be guilty of an offence.

Depositing material on roads.
Inserted by 2332, 1936, s. 35.

172. If any person drives or hauls upon any improved main road any vehicle having solid rubber tires which are fitted with chains, or having metal studs or other metal projections inserted in the rubber thereof, he shall be guilty of an offence.

Use of wheel chains.
Inserted by 2332, 1936, s. 35.

173. If any person drives on any improved main road any motor vehicle having any wheel shod with a rubber tire (not being a pneumatic tire) which has not rubber at least one inch thick over the whole of the outer surface of the wheel, or which is in any way defective, he shall be guilty of an offence.

Defective tires.
Inserted by 2332, 1936, s. 35.

174. (1) No person shall drive on any road any commercial motor vehicle drawing a trailer at any speed in excess of those hereinafter prescribed:—

Speed of heavy vehicles.
Inserted by 2332, 1936, s. 35, and repealed and re-enacted by 45, 1939, s. 28.

(*a*) If the aggregate weight of the vehicle and of every trailer drawn thereby exceeds eleven tons, twenty miles per hour:

(*b*) If the aggregate weight of the vehicle and of every trailer drawn thereby exceeds six tons, but does not exceed eleven tons, twenty-five miles an hour:

(*c*) If the aggregate weight of the vehicle and of every trailer drawn thereby exceeds three tons, but does not exceed six tons, thirty miles an hour.

(2) No person shall drive on any road any commercial motor vehicle, not drawing a trailer, at any speed in excess of those hereinafter prescribed:—

(*a*) If the weight of the vehicle exceeds eleven tons, twenty-five miles an hour:

(*b*) If the weight of the vehicle exceeds six tons but does not exceed eleven tons, thirty miles an hour:

(*c*) If the weight of the vehicle exceeds three tons, but does not exceed six tons, thirty-five miles an hour.

(3) For the purposes of this section the weight of a vehicle or of a trailer drawn thereby shall be the weight of the vehicle or trailer together with the weight of the load (if any), (including passengers, fuel, and equipment), carried thereon.

(4) Nothing in subsections (1), (2), and (3) of this section shall affect the obligation of any person to comply with any other provision of this Act relating to the speed at which motor vehicles may be driven.

(5) If any person contravenes this section in any way he shall be guilty of an offence.

(6) The Governor may for the purpose of this section make regulations—

(*a*) providing for the ascertainment of the weight of vehicles, trailers, and their loads, or any part of their loads, whether by calculation, measurement or by weighing the vehicles, trailers and loads on any weighbridge, or by means of any loadometer or other prescribed apparatus;

(*b*) prescribing the duties of persons in charge of vehicles and trailers in relation to the ascertainment of the weight of the vehicles, trailers and their loads or any part of their loads; and

(*c*) prescribing penalties not exceeding ten pounds for breach of any such regulation.

Inserted by 40, 1945, s. 13.

(7) In this section "commercial motor vehicle" includes a tractor.

Speed of heavy motor vehicles on certain roads. Inserted by 2332, 1936, s. 35.

175. If any person on any road which is not paved with bitumen, concrete, or wooden blocks drives at a greater speed than thirty miles per hour any motor vehicle which weighs more than two tons when unladen, he shall be guilty of an offence.

Vehicles with metal tires. Inserted by 2332, 1936, s. 35.

176. (1) If any person on any improved main road drives any motor vehicle having one or more metal tires at a greater speed than six miles per hour he shall be guilty of an offence.

(2) If any person on any improved main road drives any vehicle drawing a trailer having one or more metal tires he shall be guilty of an offence: Provided that if the Commissioner of Highways is satisfied that any piece of heavy machinery or other merchandise cannot be taken apart without great expense or loss, he may issue to any person a permit (subject to any conditions specified therein) authorizing that person to use a trailer with metal tires for transporting that piece of machinery or other merchandise along any main road specified in the permit.

Information to be painted on vehicles. Inserted by 2332, 1936, s. 35.

177. (1) Every motor lorry (not being a buckboard) and every vehicle carrying passengers or goods for hire in actual use on any road shall have the name and address of the owner thereof and the weight of the vehicle unladen painted on some conspicuous part of the off side of the vehicle in letters not less than two inches high and one inch wide.

For the purpose of this subsection:

"name" means—

(*a*) in the case of a vehicle owned by an individual, the Christian names or the initials of the Christian names and the full surname of that individual; and

(*b*) in the case of a vehicle owned by a firm, the registered name of the firm; and

(*c*) in the case of a vehicle owned by a company or body corporate, the registered name of the company, or the full name of the body corporate:

"address" means either place of abode or place of business:

"buckboard" means a vehicle adapted partly for the carriage of goods and partly for the carriage of passengers and weighing when unladen less than thirty-two hundredweights.

(2) Every motor lorry or tractor (for whatever purpose used) having any tires which are not pneumatic tires shall have, in addition to any particulars required under subsection (1), its weight unladen, together with the speed at which the lorry or tractor may travel under section 174 clearly and distinctly painted on the off side of the lorry or tractor in figures not less than two inches high and one inch wide.

(3) If any person owns or drives on any road any vehicle not complying with this section he shall be guilty of an offence: Provided that where the owner and the driver are different persons, both shall not be punished in respect of the same non-compliance.

Inserted by 35, 1943, s. 21.

(4) The registrar or a person authorized by him may by a written certificate of exemption, exempt any vehicle from all or any of the provisions of subsections (1), (2), and (3) of this section.

Every such exemption—

(*a*) shall remain in force for a period specified in the certificate or until the happening of a condition specified therein;

(*b*) shall be subject to any conditions specified in the certificate;

(*c*) may be revoked by the registrar upon breach of any condition thereof.

Inserted by 35, 1943, s. 21.

(5) An apparently genuine document produced by the prosecution and purporting to be signed by the registrar and to certify that a vehicle specified in the document was not at a time so specified exempted from any provisions of this section so specified shall be *prima facie* evidence of the fact so certified.

Damage to roads and works.
Inserted by 2332, 1936, s. 35.

178. Any person who—

(*a*) otherwise than by reasonable use thereof damages any road, bridge, or culvert; or

(*b*) removes, damages, or interferes with any guard fence, post, traffic sign, direction sign, notice, mark, light, signal, barrier, lamp, or other thing erected or placed thereon by or with the consent of a road authority or by the Royal Automobile Association of South Australia, Incorporated; or

(*c*) does any act or makes any omission of such a nature as to be likely to injure any such road or other thing,

shall be guilty of an offence, and in addition to being liable to a fine, shall pay to the road authority compensation for the damage done.

Notice of damage.
Inserted by 2332, 1936, s. 35.

179. If the driver or person in charge of any vehicle causing damage to any improved main road does not forthwith give to the road authority in whose area the damage has been caused notice of that damage, with full particulars

of any damage to the surface of the road or to bridges, culverts, guard fences, or posts on the road, he shall be guilty of an offence.

180. Any person who commits an offence against this Part shall be liable, on summary conviction, to a penalty not exceeding twenty pounds.

Penalty
Inserted by 2332, 1936, s. 35.

181. The commissioner may appoint any person to be an authorized officer for the purpose of this Part, and any municipal or district council may appoint any person to be an authorized officer for the purpose of this Part within the district of such district council or municipal corporation.

Appointment of authorized officers.
Inserted by 2332, 1936, s. 35.

182. This Part shall be binding on any person in the employ of the Government of the State.

Application to employees of Crown.
Inserted by 2332, 1936, s. 35.

SCHEDULE.

ACTS REPEALED.

No. and Year of Act.	Title of Act.
No. 19 of 1853	An Act to provide for the regulation and licensing of Public Conveyances, and to prevent the wanton ill-treatment of Horses and Cattle.
No. 1 of 1854	An Act to amend "An Act to provide for the regulation and licensing of Public Conveyances, and to prevent the wanton ill-treatment of Horses and Cattle."
No. 1370 of 1919 (except sections 12, 13, and 14 thereof)	Lights on Vehicles Act, 1919.
No. 1609 of 1924 ..	Lights on Vehicles Act Amendment Act, 1924.
No. 1858 of 1928 ..	Lights on Vehicles Act Amendment Act, 1928.
No. 2019 of 1931 ..	Lights on Vehicles Act Amendment Act, 1931.
No. 1480 of 1921 ..	Motor Vehicles Act, 1921.
No. 1527 of 1922 ..	Motor Vehicles Act Amendment Act, 1922.
No. 1645 of 1924 ..	Motor Vehicles Act, 1924.
No. 1695 of 1925 ..	Motor Vehicles Act Amendment Act, 1925.
No. 1760 of 1926 ..	Motor Vehicles Act Amendment Act, 1926.
No. 1827 of 1927 ..	Motor Vehicles Acts Amendment Act, 1927.
No. 1941 of 1929 ..	Motor Vehicles Act, 1929.
No. 2095 of 1932 ..	Motor Vehicles Act, 1932.
No. 2131 of 1933 ..	Motor Vehicles Act, 1933.
No. 1580 of 1923 ..	Width of Tires Act, 1923.
No. 1641 of 1924 ..	Width of Tires Act Amendment Act, 1924.
No. 1714 of 1925 ..	Width of Tires Act Amendment Act, 1925.
No. 1961 of 1930 ..	Width of Tires Act, 1930.
No. 1699 of 1925 ..	Vehicles (Licensing) Act, 1925.
No. 1823 of 1927 ..	Vehicles (Licensing) Amendment Act, 1927.
No. 2169 of 1934 ..	Lights on Vehicles Act Amendment Act, 1934.

TABLES OF ACTS OF THE PARLIAMENT OF SOUTH AUSTRALIA.

TABLE OF PUBLIC GENERAL ACTS OF THE PARLIAMENT OF SOUTH AUSTRALIA, INCLUDING CROSS REFERENCES.

The following table contains a list of the public Acts of general application of the Parliament of South Australia passed up to the end of 1950 and which were unrepealed as at that time.

In the case of an Act reprinted in Volumes 1 to 8 of the South Australian Statutes, 1837-1936, a reference is given in the table to the volume and page where the Act is printed. In the case of any other Act a reference is given to the annual volume of Statutes in which the Act is printed.

Since the publication of the South Australian Statutes, 1837-1936, some Acts have been reprinted pursuant to the Amendments Incorporation Act, 1937. The table contains a reference to all such reprinted Acts; in some instances, the reprinted Act has been included in the annual volume of Statutes and in those cases a reference is given to the volume and page where the Act is reprinted.

The table also includes cross references to the subject matters dealt with by legislation.

Title or Subject Matter.	Volume.	Page.
ABATTOIRS ACT, 1911-1936	1	1
ABATTOIRS ACT AMENDMENT ACT, 1938	1938	190
ABATTOIRS ACT AMENDMENT ACT, 1946	1946	149
ABATTOIRS ACT AMENDMENT ACT, 1947	1947	68
ABATTOIRS ACT AMENDMENT ACT, 1950	1950	124
Abattoirs *see also* Health: Local Government: Metropolitan and Export Abattoirs: Port Lincoln Abattoirs.		
ABORIGINES ACT, 1934	1	38
ABORIGINES ACT AMENDMENT ACT, 1939	1939	49
ABORIGINES ACT, 1934-1939 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	1939	371
Aborigines *see also* Commonwealth Powers.		
Absinthe *see* Food and Drugs.		
Absconding Debtors *see* Debtors: Local Court: Supreme Court.		
Accidents, Notice of *see* Country Factories: Hospitals: Industrial: Road Traffic.		

Title or Subject Matter.	Volume.	Page.
Accumulations *see* Law of Property.		
Action, Survival of Causes of *see* Survival of Causes of Action.		
Acts, Administration of *see* Administration of Acts.		
ACTS INTERPRETATION ACT, 1915-1936	1	55
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ACTS INTERPRETATION ACT, 1915-1949 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	—	—
Acts, Reprint of *see* Acts Republication : Amendments Incorporation.		
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Railway Acts—*continued.*		
Kadina to Barunga Gap Railway Act, 1876	1876	40
Kapunda and North-West Bend Railway Act, 1876	1876	27
Kielpa to Mangalo Hall Railway Act, 1916	1916	1265
Kimba to Buckleboo Railway Act, 1923	1923	1592
Kowulka Branch Railway Act, 1948	1948	37
The Laura to Booleroo Centre Railway Act, 1907	1907	941
The Laura to Booleroo Centre Railway Act Amendment Act, 1910	1910	1014
Moonta and Gawler Town Railways Acts Repealing Act, 1931	1931	2038
Mount Barker and Strathalbyn Railway Act, 1881	1881	221
Mount Gambier and Naracoorte Railway Act, 1884	1884	327
The Mount Hope Railway Act, 1912	1912	1094
The Mount Pleasant, Sedan, and Truro Railways Act, 1914	1914	1180
The Nairne to the Victorian Border Railway Act, 1882	1882	265
Nairne to Victorian Border Railway Deviation Act, 1924	1924	1622
Naracoorte to Tatiara Railway Act, 1879	1879	131
North-Western Railways System Development Act, 1917	1917	1307
Palmer to Monarto Railway Act, 1916	1916	1266
The Paringa to Renmark Railway Act, 1914	1914	1177
The Peebinga, Paringa, Loxton and Waikerie Railways Act, 1912	1912	1088
Pinnaroo Railway Act	1903	831
Pinnaroo Railway Act Amendment Act, 1907	1907	928
The Pinnaroo Railway Act Further Amendment Act, 1908	1908	955
The Pinnaroo Railway Act Further Amendment Act, 1914	1914	1176
The Petersburg and Border Railway Act, 1884	1884	328
The Petersburg and Border Railway Amendment Act, 1886	1886	377
The Port Adelaide and Semaphore Railway Act, 1874	1874	13
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

Title of Act.	Year.	Number.
Railway Acts—*continued.*		
The Port Pirie Railway Act	1873	8
The Port Wakefield and Kadina Railway Act	1873	9
The Port Wakefield to Hoyles Plains Tramway Act, 1866	1866-7	25
The Port Wakefield and Hoyle's Plains Tramway Extension Act	1873	10
Railway Crossings (Bowden) Act, 1922	1922	1524
The Railway Deviations Act, 1896	1896	661
Railways Guarantees Abolition Act, 1917	1917	1288
Railways Guarantees Abolition Act Amendment Act, 1918	1918	1328
Railways Transfer Act, 1927	1927	1840
Renmark to Barmera Railway Act, 1925	1925	1675
The Riverton to Spalding Railway Act, 1913	1913	1129
Rivoli Bay North and Mount Gambier Railway Act, 1876	1876	30
The Robertstown Railway Act, 1911	1911	1070
The Robertstown Railway Act Amendment Act, 1912	1912	1081
Roseworthy to Forresters Railway Act, 1866-7	1866-7	24
Roseworthy to Forrester's Railway Amendment Act, 1867	1867	18
The Salisbury to Long Plains Railway Act, 1913	1913	1139
The South-Eastern Railway Act, 1871	1871	7
Strathalbyn and Middleton Tramway Act, 1866	1866	1
The Strathalbyn and Victor Harbor Railway Act, 1883	1883	294
The Tailem Bend and Brown's Well Railway Act, 1909	1909	980
Tatiara to Border Town Railway Act, 1881	1881	200
Terowie to Pichirichi Railway Act, 1878	1878	103
Victor Harbor and Strathalbyn Tramways Amendment Act, 1869-70	1869-70	14
The Wallaroo Railway Station Extension Act, 1886	1886	371
Wallaroo to Moonta Railway Act, 1890	1890	490
Wanbi to Moorook Railway Act, 1923	1923	1586
Wandana to Penong Railway Act, 1917	1917	1292
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-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

Title of Act.	Year.	Number.
Supply Act (No. 1), 1936	1936	2260
Supply Act (No. 2), 1936	1936	2275
Supply Act (No. 1), 1937	1937	2338
Supply Act (No. 2), 1937	1937	2339
Supply Act (No. 1), 1938	1938	2382
Supply Act (No. 2), 1938	1938	2385
Supply Act (No. 1), 1939	1939	1
Supply Act (No. 2), 1939	1939	2
Supply Act (No. 1), 1940	1940	1
Supply Act (No. 2), 1940	1940	3
Supply Act (No. 1), 1941	1941	1
Supply Act (No. 2), 1941	1941	3
Supply Act (No. 1), 1942	1942	1
Supply Act (No. 2), 1942	1942	2
Supply Act (No. 1), 1943	1943	2
Supply Act (No. 2), 1943	1943	4
Supply Act (No. 1), 1944	1944	1
Supply Act (No. 2), 1944	1944	3
Supply Act (No. 1), 1945	1945	1
Supply Act (No. 2), 1945	1945	3
Supply Act (No. 1), 1946	1946	2
Supply Act (No. 2), 1946	1946	5
Supply Act (No. 1), 1947	1947	1
Supply Act (No. 2), 1947	1947	4
Supply Act (No. 1), 1948	1948	1
Supply Act (No. 1), 1949	1949	2
Supply Act (No. 2), 1949	1949	4
Supply Act (No. 1), 1950	1950	2
Supply Act (No. 2), 1950	1950	3
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

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 1950 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, 1987 *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	—
The East-End Market Act, 1872	1872	—

Title of Act.	Year.	Number.
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	—
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	—
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		

Title of Act.	Year.	Number.
Railway Acts—*continued.*		
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, Incorporated 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		
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	—
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
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
Collections for Unemployment Act, 1930 ...	Collections for Charitable Purposes Act, 1939
Commonwealth Powers (Air Navigation) Act, 1921	Air Navigation Act, 1937
Cornsacks Act, 1931	Statute Law Revision Act, 1937
Cornsacks Act Amendment Act, 1932	Statute Law Revision Act, 1937
Cornsacks Act Amendment Act, 1933	Statute Law Revision Act, 1937
Cornsacks Act Amendment Act, 1934	Statute Law Revision Act, 1937
Cornsacks Act Amendment Act, 1935	Statute Law Revision Act, 1937
Employers' Liability Act, 1934.....	Wrongs Act Amendment Act, 1944
The Guardianship of Infants Act, 1887.....	Guardianship of Infants Act, 1940
Increase of Rent (War Restrictions) Act, 1939	Landlord and Tenant (Control of Rents) Act, 1942
Increase of Rent (War Restrictions) Act Amendment Act, 1940	Landlord and Tenant (Control of Rents) Act, 1942
Increase of Rent (War Restrictions) Act Amendment Act, 1941	Landlord and Tenant (Control of Rents) Act, 1942
Infectious Diseases Hospital Act, 1922-1943	Infectious Diseases Hospital Transfer Act, 1947
Juries Act, 1844.....	Statute Law Revision Act, 1937
Kowulka Railway Act, 1922.....	Kowulka Branch Railway Act, 1948
Leigh Creek Coal Act, 1942	Electricity Trust of South Australia Act Amendment Act, 1946
Loans for Fencing and Water Piping Act, 1930	Loans for Fencing and Water Piping Act, 1938
Margarine Act, 1934	Margarine Act, 1939
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

Title of Act Repealed.	Title of Repealing Act.
Public Library, Museum, and Art Gallery, and Institutes Act, 1936	Libraries and Institutes Act, 1939
Public Salaries Act, 1936	Public Salaries Act Repeal Act 1946
Railways Standardization Agreement Act, 1946	Railways Standardization Agreement Act, 1949
State Salaries (Commonwealth Taxation) Act, 1916	Statute Law Revision Act, 1937
The Teachers Superannuation Act, 1890....	Superannuation Act Amendment Act, 1949
The Teachers Superannuation Amendment Act, 1897	Superannuation Act Amendment Act, 1949
The Teachers Superannuation Further Amendment Act, 1904	Superannuation Act Amendment Act, 1949
Teachers Superannuation Act Further Amendment Act, 1922	Superannuation Act Amendment Act, 1949
Teachers Superannuation Act Amendment Act, 1928	Superannuation Act Amendment Act, 1949
Technical Education of Apprentices Act, 1917	Apprentices Act, 1950
Technical Education of Apprentices Act Amendment Act, 1921	Apprentices Act, 1950
Technical Education of Apprentices Act Amendment Act, 1940	Apprentices Act, 1950
Venereal Diseases Act, 1920	Venereal Diseases Act, 1947
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 ACTS AFFECTED BY AMENDMENT OR JUDICIAL DECISION.

This table contains a list of 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, 1950 Appeal Cases, 1950 South Australian State Reports and 22 South Australian Industrial Reports, and the cases reported up to page 160 of 81 Commonwealth Law 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. 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. Amended by No. 13, s. 3, 1947, p. 31 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, and by No. 16, s. 2, 1949, p. 60 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, and by No. 16, s. 3, 1949, p. 61 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, and by No. 16, s. 4, 1949, p. 61 s. 40. Amended by No. 21, s. 9, 1944, p. 53, by No. 13, s. 9, 1947, p. 32, and by No. 16, s. 5, 1949, p. 61 s. 45. Amended by No. 13, s. 4 (2), 1947, p. 31 s. 46. Amended by No. 21, s. 10, 1944, p. 53

Act Affected.	How Affected.
Advances to Settlers Act, 1930 (Vol. 1, p. 193)	s. 5 Amended by No. 22, s. 3, 1944, p. 56 s. 12a. Enacted by No. 22, s. 2, 1944, p. 54
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. 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
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
Audit Act, 1921-1936 (Vol. 1, p. 297)..	s. 6. Amended by No. 26, s. 3, 1946, p. 126, and by No. 23, s. 3, 1949, p. 77 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
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

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Botanic Garden Act, 1935 (Vol. 1, p. 375)	s. 5. Amended by No. 22, s. 3, 1940, p. 59 s. 7. Substituted by No. 22, s. 4, 1940, p. 59 ss. 7a and 7b. Enacted by No. 22, s. 4, 1940, p. 60 s. 10a. Enacted by No. 22, s. 5, 1940, p. 60
Brands Act, 1933-1936 (Vol. 1, p. 381)	s. 4. Amended by No. 23, s. 2, 1948, p. 112 s. 18. Amended by No. 23, s. 3, 1948, p. 112 s. 27. Amended by No. 23, s. 4, 1948, p. 113 s. 32. Amended by No. 23, s. 5, 1948, p. 113 s. 62. Substituted by No. 23, s. 6, 1948, p. 113 s. 63. Amended by No. 23, s. 7, 1948, p. 114 s. 75a. Enacted by No. 23, s. 8, 1948, p. 114 Third schedule. Amended by No. 23, s. 9, 1948, p. 114 Sixth schedule. Amended by No. 23, s. 10, 1948, p. 114
Bread Act, 1936 (Vol. 1, p. 418)	s. 6. *Shephard v. Cashmore* (1937) S.A.S.R. 525 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 s. 9a. Amended by No. 10, s. 2, 1946, p. 36 s. 19. *Griffiths v. Appelbee* (1948) S.A.S.R. 339 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

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Building Act, 1923-1940 (1940, p. 353)—*continued.*	s. 55. Amended by No. 10, s. 7, 1946, p. 37 s. 56. Amended by No. 10, s. 3, 1946, p. 37 s. 72. Amended by No. 10, s. 4, 1946, p. 37 s. 75. Amended by No. 10, s. 5, 1946, p. 37 s. 83. Amended by No. 10, s. 7, 1946, p. 37 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, and *Gazette* 27th October, 1949, p. 1061 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
Building Materials Act, 1949 (1949, p. 135)	s. 4. Amended by No. 15, s. 2, 1950, p. 35 s. 8. Amended by No. 15, s. 3, 1950, p. 36 s. 20. Amended by No. 15, s. 4, 1950, p. 37 s. 29. Amended by No. 15, s. 5, 1950, p. 37
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, and No. 30, 1942, p. 91, and with notes of judicial decisions, is reprinted in the 1944 volume, p. 187. *See also* the following paragraph
Bush Fires Act, 1933-1942 (1944, p. 187)	s. 3a. Amended by No. 19, s. 2, 1945, p. 67 s. 4. Amended by No. 19, s. 3 (1), 1945, p. 67, and by No. 23, ss. 2 (1), 3 (1), 1950, pp. 65, 66 s. 5. Amended by No. 19, s. 3 (2), 1945, p. 68, and by No. 23, ss. 2 (2), 3 (2), 1950, pp. 65, 66 s. 8. Amended by No. 19, s. 3 (3), 1945, p. 68, and by No. 23, ss. 2 (3), 3 (3), 1950, pp. 65, 66 s. 8a. Enacted by No. 19, s. 4, 1945, p. 68 s. 11. Amended by No. 19, s. 5, 1945, p. 68, and by No. 23, s. 4, 1950, p. 66 s. 12a. Enacted by No. 19, s. 6, 1945, p. 69 s. 13a. Enacted by No. 23, s. 5, 1950, p. 66 s. 15. Substituted by No. 23, s. 6, 1950, p. 67 s. 15b. Enacted by No. 19, s. 8, 1945, p. 70, and amended by No. 33, s. 2, 1946, p. 153 s. 17. Amended by No. 19, s. 9, 1945, p. 70, by No. 33, s. 3, 1946, p. 153, and by No. 23, s. 7, 1950, p. 67 s. 19. Amended by No. 23, s. 8, 1950, p. 68 s. 21. Amended by No. 19, s. 10, 1945, p. 71 s. 27. Amended by No. 19, s. 11, 1945, p. 71 s. 28b. Enacted by No. 23, s. 9, 1950, p. 68 s. 29. Amended by No. 33, s. 4, 1946, p. 154, and by No. 23, s. 10, 1950, p. 69 s. 29e. Enacted by No. 23, s. 11, 1950, p. 69 s. 30a. Enacted by No. 19, s. 12, 1945, p. 71
Business Agents Act, 1938 (1938, p. 173)	s. 13a. Enacted by No. 35, s. 2, 1949, p. 118 s. 16. Amended by No. 35, s. 3, 1949, p. 119 s. 39. *Veitch v. Easson, Maloney v. Easson* (1949) S.A.S.R. 9

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Chaff and Hay Act, 1922 (Vol. 1, p. 560)	s. 9. Amended by No. 2384, s. 2, 1938, p. 4 s. 22. Amended by No. 2384, s. 3, 1938, p. 4
Chaff and Hay (Acquisition) Act, 1944 (1944, p. 6)	s. 14. *The Chaff and Hay Acquisition Committee v. J. A. Hempbill & Sons Pty. Ltd.* (1947) 74 C.L.R. 375; 21 A.L.J. 158
Coal Act, 1947 (1947, p. 70).....	s. 12. Amended by No. 10, s. 3, 1949, p. 44 s. 13a. Enacted by No. 10, s. 4, 1949, p. 45 s. 13b. Enacted by No. 10, s. 4, 1949, p. 45 s. 19. Amended by No. 29, s. 3, 1948, p. 140, and by No. 4, s. 3, 1950, p. 6
Collections for Charitable Purposes Act, 1939 (1939, p. 73)	s. 16. Amended by No. 18, s. 3, 1947, p. 45
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. 76. *In re Colton, Palmer & Preston, Limited* (1936) S.A.S.R. 434 s. 100. *In re Lawson Constructions (Pty.) Limited* (1942) S.A.S.R. 201 s. 107. Amended by No. 46, s. 26, 1939, p. 356 s. 119. *Ansett v. Guinea Airways Limited and Potter* (1945) S.A.S.R. 94 s. 124. *Commonwealth Homes and Investment Company Limited v. Mackellar* (1939) 63 C.L.R. 351; 13 A.L.J. 382

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The Companies Act, 1934-1935 (Vol. 1, p. 597)—*continued.*	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. s. 130. Amended by No. 46, s. 26, 1939, p. 356 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 s. 179. Amended by No. 46, s. 18, 1939, p. 354 s. 194. Amended by No. 46, s. 26, 1939, p. 356 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. 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. 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. 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, 1939, p. 356 *Re Lasscock's Nurseries Limited (In Liquidation); McPhail v. Mitton* 14 A.L.J. 270
Compulsory Acquisition of Land Act, Act, 1925 (Vol. 1, p. 870)	s. 42. *Minister of Education v. Bosworth and others* (1950) S.A.S.R. 145
Constitution Act 1934-1936 (Vol. 2, p. 1)	This Act, as amended by No. 2381, 1937, p. 134, by No. 48, 1939, p. 365, by No. 49, 1939, p. 368, by No. 31, 1940, p. 89, by No. 8, 1942, p. 16, by No. 41, 1943, p. 124, by No. 19, 1947, p. 46, and by No. 48, 1949, p. 162, and with notes of judicial decisions, is reprinted in the 1949 volume, p. 245. *See also* the following paragraph
Constitution Act, 1934-1949 (1949, p. 245)	s. 55. Amended by No. 38, s. 3, 1950, p. 112

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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)	First Schedule Amended by regulations *Gazette* 26th April, 1951, p. 928
Criminal Law Consolidation Act, 1935 (Vol. 2, p. 81)	s. 14. *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. 38. Substituted by No. 54, s. 3, 1940, p. 179 s. 46. *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. 56. *R. v. Mogg* (1948) S.A.S.R. 32; 22 A.L.J. 190 s. 63. Amended by No. 54, s. 6, 1940, p. 180 s. 77. Substituted by No. 54, s. 7, 1940, p. 180 *Rex v. Clough* (1941) S.A.S.R. 51 s. 77a. Enacted by No. 54, s. 7, 1940, p. 181 s. 82. *R. v. Lindner* (1938) S.A.S.R. 412 s. 116. *Charlton v. Crafter* (1943) S.A.S.R. 158 s. 130. *R. v. Lower* (1948) S.A.S.R. 227; 22 A.L.J. 432 s. 131. *Feist v. Bonython* (1944) S.A.S.R. 176 s. 132. *Reece v. Harris* (1943) S.A.S.R. 127 s. 170. Substituted by No. 54, s. 8, 1940, p. 183 *Rex v. Andrews* (1943) S.A.S.R. 44 s. 172. *R. v. De Kuyper* (1948) S.A.S.R. 108 s. 176. *Cowan v. O'Sullivan* (1947) S.A.S.R. 181 s. 184. *Dowd v. Dayman* (1939) S.A.S.R. 70 s. 195. *Brook v. Crafter* (1937) S.A.S.R. 366 *R. v. Lower* (1948) S.A.S.R. 227; 22 A.L.J. 432 s. 197a. Enacted by No. 54, s. 9, 1940, p. 183 s. 199. Amended by No. 54, s. 10, 1940, p. 184 s. 200. Amended by No. 54, s. 11, 1940, p. 184 s. 268. *Rex v. Sayers* (1943) S.A.S.R. 146 s. 300. *R. v. Costello and others* (1937) S.A.S.R. 150 s. 319. *R. v. Martin* (1937) S.A.S.R. 70 *Rex v. Tregaskis* (1937) S.A.S.R. 358 s. 325. *R. v. White* (1948) S.A.S.R. 198 s. 328a. Enacted by No. 54, s. 12, 1940, p. 185 s. 352. *R. v. Burch* (1939) S.A.S.R. 270 s. 353. *R. v. Semaschko* (1936) S.A.S.R. 337 *Rex v. Butler* (1939) S.A.S.R. 265 s. 354. *R. v. Lindner* (1938) S.A.S.R. 412 s. 357. *Rex v. Pullman* (1942) S.A.S.R. 262 s. 367. *Rex v. Tregaskis* (1937) S.A.S.R. 358 s. 369. *R. v. McPherson* (1939) S.A.S.R. 181
Crown Lands Act, 1929-1936 (Vol. 2, p. 219)	This Act, as amended by No. 2363, 1937, p. 88, No. 2408, 1938, p. 95, No. 3, 1939, p. 5, and No, 40, 1939, p. 250, and with notes of judicial decisions. is reprinted in the 1939 volume, p. 414. *See also* the following paragraph
Crown Lands Act, 1929-1939 (1939, p. 414)	s. 5. Amended by No. 26, s. 3, 1944, p. 66 s. 9. Amended by No. 26, s. 4, 1944, p. 66 s. 11. Amended by No. 26, s. 5, 1944, p. 67

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Crown Lands Act, 1929-1939 (1939, p. 414)—*continued.*	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 s. 154. Amended by No. 26, s. 15, 1944, p. 70 s. 155. Amended by No. 26, s. 16, 1944, p. 70 s. 170. Amended by No. 26, s. 17, 1944, p. 70 s. 170a. Amended by No. 23, s. 6, 1940, p. 62, and by No. 26, s. 18, 1944, p. 71 s. 170b. Amended by No. 26, s. 19, 1944, p. 71 s. 178. Amended by No. 23, s. 7, 1940, p. 62 s. 181. Amended by No. 25, s. 6, 1941, p. 92 s. 184. Amended by No. 26, s. 20, 1944, p. 72 s. 199. Amended by No. 23, s. 8, 1940, p. 62, and by No. 26, s. 21, 1944, p. 72 s. 200. Amended by No. 26, s. 22, 1944, p. 72 s. 201. Amended by No. 25, s. 7, 1941, p. 92, and by No. 26, s. 23, 1944, p. 72 s. 203. Amended by No. 26, s. 24. 1944, p. 72 s. 206. Amended by No. 26, s. 35, 1944, p. 73 s. 207. Amended by No. 26, s. 26, 1944, p. 73 s. 208. Amended by No. 26, s. 27, 1944, p. 73 s. 208aa. Amended by No. 26, s. 28, 1944, p. 73 s. 209a. Enacted by No. 26, s. 29, 1944, p. 73 s. 210. Amended by No. 23, s. 9, 1940, p. 62 s. 211. Amended by No. 25, s. 8, 1941, p. 93 s. 211a. Enacted by No. 23, s. 10, 1940, p. 63, and amended by No. 26, s. 30, 1944, p. 74 s. 212. Amended by No. 23, s. 11, 1940, p. 63 s. 214. Repealed by No. 23, s. 12, 1940. p. 63 s. 216. Repealed by No. 23, s. 13, 1940, p. 63 s. 221. Amended by No. 23, s. 14, 1940, p. 63, by No. 25, s. 9, 1941, p. 93, and by No. 26, s. 31, 1944, p. 74 s. 222. Amended by No. 23, s. 15, 1940, p. 63 s. 223. Amended by No. 23, s. 16, 1940, p. 64 s. 225. Amended by No. 25, s. 10, 1941, p. 94 *In re Symon : Public Trustee v. Symon and others* (1944) S.A.S.R. 102 s. 226. *Badenoch v. Nuske* (1940) S.A.S.R. 160 *In re Symon : Public Trustee v. Symon and others* (1944) S.A.S.R. 102 s. 227. *Badenoch v. Nuske* (1940) S.A.S.R. 160 *In re Symon : Public Trustee v. Symon and others* (1944) S.A.S.R. 102 s. 227a. Enacted by No. 23, s. 17, 1940, p. 64 s. 228a. Enacted by No. 23, s. 18, 1940, p. 64 s. 232. Amended by No. 23, s. 19, 1940, p. 65 s. 234a. Enacted by No. 26, s. 32, 1944, p. 74 s. 235. Amended by No. 26, s. 33, 1944, p. 74 s. 244a. Enacted by No. 26, s. 34, 1944, p. 75 s. 249a. Enacted by No. 25, s. 11, 1941, p. 94 s. 252a. Enacted by No. 25, s. 12, 1941, p. 95 s. 262b. Enacted by No. 23, s. 20, 1940, p. 65 s. 263a. Amended by No. 26, s. 35, 1944, p. 75 s. 263b. Enacted by No. 23, s. 21, 1940, p. 65, and amended by No. 26, s. 36, 1944, p. 75

Act Affected.	How Affected.
Crown Lands Act, 1929-1939 (1939, p. 414)—*continued.*	s. 263b. Enacted by No. 44, s. 12, 1945, p. 225 s. 265b. Enacted by No. 26, s. 37, 1944, p. 76 s. 271a. Enacted by No. 23, s. 22, 1940, p. 66 s. 271b. Enacted by No. 23, s. 22, 1940, p. 66 s. 271c. Enacted by No. 25, s. 14, 1941, p. 95 s. 275. Amended by No. 23, s. 23, 1940, p. 67, and by No. 25, s. 13, 1941, p. 95 *Chapman v. Strawbridge* (1910) S.A.L.R. 118 s. 293. Amended by No. 23, s. 24, 1940, p. 67 s. 294a. Enacted by No. 23, s. 25, 1940, p. 67
Dairy Cattle Improvement Act, 1921-1934 (Vol. 2, p. 343)	s. 7a. Enacted by No. 49, s. 2, 1940, p. 153
Dairy Industry Act, 1928-1935 (Vol. 2, p. 349)	s. 4. Amended by No. 2378, s. 3, 1937, p. 129, by No. 37, s. 2 (2), 1939, p. 217, and by No. 31, s. 3, 1942, p. 95 s. 7. Amended by No. 31, s. 4, 1942, p. 95 s. 8. Amended by No. 37, s. 2 (2), 1939, p. 217, and by No. 31, s. 5, 1942, p. 96 s. 11. Amended by No. 37, s. 2 (2), 1939, p. 217, and by No. 31, s. 6, 1942, p. 96 s. 12. Amended by No. 31, s. 7, 1942, p. 96 s. 19. Amended by No. 31, s. 8, 1942, p. 96 s. 21. Amended by No. 31, s. 9, 1942, p. 96 s. 24. Amended by No. 31, s. 10, 1942, p. 96 s. 26. Amended by No. 31, s. 11, 1942, p. 97 s. 27. Amended by No. 31, s. 12, 1942, p. 97 s. 28. Amended by No. 31, s. 13, 1942, p. 97
Dairy Produce Act, 1934-1935 (Vol. 2, p. 336)	s. 3. Amended by No. 17, s. 3, 1946, p. 102 s. 5. Amended by No. 12, s. 3, 1940, p. 23 s. 8. Amended by No. 17, s. 4, 1946, p. 103 s. 15a. Enacted by No. 2345, s. 3, 1937, p. 12 s. 15b. Enacted by No. 17, s. 5, 1946, p. 103 s. 26. Amended by No. 2345, s. 4, 1937, p. 13, by No. 2393, s. 3, 1938, p. 39, by No. 12, s. 4, 1940, p. 23, by No. 6, s. 3, 1942, p. 11, by No. 5, s. 3, 1944, p. 11, and repealed by No. 17, s. 6, 1946, p. 103
Dentists Act, 1931-1936 (Vol. 2, p. 396)	s. 21. *Taylor v. The Dental Board of South Australia* (1940) S.A.S.R. 306 s. 40. *McGrath v. Syme. Schonfeldt v. Syme* (1950) S.A.S.R. 14 s. 45. *In re the Dentists Act*, 1931-1936. *Ex parte Schonfeldt* (1939) S.A.S.R. 380 s. 48. *McGrath v. Syme. Schonfeldt v. Syme* (1950) S.A.S.R. 14
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. 153 s. 32a. Enacted by No. 43, s. 4, 1949, p. 153
Dried Fruits Act, 1934 (Vol. 2, p. 462)	s. 8. Amended by No. 2415, s. 3, 1938, p. 136 s. 17a. Enacted by No. 34, s. 3, 1941, p. 127 s. 18. Substituted by No. 2415, s. 4, 1938, p. 136 s. 23. Amended by No. 2415, s. 5, 1938, p. 137 s. 24. Amended by No. 2415, s. 6, 1938, p. 137 s. 24a. Enacted by No. 2415, s. 7, 1938, p. 138 s. 33. Amended by No. 2415, s. 8, 1938, p. 139 *Warnecke v. Pope* (1950) S.A.S.R., 113 s. 34. Amended by No. 2415, s. 9, 1938, p. 139 s. 35. Amended by No. 2415, s. 10, 1938, p. 139 s. 39. Repealed by No. 2415, s. 11, 1938, p. 139

Act Affected	How Affected.
Early Closing Act, 1926-1935 (Vol. 2, p. 477)	s. 35. Amended by No. 18, s. 3, 1940, p. 46, and by No. 36, s. 3, 1945, p. 153 s. 36. Amended by No. 18, s. 4, 1940, p. 46, and by No. 36, s. 4, 1945, p. 154 s. 37a. Enacted by No. 36, s. 5, 1945, p. 154 s. 39. Amended by No. 18, s. 5, 1940, p. 46 s. 50. Amended by No. 18, s. 6, 1940, p. 47 s. 53. Amended by No. 18, s. 7, 1940, p. 47 s. 56. Amended by No. 18, s. 8, 1940, p. 47 s. 72. *Gurry v. Badenoch* (1936) S.A.S.R. 441 s. 75. Amended by No. 18, s. 9, 1940, p. 47 s. 76. Amended by No. 18, s. 10, 1940, p. 47 s. 78. Repealed by No. 18, s. 11, 1940, p. 47 Third schedule. Amended by No. 36, s. 6, 1945, p. 155
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 ss. 18a to 18d. Enacted by No. 31, s. 3, 1949, pp. 96-99 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 28z. Enacted by No. 37, s. 6, 1945, pp. 160-164 s. 31. Amended by No. 43, s. 11, 1941, p. 185 s. 32. Amended by No. 43, s. 12, 1941, p. 186 s. 32a. Enacted by No. 43, s. 13, 1941, p. 186 s. 38a. Enacted by No. 43, s. 14, 1941, p. 186 s. 39. Amended by No. 43, s. 15, 1941, p. 186 s. 40a. Enacted by No. 22, s. 4, 1946, p. 111 s. 41. Amended by No. 43, s. 16, 1941, p. 186, by No. 37, s. 7, 1945, p. 165, and by No. 22, s. 5, 1946, p. 111 s. 42. Amended by No. 43, s. 17, 1941, p. 186, and by No. 22, s. 6, 1946, p. 112 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

Act Affected.	How Affected.
Education Act, 1915-1935 (Vol. 2, p. 525) —*continued.*	s. 67. Amended by No. 22, s. 7, 1946, p. 112 s. 68. Amended by No. 43, s. 21, 1941, p. 188 Second schedule. Amended by No. 22, s. 7, 1946, p. 112 Third schedule. Amended by No. 22, s. 7, 1946, p. 112
Electoral Act, 1929-1934 (Vol. 2, p. 567)	s. 13. Amended by No. 2379, s. 2, 1937, p. 130 s. 71. Amended by No. 2379, s. 3, 1937, p. 130 s. 73. Amended by No. 2379, s. 4, 1937, p. 131, and by No. 43, s. 2 (1), 1950, p. 121 s. 74. Amended by No. 43, s. 2 (2), 1950, p. 121 s. 80. Substituted by No. 43, s. 3, 1950, p. 122 s. 81. Amended by No. 26, s. 3, 1941, p. 98 s. 86. Amended by No. 26, s. 4, 1941, p. 98 s. 96. Amended by No. 2379, s. 5, 1937, p. 131 s. 101. Amended by No. 26, s. 5, 1941, p. 99 s. 103. Amended by No. 2379, s. 6, 1937, p. 131 s. 110a. Enacted by No. 35, s. 3, 1946, p. 171 s. 118a. Enacted by No. 37, s. 3, 1942, p. 130, and amended by No. 43, s. 4, 1950, p. 122 s. 125. Amended by No. 26, s. 6, 1941, p. 99 s. 154. Amended by No. 26, s. 7, 1941, p. 99 s. 198. Amended by No. 30, s. 2, 1943, p. 78
Electricity Act, 1943 (1943, p. 80)	s. 2. Amended by No. 3, s. 39, 1946, p. 16
Electricity Trust of South Australia Act, 1946 (1946, p. 5)	s. 15. *The Electricity Trust of South Australia v. Linterns Limited* (1950) S.A.S.R. 133 s. 28. Amended by No. 25, s. 3, 1946, p. 120 s. 30. Amended by No. 25, s. 4, 1946, p. 120 s. 31. Substituted by No. 25, s. 5, 1946, p. 120 s. 32. Substituted by No. 25, s. 5, 1946, p. 122 s. 33. Repealed by No. 25, s. 5, 1946, p. 120 ss. 43a to 43d. Enacted by No. 25, s. 6, 1946, pp. 122, 123 s. 43da. Enacted by No. 44, s. 3, 1949, p. 154 ss. 43e to 43h. Enacted by No. 25, s. 6, 1946, p. 124 s. 44. Amended by No. 25, s. 6, 1946, p. 125
Employees Registry Offices Act, 1915-1934 (Vol. 2, p. 632)	s. 2a. Enacted by No. 41, s. 3, 1939, p. 259
Enfield General Cemetery Act, 1944 (1944, p. 146)	s. 23. Amended by No. 17, s. 2, 1949, p. 62 s. 24. Amended by No. 17, s. 3, 1949, p. 62 Fourth schedule. Amended by No. 17, s. 4, 1949, p. 62
Evidence Act, 1929-1933 (Vol. 2, p. 649)	s. 18. *R. v. Turner* (1947) S.A.S.R. 74 Special Leave to appeal to the High Court refused 73 C.L.R. 665 (note) s. 34a. Enacted by No. 29, s. 3, 1945, p. 133 *Hartley v. Hartley* (1948) S.A.S.R. 39 s. 34b. Enacted by No. 29, s. 3, 1945, p. 133 ss. 34c to 34h. Enacted by No. 36, s. 3, 1949, pp. 121-124 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

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Evidence Act, 1929-1933 (Vol. 2, p. 649) —*continued.*	s. 48b. Enacted by No. 40, s. 6, 1940, p. 130 s. 66. Amended by No. 5, s. 3, 1947, p. 7 s. 66a. Enacted by No. 27, s. 3, 1941, p. 100 s. 67. Amended by No. 27, s. 4, 1941, p. 102 s. 67a. Enacted by No. 36, s. 4, 1949, p. 124 s. 69. *Rex v. Butler* (1939) S.A.S.R. 265 Fourth schedule. Enacted by No. 40, s. 7, 1940, p. 130
Farmers Assistance Act, 1933-1936 (Vol. 2, p. 707)	ss. 5 and 6. Repealed by No. 26, s. 13, 1943, p. 68 s. 12. Amended by No. 2418, s. 2, 1938, p. 170, and by No. 26, s. 14, 1943, p. 68 s. 13. Amended by No. 26, s. 15, 1943, p. 68 s. 16. Amended by No. 26, s. 16, 1943, p. 68 s. 29. Amended by No. 2418, s. 3, 1938, p. 170 s. 31. *Chapman v. Wade* (1939) S.A.S.R. 298 s. 41. Amended by No. 33, s. 3, 1939, p. 195 ss. 42 to 57. Repealed by No. 26, s. 18, 1943, p. 69 s. 60. Amended by No. 26, s. 19, 1943, p. 69 s. 80. Repealed by No. 26, s. 18, 1943, p. 69
Fauna and Flora Reserve Act, 1919-1935 (Vol. 2, p. 740)	s. 16a. Enacted by No. 25, s. 3, 1940, p. 73
Fibre and Sponges Act, 1909-1935 (Vol. 3, p. 27)	s. 7a. Enacted by No. 2369, s. 3, 1937, p. 104
Financial Agreement Act, 1927 (Vol. 3, p. 33)	The Financial Agreement made on 12th December, 1927, and as varied by the provisions of other agreements made on 3rd July, 1934, and on 15th November, 1944, is reprinted, as a schedule to the Amending Financial Agreement Act, 1944, in the 1944 volume, p. 122
Financial Emergency Act, 1931-1936 (Vol. 3, p. 46)	s. 14. Repealed by No. 2342, s. 3, 1937, p. 11 s. 15. Repealed by No. 2342, s. 3, 1937, p. 11
Financial Emergency Act Extension Act, 1934 (Vol. 3, p. 66)	s. 3. Amended by No. 39, s. 3, 1939, p. 249
Fire Brigades Act, 1936 (Vol. 3, p. 78)	s. 5. Amended by No. 2389, s. 3 (1), 1938, p. 18 s. 24a. Enacted by No. 25, s. 2, 1944, p. 64 s. 27a. Enacted by No. 25, s. 3, 1944, p. 64 s. 32. Amended by No. 2389, s. 3 (2), 1938, p. 18 s. 53. Amended by No. 2389, s. 2, 1938, p. 17 and by No. 32, s. 3, 1942, p. 98 s. 54. Amended by No. 32, s. 4, 1942, p. 98 s. 58. Amended by No. 2389, s. 3 (3), 1938, p. 18 s. 60a. Enacted by No. 32, s. 5, 1942, p. 99 s. 68. Amended by No. 32, s. 6, 1942, p. 100
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

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Food and Drugs Act, 1908-1935 (Vol. 3, p. 139)	s. 5a. Enacted by No. 21, s. 2, 1943, p. 74 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. 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 s. 61a. Enacted by No. 21, s. 8, 1943, p. 49 s. 62. Substituted by No. 21, s. 9, 1943, p. 49
Footwear Regulation Act, 1920 (Vol. 3, p. 173)	s. 5. Substituted by No. 45, s. 3, 1949, p. 156 s. 6. Substituted by No. 45, s. 3, 1949, p. 158 s. 10. Amended by No. 45, s. 4, 1949, p. 158
Friendly Societies Act, 1919-1936 (Vol. 3, p. 178)	s. 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, and by No. 37, s. 2, 1950, p. 109 s. 7a. Amended by No. 8, s. 3, 1946, p. 33, and by No. 37, s. 3, 1950, p. 110 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. 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 Third schedule. Amended by No. 24, s. 3, 1949, p. 80
Fruit Fly Act, 1947 (1947, p. 12).....	s. 4. Amended by No. 11, s. 2, 1948, p. 72, by No. 27, s. 3, 1949, p. 85, and by No. 24, s. 2, 1950, p. 70 s. 5. Amended by No. 11, s. 3, 1948, p. 72, and by No. 27, s. 4, 1949, p. 85 Schedule. Amended by No. 11, s. 4, 1948, p. 73, by No. 27, s. 5, 1949, p. 86, and by No. 24, s. 3, 1950, p. 70
Gas Act, 1924 (Vol. 3, p. 236)	s. 18. Amended by No. 33, s. 3, 1950, p. 97 s. 27. Amended by No. 33, s. 4, 1950, p. 98 s. 29a. Enacted by No. 33, s. 5, 1950, p. 98 s. 30. Amended by No. 33, s. 6, 1950, p. 99 s. 31. Amended by No. 33, s. 7, 1950, p. 99 s. 33. Amended by No. 33, s. 8, 1950, p. 99 s. 35. Amended by No. 33, s. 9, 1950, p. 99 s. 36. Amended by No. 33, s. 10, 1950, p. 99 s. 45a. Enacted by No. 33, s. 11, 1950, p. 99 First schedule. Amended by No. 33, s. 12, 1950, p. 99
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 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
Harbors Act, 1936 (Vol. 3, p. 333)	s. 69. Amended by No. 12, s. 3, 1943, p. 26 s. 71a. Enacted by No. 52, s. 2, 1950, p. 172 s. 116. Amended by No. 17, s. 3, 1947, p. 43 Fourth schedule. Enacted by No. 52, s. 3, 1950, p. 172

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Hawkers Act, 1934 (Vol. 3, p. 425) ...	s. 9a. Enacted by No. 5, s. 2, 1941, p. 12. s. 9b. Enacted by No. 5, s. 2, 1941, p. 13 s. 11. Amended by No. 5, s. 3, 1941, p. 13 s. 16a. Enacted by No. 5, s. 4, 1941, p. 13 s. 20. Amended by No. 42, s. 3, 1948, p. 187 *Ward v. Pearson* (1939) S.A.S.R. 419
Health Act, 1935-1936 (Vol. 3, p. 432)	This Act, as amended by No. 33, 1940, p. 93, No. 35, 1941, p. 128, No. 13, 1943, p. 27, and No. 34, 1943, p. 96, and with notes of judicial decisions, is reprinted in the 1943 volume, p. 131. *See also* the following paragraph
Health Act, 1935-1943 (1943, p. 131)..	s. 50. Amended by No. 48, s. 2, 1947, p. 139 s. 101. Amended by No. 14, s. 2, 1950, p. 34 s. 128. Amended by No. 39, s. 2, 1950, p. 114 s. 129. Amended by No. 39, s. 3, 1950, p. 114 s. 138a. Enacted by No. 48, s. 3, 1947, p. 139 s. 138b. Enacted by No. 48, s. 3, 1947, p. 140 s. 146a. Enacted by No. 48, s. 4, 1947, p. 141 s. 147. Amended by No. 48, s. 5, 1947, p. 141
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Irrigation on Private Property Act, 1939 (1939, p. 225)	s. 39. Amended by No. 3, s. 2, 1949, p. 5 s. 48. Amended by No. 3, s. 3, 1949, p. 5 s. 48a. Enacted by No. 3, s. 4, 1949, p. 6
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Justices Act, 1921-1936 (Vol. 4, p. 138)	s. 10. Substituted by No. 24, s. 3, 1943, p. 57 s. 18. Substituted by No. 24, s. 4, 1943, p. 58 s. 22a. *Smallacombe v. Day* (1943) S.A.S.R. 368 s. 40. Substituted by No. 24, s. 5, 1943, p. 59 s. 51. Substituted by No. 24, s. 6, 1943, p. 59 *Sutter and Wife v. Virgo* (1941) S.A.S.R. 113 *Crafter v. Bruce* (1941) S.A.S.R. 269 *Gurry v. Lonsdale* (1941) 16 S.A.I.R. 206 *Crafter v. Green* (1943) S.A.S.R. 162 *O'Sullivan v. De Young* (1949) S.A.S.R. 159, special leave to appeal to the High Court refused, 79 C.L.R. 652 (note) (1949) S.A.S.R. xvi. (note) s. 52. *Nottage v. Tarac Manufacturers (Adelaide) Limited* (1941) S.A.S.R. 162 *Grow v. Gefkin and others* (1945) S.A.S.R. 78 s. 53. *Smith v. Dayman. Dayman v. Thomson* (1938) S.A.S.R. 477 s. 56. *S.A. Asbestos Syndicate N.L. v. Coola Products Limited* (1937) S.A.S.R. 1 s. 62a. Enacted by No. 24, s. 7, 1943, p. 60 s. 65. Amended by No. 24, s. 8, 1943, p. 60 s. 68. *Whittle v. Delderfield* (1943) S.A.S.R. 1 s. 69. *Maddern v. Dayman* (1939) S.A.S.R. 12 s. 70a. Enacted by No. 24, s. 9, 1943, p. 60 s. 70b. Enacted by No. 24, s. 9, 1943, p. 61 s. 75. Amended by No. 24, s. 10, 1943, p. 61 *Bond v. Cocks* (1938) S.A.S.R. 14 *Bond v. Gilbert* (1938) S.A.S.R. 37 *Verran v. Roberts* (1938) S.A.S.R. 256 *Dayman v. Darwin* (1939) S.A.S.R. 29 *Harris v. Treglown* (1944) S.A.S.R. 42 *All Cars Ltd. v. McCann* 19 A.L.J. 129, appeal to the High Court dismissed, 69 C.L.R. 639 (note) *Saler v. Klingbiel* (1945) S.A.S.R. 171 s. 106. Amended by No. 24, s. 11, 1943, p. 61 s. 106a. Enacted by No. 24, s. 12, 1943, p. 61 s. 113. Amended by No. 24, s. 13, 1943, p. 62 s. 115. Amended by No. 24, s. 14, 1943, p. 62 s. 125. *Mines v. Doddrell* (1938) S.A.S.R. 90, affirming *Mines v. Doddrell* (1937) S.A.S.R. 406 s. 165. *Potter v. Neave* (1944) S.A.S.R. 19 *Jarvis v. Jarvis* (1947) S.A.S.R. 12 s. 171. *Potter v. Neave* (1944) S.A.S.R. 19 s. 172. *Williams v. Stewart* (1944) S.A.S.R. 254 s. 177. *Maddison v. McCormick* (1939) S.A.S.R. 79 *Gray v. Jones* (1948) S.A.S.R. 201 *Aston v. Hincks, vice Fitzgerald* (1950) S.A.S.R. 182

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Landlord and Tenant Act, 1936 (Vol. 4, p. 241)	s. 10. *Briggs v. Pinchbeck* (1937) S.A.S.R. 30
Landlord and Tenant (Control of Rents) Act, 1942 (1942, p. 101)	This Act, as amended by No. 38, 1946, p. 179, No. 30, 1947, p. 78, No. 5, 1948, p. 35, No. 9, 1949, p. 21, and No. 63, 1949, p. 226, and with notes of judicial decisions, is reprinted in the 1949 volume, p. 289. *See also* the following paragraph
Landlord and Tenant (Control of Rents) Act, 1942-1949 (1949, p. 289)	s. 4 (2). *Benger v. Hegarty and Gardiner. Benger v. Hegarty and Whittenbury* (1950) S.A.S.R. 293 s. 5. *Mills v. Robinson* (1950) S.A.S.R. 25 s. 6. Amended by No. 50, s. 2, 1950, p. 147 *The Electricity Trust of South Australia v. Linterns Limited* (1950) S.A.S.R. 133 s. 23. *Mills v. Robinson* (1950) S.A.S.R. 25 s. 25a. Enacted by No. 50, s. 3, 1950, p. 147 s. 26a. Amended by No. 50, s. 4, 1950, p. 148 s. 26n. Amended by No. 50, s. 5, 1950, p. 149 *Curtis v. Stutley* (1950) S.A.S.R. 130 *Benger v. Hegarty and Gardiner. Benger v. Hegarty and Whittenbury* (1950) S.A.S.R. 293. s. 26o. Amended by No. 50, s. 7, 1950, p. 150 s. 26p. Amended by No. 50, s. 6 (1), 1950, p. 149 s. 26q. Amended by No. 50, s. 8, 1950, p. 150 s. 26u. Amended by No. 50, ss. 6 (2), 9, 1950, pp. 149, 151 *Oldfield v. Gray and others* (1950) S.A.S.R. 206 s. 26ua. Enacted by No. 50, s. 10, 1950, p. 153 s. 26ab. Amended by No. 50, s. 6 (3), 1950, p. 149 s. 26ai. Amended by No. 50, s. 11, p. 153 s. 26an. Amended by No. 50, s. 6 (4), 1950, p. 150 s. 26av. Amended by No. 50, s. 12, 1950, p. 153 s. 30. Amended by No. 50, s. 13, 1950, p. 153 s. 35a. Enacted by No. 50, s. 14, 1950, p. 154 s. 45. Amended by No. 50, s. 15, 1950, p. 156 s. 49. Amended by No. 50, s. 16, 1950, p. 156

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Land Tax Act, 1936 (Vol. 4, p. 274)....	s. 4. Amended by No. 16, s. 3, 1948, p. 94 s. 4a. Enacted by No. 16, s. 4, 1948, p. 94 s. 10. Amended by No. 34, s. 3, 1942, p. 118 s. 62. *In re a petition by the Commissioner of Taxes* (1937) S.A.S.R. 356 s. 65. Amended by No. 34, s. 4, 1942, p. 119
Law of Property Act, 1936 (Vol. 4, p. 305)	s. 23. *Nicholls v. Public Trustee (South Australia) and another* (1945) 72 C.L.R. 86, affirming *In re Cuming* (1943) S.A.S.R. 336 s. 24. Amended by No. 18, s. 3, 1945, p. 64 s. 26. *Reid v. Zoanetti* (1943) S.A.S.R. 92 s. 105. *Oates v. Oates* (1949) S.A.S.R. 37
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Local Government Act, 1934-1936 (Vol. 5, p. 1)	s. 3. Amended by No. 2424, s. 26 (2), 1938, p. 209, by No. 17, s. 4, 1941, p. 61, by No. 34, s. 3, 1943, p. 96, and by No. 16, ss. 8 (11), 15 (9), 17 and 49 (6), 1946, pp. 59, 63, 72, 90 s. 5. Amended by No. 2424, ss. 2 and 109, 1938, pp. 201, 231, by No. 16, ss. 2 (1), 3, and 65, 1946, pp. 55, 56, 98, and by No. 51, ss. 2 and 21, 1948, pp. 217, 223 *The University of Adelaide v. The District Council of Mitcham* (1937) S.A.S.R. 288 s. 6. Amended by No. 16, s. 65, 1946, p. 98 s. 7. Amended by No. 16, s. 4 (1), 1946, p. 56 s. 9. Amended by No. 2424, s. 3, 1938, p. 202 s. 21. Amended by No. 43, s. 28, 1939, p. 279 s. 24. Amended by No. 16, s. 4 (2), 1946, p. 57 s. 29. Amended by No. 16, s. 65, 1946, p. 98 s. 34. Amended by No. 43, s. 28, 1939, p. 279 s. 46. Amended by No. 16, s. 65, 1946, p. 98, and by No. 51, s. 21, 1948, p. 223 s. 51. Amended by No. 2424, s. 4, 1938, p. 202 s. 52. Amended by No. 2424, ss. 5 and 6, 1938, p. 202, by No. 16, ss. 5 (1) and 65, 1946, pp. 57, 98, and by No. 51, s. 3, 1948, p. 218 s. 54. Amended by No. 2424, s. 7, 1938, p. 202, and by No. 16, s. 2 (2), 1946, p. 55 s. 57. Amended by No. 16, s. 65, 1946, p. 98 s. 65. Amended by No. 2424, s. 8, 1938, p. 202, and by No. 16, s. 65, 1946, p. 98 s. 73. Amended by No. 16, s. 6, 1946, p. 57 s. 79. Amended by No. 2424, s. 9, 1938, p. 203 s. 82. Amended by No. 43, s. 28, 1939, p. 279 s. 84. Amended by No. 16, s. 7, 1946, p. 57 s. 86. Amended by No. 16, s. 65, 1946, p. 98 s. 86a. Enacted by No. 2424, s. 10, 1938, p. 203 Heading to Division I. of Part VI. Amended by No. 16, s. 8 (1), 1946, p. 57 s. 87. Repealed by No. 16, s. 8 (2), 1946, p. 57 s. 88. Amended by No. 16, s. 9 (1), 1946, p. 60 s. 89. Substituted by No. 16, s. 8 (3), 1946, p. 58 s. 90. Substituted by No. 16, s. 8 (3), 1946, p. 58 *Wache v. Parham* (1937) S.A.S.R. 116 s. 91. Substituted by No. 16, s. 8 (3), 1946, p. 58 s. 92. Substituted by No. 16, s. 8 (3), 1946, p. 59 s. 93. Substituted by No. 16, s. 8 (3), 1946, p. 59 ss. 94 to 98. Repealed by No. 16, s. 8 (3), 1946, p. 58 s. 99. Repealed by No. 16, s. 8 (4), 1946, p. 59 s. 100. Amended by No. 2424, s. 12, 1938, p. 203 s. 101. Amended by No. 16, s. 2 (3), 1946, p. 55 s. 101a. Enacted by No. 16, s. 12 (3), 1946, p. 61 s. 104. Amended by No. 16, s. 8 (5), 1946, p. 59 s. 105. Amended by No. 2424, ss. 13 and 14 (1), 1938, pp. 203, 204, by No. 43, ss. 2 and 4 (2), 1939, pp. 263, 264, and by No. 16, ss. 2 (4), and 65, 1946, pp. 55, 98 s. 106. Amended by No. 51, s. 21, 1948, p. 223 s. 108. Amended by No. 2424, s. 15, 1938, p. 204 s. 111. Amended by No. 16, s. 11, 1946, p. 60 s. 115. Amended by No. 2424, s. 16, 1938, p. 204, and by No. 16, s. 12 (1), 1946, p. 60 s. 116. Amended by No. 16, s. 2 (5), 1946, p. 56

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Pharmacy Act, 1935-1936 (Vol. 6, p. 501)	s. 22a. Enacted by No. 27, s. 3, 1942, p. 77 s. 26a. Enacted by No. 27, s. 4, 1942, p. 79 s. 26b. Enacted by No. 27, s. 4, 1942, p. 80 s. 26c. Enacted by No. 27, s. 4, 1942, p. 81 s. 26d. Enacted by No. 38, s. 3, 1947, p. 99 s. 26e. Enacted by No. 38, s. 3, 1947, p. 100 s. 26f. Enacted by No. 38, s. 3, 1947, p. 101 s. 31. Amended by No. 27, s. 5, 1942, p. 81 s. 31a. Enacted by No. 27, s. 6, 1942, p. 82 s. 33a. Enacted by No. 2354, s. 2, 1937, p. 51
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Public Charities Funds Act, 1935 (Vol. 6, p. 697)	s. 26a. Enacted by No. 50, s. 2, 1940, p. 155

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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. 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 s. 40. Amended by No. 32, s. 7, 1950, p. 93 s. 52. Amended by No. 32, s. 8, 1950, p. 93 s. 56a. Enacted by No. 32, s. 9, 1950, p. 94 s. 57. Amended by No. 32, s. 10, 1950, p. 94 s. 74. Amended by No. 32, s. 11 (1), 1950, p. 95 s. 75. Amended by No. 32, s. 12, 1950, p. 95 s. 75a. Amended by No. 32, s. 13, 1950, p. 95 s. 76. Substituted by No. 32, s. 14, 1950, p. 95 s. 76a. Enacted by No. 32, s. 15, 1950, p. 96
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Public Works Standing Committee Act, 1927-1935 (Vol. 7, p. 47)	s. 6. Amended by No. 9, s. 3, 1944, p. 20 s. 7. Amended by No. 9, s. 4, 1944, p. 21 s. 25a. Enacted by No. 2, s. 3, 1940, p. 3
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

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The Real Property Act, 1886-1936 (Vol. 7, p. 59)—*continued.*	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. 245. *In re Coombe* (1941) S.A.S.R. 197 s. 246. *Phillis v. The King* 15 A.L.J. 191 s. 251. Amended by No. 39, s. 8, 1945, p. 188 ss. 255 and 256. Repealed by No. 36, s. 8, 1939, p. 226 s. 268. Amended by No. 36, s. 9, 1939, p. 216 Sixth schedule. Amended by No. 36, s. 10 (1), 1939, p. 216 Seventh schedule. Amended by No. 36, s. 10 (1), 1939, p. 216 Eleventh schedule. Amended by No. 36, s. 10 (2), 1939, p. 216 Nineteenth schedule. Amended by No. 36, s. 11, 1939, p. 216 Twenty-third schedule. Enacted by No. 39, s. 9, 1945, p. 188
Registration of Business Names Act, 1928-1932 (Vol. 7, p. 173)	s. 3. Amended by No. 23, s. 2, 1946, p. 114 s. 5. Substituted by No. 23, s. 3, 1946, p. 114 s. 8. Amended by No. 23, s. 4, 1946, p. 115 s. 9. Amended by No. 11, s. 2 (1), 1950, p. 23 s. 11. Amended by No. 11, s. 2 (2), 1950, p. 23 s. 13. Amended by No. 23, s. 5, 1946, p. 115 s. 21. Substituted by No. 11, s. 3, 1950, p. 23 s. 22. Amended by No. 23, s. 7, 1946, p. 116 s. 22a. Amended by No. 23, s. 8, 1946, p. 117 s. 23. Amended by No. 23, s. 9, 1946, p. 117, and by No. 11, s. 4, 1950, p. 24 s. 23b. Enacted by No. 23, s. 10, 1946, p. 118
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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

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River Murray Waters Act, 1935 (Vol. 7, p. 287)	Schedules. Amended by No. 54, s. 5, 1948, p. 231
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

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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, and No. 29, 1950, p. 80, and with notes of judicial decisions, is reprinted in this volume, p. 279.
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. 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
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

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The Savings Bank of South Australia Act, 1929-1935 (Vol. 7, p. 526)—*contd.*	s. 17. Amended by No. 13, s. 7, 1942, p. 34, and by No. 33, s. 3, 1948, p. 155 s. 19. Amended by No. 25, s. 3, 1949, p. 81 s. 20. Amended by No. 25, s. 4, 1949, p. 82 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
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. 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

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Sewerage Act, 1929-1936 (Vol. 7, p. 605)—*continued.*	s. 31a. Enacted by No. 48, s. 5, 1946, p. 223 s. 32. Amended by No. 48, s. 6, 1946, p. 223 s. 64. Amended by No. 48, s. 7, 1946, p. 223 s. 75a. Enacted by No. 48, s. 8, 1946, p. 223 s. 85. Amended by No. 48, s. 9, 1946, p. 224
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
Soil Conservation Act, 1939 (1939, p. 124)	s. 2. Amended by No. 44, s. 3, 1945, p. 213 s. 2a. Enacted by No. 44, s. 4, 1945, p. 214 s. 4. Amended by No. 44, s. 5, 1945, p. 214 s. 6. Substituted by No. 37, s. 2, 1943, p. 114 ss. 6a to 6i. Enacted by No. 44, s. 6, 1945, pp. 214-218 s. 10a. Enacted by No. 37, s. 3, 1943, p. 114, and repealed by No. 44, s. 7, 1945, p. 218 s. 12. Amended by No. 37, s. 4, 1943, p. 115 s. 12a. Enacted by No. 44, s. 8, 1945, p. 218, and amended by No. 32, s. 3, 1947, p. 87 s. 13a. Enacted by No. 37, s. 5, 1943, p. 116, and repealed by No. 32, s. 4, 1947, p. 88 ss. 13b. to 13m. Enacted by No. 44, s. 10, 1945, pp. 219-225 s. 13n. Enacted by No. 44, s. 10, 1945, p. 226, and amended by No. 32, s. 5, 1947, p. 88 s. 13o. Enacted by No. 44, s. 10, 1945, p. 226, and amended by No. 32, s. 6, 1947, p. 88 s. 18. Amended by No. 37, s. 6, 1943, p. 117, and by No. 44, s. 11, 1945, p. 226 s. 19. Enacted by No. 37, s. 7, 1943, p. 117
South Australian Housing Trust Act, 1936 (Vol. 7, p. 653)	s. 2. Amended by No. 21, s. 2, 1942, p. 58 s. 8. Amended by No. 21, s. 3, 1942, p. 58 s. 13. Amended by No. 49, s. 2, 1946, p. 225 s. 13a. Enacted by No. 49, s. 3, 1946, p. 226 s. 14. Substituted by No. 21, s. 4, 1942, p. 59, and amended by No. 7, s. 2, 1947, p. 10 s. 14a. Enacted by No. 21, s. 4, 1942, p. 59 s. 14b. Enacted by No. 21, s. 4, 1942, p. 59 s. 14c. Enacted by No. 21, s. 4, 1942, p. 59 s. 20. Amended by No. 21, s. 5, 1942, p. 59 s. 24a. Enacted by No. 10, s. 2, 1948, p. 70 s. 25. Substituted by No. 21, s. 6, 1942, p. 59 s. 27. Amended by No. 2371, s. 4, 1937, p. 108 and by No. 21, ss. 7 and 8, 1942, p. 60 s. 28a. Enacted by No. 46, s. 3, 1940, p. 146 and amended by No. 21, s. 9, 1942, p. 60 s. 28b. Enacted by No. 21, s. 10, 1942, p. 61 s. 29a. Enacted by No. 2371, s. 5, 1937, p. 108 Schedule. Enacted by No. 49, s. 4, 1946, p. 227
South Australian Railways Commissioner's Act, 1936 (Vol. 7, p. 661)	s. 38. Amended by No. 47, s. 3, 1941, p. 202 s. 42. Substituted by No. 47, s. 4, 1941, p. 202 ss. 42a to 42f. Enacted by No. 47, s. 4, 1941, pp. 202, 203 s. 43. Repealed by No. 47, s. 4, 1941, p. 202 s. 44. Amended by No. 47, s. 5, 1941, p. 204 s. 44a. Enacted by No. 47, s. 6, 1941, p. 204 s. 47a. Enacted by No. 47, s. 7, 1941, p. 205 s. 49. Amended by No. 47, s. 8, 1941, p. 205

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South Australian Railways Commissioner's Act, 1936 (Vol. 7, p. 661)—*continued.*	ss. 53a to 53x. Enacted by No. 2400, s. 3, 1938, pp. 67-73 ss. 56a and 56b. Enacted by No. 55, s. 3, 1950, pp. 182, 183 s. 113. Repealed by No. 55, s. 4, 1950, p. 183 s. 114. Repealed by No. 55, s. 4, 1950, p. 183
South-Eastern Drainage Act, 1931-1935 (Vol. 7, p. 721)	s. 6. Amended by No. 25, s. 3, 1947, p. 65 s. 42. *The South-Eastern Drainage Board (South Australia) v. The Savings Bank of South Australia* (1939) 62 C.L.R. 603; 13 A.L.J. 421, varying *Savings Bank of South Australia v. South-Eastern Drainage Board and another* (1939) S.A.S.R. 339 s. 66. *The South-Eastern Drainage Board (South Australia) v. The Savings Bank of South Australia* (1939) 62 C.L.R. 603; 13 A.L.J. 421, varying *Savings Bank of South Australia v. South-Eastern Drainage Board and another* (1939) S.A.S.R. 339 s. 81. Amended by No. 25, s. 4, 1947, p. 66 s. 81a. Enacted by No. 25, s. 5, 1947, p. 66 s. 88. Amended by No. 25, s. 6, 1947, p. 67 s. 90. *In re Cameron and Ryder* (1937) S.A.S.R. 143 s. 98. *In re Cameron and Ryder* (1937) S.A.S.R. 143 s. 101. *In re Cameron and Ryder* (1937) S.A.S.R. 143 ss. 103a to 103j. Enacted by No. 34, s. 3, 1948, pp. 159-162
Stamp Duties Act, 1923-1936 (Vol. 7, p. 762)	This Act as amended by No. 2359, 1937, p. 59, and with notes of judicial decisions, is reprinted in the 1937 volume, p. 221. *See also* the following paragraph.
Stamp Duties Act, 1923-1937 (1937, p. 221)	s. 15. Amended by No. 48, s. 2, 1941, p. 206 s. 15a. Enacted by No. 48, s. 3, 1941, p. 206 s. 27. Amended by No. 48, s. 4, 1941, p. 207 s. 31. Amended by No. 48, s. 5, 1941, p. 207 s. 31a. Enacted by No. 2387, s. 3, 1938, p. 12 s. 45a. Enacted by No. 22, s. 2, 1942, p. 62 s. 48a. Enacted by No. 16, s. 3, 1950, p. 38 s. 56a. Enacted by No. 48, s. 6, 1941, p. 207 s. 66a. Enacted by No. 48, s. 7, 1941, p. 208 s. 71a. Enacted by No. 48, s. 8, 1941, p. 208 s. 71b. Enacted by No. 48, s. 8, 1941, p. 208 s. 79. Amended by No. 48, s. 9, 1941, p. 209 s. 83a. Enacted by No. 48, s. 10, 1941, p. 209 s. 109a. Enacted by No. 22, s. 3, 1942, p. 63 Second schedule. Amended by No. 2387, s. 4, 1938, p. 13, by No. 48, s. 11, 1941, p. 209, by No. 22, s. 4, 1942, p. 64, by No. 30, ss. 3 and 4, 1944, p. 90, and by No. 32, s. 3, 1945, p. 139
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. 37a. Enacted by No. 23, s. 4, 1941, p. 85 s. 76a. Amended by No. 23, s. 5, 1941, p. 86
Statute Law Revision Act, 1937 (1937, p. 20)	s. 5. Repealed by No. 2368, s. 2 (2), 1937, p. 102

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Stock and Poultry Diseases Act, 1934 (Vol. 8, p. 39)	s. 5. Amended by No. 29, ss. 3 and 4 (1), 1946 pp. 132, 133 s. 6. Amended by No. 29, s. 4 (2), 1946, p. 133 s. 10a. Enacted by No. 31, s. 2, 1941, p. 115 s. 10b. Enacted by No. 31, s. 2, 1941, p. 116 s. 18. Amended by No. 29, s. 5, 1946, p. 133 s. 19. Amended by No. 29, s. 6 (1), 1946, p. 133 s. 20. Amended by No. 29, s. 7, 1946, p. 134 s. 29. Substituted by No. 29, s. 8, 1946, p. 134 s. 30. Substituted by No. 29, s. 9, 1946, p. 134 s. 31. Substituted by No. 29, s. 10, 1946, p. 135 s. 37. Repealed by No. 29, s. 11, 1946, p. 136 s. 38. Substituted by No. 29, s. 12, 1946, p. 136 s. 39. Amended by No. 29, s. 13, 1946, p. 136 s. 41. Repealed by No. 29, s. 11, 1946, p. 136 s. 42. Amended by No. 29, s. 14, 1946, p. 136 s. 43a. Enacted by No. 31, s. 3, 1941, p. 116 s. 48. Amended by No. 29, s. 4 (3), 1946, p. 133 Second schedule. Repealed by No. 29, s. 4 (4), 1946, p. 133 Third schedule. Amended by No. 29, s. 6 (2), 1946, p. 134 Fourth schedule. Repealed by No. 29, s. 4 (4), 1946, p. 133
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
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. *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. 10a. Enacted by No. 28, s. 2, 1943, p. 73 s. 20. *Elder's Trustee and Executor Company Limited v. The Commissioner of Succession Duties* (1945) S.A.S.R 34. s. 35 (3). *Freeman v. The Commissioner of Succession Duties* (1945) S.A.S.R. 139 s. 46 (1). *In re Gebhardt* (1943) S.A.S.R. 380 s. 55b. Amended by No. 28, s. 3, 1943, p. 74 s. 56a. Enacted by No. 50, s. 3, 1949, p. 173 s. 59. *Commissioner of Succession Duties (S.A.) v. Executor Trustee and Agency Company of South Australia Limited and others* (1947) 74 C.L.R. 358; 21 A.L.J. 210, reversing *In re Clifford; Executor Trustee and Agency Company of South Australia Limited and others v. The Commissioner of Succession Duties* (1946) S.A.S.R. 31 s. 61a. Enacted by No. 35, s. 3, 1950, p. 102

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Superannuation Act, 1926-1935 (Vol. 8, p. 129)	s. 8. Amended by No. 50, s. 2, 1946, p. 231 s. 21. Amended by No. 50, s. 3, 1946, p. 231 s. 23. Amended by No. 50, s. 4, 1946, p. 232, by No. 12, s. 4, 1948, p. 74, and by No. 62, s. 3, 1949, p. 223 s. 24. Substituted by No. 12, s. 5, 1948, p. 75 s. 24a. Enacted by No. 29, s. 3, 1942, p. 87, and substituted by No. 12, s. 5, 1948, p. 76 s. 24b. Enacted by No. 29, s. 3, 1942, p. 88, and substituted by No. 12, s. 5, 1948, p. 77 s. 24ba. Enacted by No. 12, s. 5, 1948, p. 78 s. 24bb. Enacted by No. 12, s. 5, 1948, p. 79 s. 24bc. Enacted by No. 12, s. 5, 1948, p. 79 s. 24bd. Enacted by No. 12, s. 5, 1948, p. 79 s. 24be. Enacted by No. 12, s. 5, 1948, p. 79 s. 24c. Enacted by No. 29, s. 3, 1942, p. 89 s. 24d. Enacted by No. 50, s. 6, 1946, p. 232, and repealed by No. 12, s. 6, 1948, p. 80 s. 26. Substituted by No. 12, s. 7, 1948, p. 80 ss. 26a and 26b. Repealed by No. 12, s. 8, 1948, p. 80 ss. 26c and 26d. Enacted by No. 2422, s. 3, 1938, pp. 196-197, and repealed by No. 12, s. 8, 1948, p. 80 s. 26e. Enacted by No. 14, s. 3, 1940, p. 35 s. 26f. Enacted by No. 50, s. 7, 1946, p. 233 s. 28. Amended by No. 50, s. 8, 1946, p. 234 ss. 28a to 28e. Enacted by No. 12, s. 9, 1948, pp. 81-83 s. 29. Amended by No. 12, s. 10, p. 1948, p. 83 s. 30. Amended by No. 12, s. 11, 1948, p. 83 s. 39. Amended by No. 12, s. 12, 1948, p. 83 s. 40. Amended by No. 50, s. 9, 1946, p. 234 *In re Jennings Gould and the South Australian Superannuation Fund Board* (1945) S.A.S.R. 50 s. 42. Amended by No. 50, s. 10, 1946, p. 234, and by No. 12, s. 13, 1948, p. 83 s. 43. Amended by No. 50, s. 11, 1946, p. 234, and by No. 12, s. 14, 1948, p. 83 s. 44. Amended by No. 29, s. 4, 1942, p. 89, and by No. 12, s. 15, 1948, p. 83 s. 48. Amended by No. 12, s. 16, 1948, p. 83 s. 49. Amended by No. 29, s. 5, 1942, p. 89, and by No. 12, s. 17, 1948, p. 84 s. 51. Amended by No. 12, s. 18, 1948, p. 84 s. 58. Substituted by No. 12, s. 19, 1948, p. 84 s. 58a. Enacted by No. 12, s. 20, 1948, p. 85 s. 66a. Enacted by No. 62, s. 4, 1949, p. 224 s. 66b. Enacted by No. 62, s. 4, 1949, p. 225 s. 72. Amended by No. 50, s. 13, 1946, p. 236 s. 83. Amended by No. 50, s. 14, 1946, p. 236 Schedule I. Amended by No. 12, s. 21, 1948, p. 85 Schedule II. Amended by No. 12, s. 21, 1948, p. 85 Schedule III. Enacted by No. 50, s. 15, 1946, p. 237, and amended by No. 12, s. 21, 1948, p. 85 Schedule IV. Enacted by No. 50, s. 15, 1946, p. 238, and amended by No. 12, s. 21, 1948, p. 84
Supreme Court Act, 1935-1936 (Vol. 8, p. 168)	s. 9. Amended by No. 38, s. 3, 1944, p. 178 s. 12. Amended by No. 33, s. 3, 1947, p. 89 ss. 13a to 13g. Enacted by No. 38, s. 4, 1944, pp. 178-181 s. 13h. Enacted by No. 38, s. 4, 1944, p. 181, and substituted by No. 33, s. 4, 1947, p. 89 s. 40. *Tilley v. Tilley* (1945) S.A.S.R. 81 s. 50. *Chapman v. Chapman and Holmes* (1946) S.A.S.R. 217 *Campbell v. O'Sullivan* (1947) S.A.S.R. 195 s. 59. *R. v. Ford* (1945) S.A.S.R. 118

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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
Swine Compensation Act, 1936 (Vol. 8, p. 234)	s. 4. Amended by No. 29, s. 2, 1940, p. 82, and by No. 20, s. 2, 1946, p. 107 s. 5. Amended by No. 20, s. 3, 1946, p. 107 s. 6. Amended by No. 29, s. 3, 1940, p. 82, and by No. 20, s. 4, 1946, p. 108 s. 7. Amended by No. 20, s. 5, 1946, p. 108 s. 8. Amended by No. 29, s. 4, 1940, p. 82, and by No. 20, s. 6, 1946, p. 108 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 s. 16. Amended by No. 20, s. 7, 1946, p. 108
Technical Education of Apprentices Act, 1917-1934 (Vol. 8, p. 243)	s. 2. Amended by No. 47, s. 3, 1940, p. 148 s. 11. Amended by No. 47, s. 4, 1940, p. 148 s. 17. Amended by No. 47, s. 5, 1940, p. 149 s. 18. Substituted by No. 47, s. 6, 1940, p. 150 s. 19. Repealed by No. 47, s. 6, 1940, p. 150
Testators Family Maintenance Act, 1918 (Vol. 8, p. 253)	s. 2. Amended by No. 29, s. 3, 1943, p. 75 s. 3. *In re Harris* (1936) S.A.S.R. 497 *In re Whiting* (1938) S.A.S.R. 188 *In re Schwerdt* (1939) S.A.S.R. 333 *In re Gerloff* (1941) S.A.S.R. 156 *In re Naffin deceased, Naffin and others v. Naffin and others* (1941) S.A.S.R. 294 *In re Small, Harris v. Public Trustee and another* (1942) S.A.S.R. 183 *In re Wade* (1946) S.A.S.R. 131 *In re Preece* (1947) S.A.S.R. 134 *In re Traeger* (1949) S.A.S.R. 180 *In re Wheare* (1950) S.A.S.R. 61 s. 4. Amended by No. 29, s. 4, 1943, p. 76 *In re Traeger, deceased* (1948) S.A.S.R. 248 s. 5. Amended by No. 29, s. 5, 1943, p. 77 *In re Traeger* (1949) S.A.S.R. 180 s. 13. *In re Whiting* (1938) S.A.S.R. 188
Town Planning Act, 1929 (Vol. 8, p. 261)	s. 22. *Adelaide Development Company Proprietary Limited v. Pohlner* (1933) 49 C.L.R. 25, affirming *Pohlner v. The Adelaide Development Company Limited* (1932) S.A.S.R. 346 *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
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

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Trustee Act, 1936 (Vol. 8, p. 303)	This Act, as amended by No. 2346, 1937, p. 20, No. 10, 1940, p. 20, No. 49, 1941, p. 212, and No. 14, 1942, p. 43, and with notes of judicial decisions, is reprinted in the 1942 volume, p. 185. *See also* the following paragraph
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. 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
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. 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 s. 25. Amended by No. 13, s. 2 (4), 1945, p. 45 s. 37a. Enacted by No. 36, s. 3, 1942, p. 127 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. 5. Amended by No. 2414, s. 2, 1938, p. 132 s. 6. Repealed by No. 2414, s. 3, 1938, p. 133 s. 9. Repealed by No. 2414, s. 3, 1938, p. 133 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

Act Affected.	How Affected.
Vine, Fruit, and Vegetable Protection Act, 1885-1936 (Vol. 8, p. 525)	s. 6. *Vidovic v. Strickland* (1950) S.A.S.R. 19
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 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 s. 57. Amended by No. 9, s. 12, 1939, p. 31, and by No. 39, s. 4, 1944, p. 184 s. 57a. Enacted by No. 9, s. 13, 1939, p. 31 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 Second schedule. Repealed by No. 9, s. 15, 1939, p. 31 Third schedule. Amended by No. 9, s. 16, 1939, p. 32
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. 8. Amended by No. 41, s. 2 (1), 1948, p. 185 s. 8a. Enacted by No. 41, s. 3, 1948, p. 185 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 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

Act Affected.	How Affected.
Wills Act, 1936 (Vol. 8, p. 665)—*continued.*	s. 24. *In re Sanders. Hill v. Sanders* (1944) S.A.S.R. 22 s. 25. *In re Marrie* (1938) S.A.S.R. 289; 12 A.L.J. 238 s. 30. *In re Ferguson deceased* (1947) S.A.S.R. 25; 21 A.L.J. 315 s. 36. *In the estate of E.F., deceased* (1948) S.A.S.R. 97
Workmen's Compensation Act, 1932-1935 (Vol. 8, p. 693)	This Act, as amended by No. 2427, 1938, p. 274, No. 65, 1940, p. 339, No. 50, 1941, p. 242, No. 39, 1943, p. 120, No. 33, 1944, p. 108, and by No. 52, 1947, p. 156, and with notes of judicial decisions, is reprinted in the 1947 volume, p. 176. *See also* the following paragraph
Workmen's Compensation Act, 1932-1947 (1947, p. 176)	s. 4. *Lokan v. Metropolitan and Export Abattoirs Board* (1950) S.A.S.R. 273 s. 18. Amended by No. 28, s. 3, 1950, p. 78 s. 18a. Amended by No. 28, s. 4, 1950, p. 79 Second schedule. Amended by regulations *Gazette* 12th January, 1950, p. 41
Workmen's Liens Act, 1893-1936 (Vol. 18, 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, and No. 48, 1940, p. 151, and with notes of judicial decisions, is reprinted in the 1943 volume, p. 299. *See also* the following paragraph
Wrongs Act, 1936-1940 (1943, p. 299)	s. 20. *Nolan v. Martin* (1946) S.A.S.R. 210 *Salvemini v. Australian Barley Board* (1950) S.A.S.R. 174 s. 23a. *Richards and another v. Baker* (1943) S.A.S.R. 245 *Taverner and another v. Swanbury* (1944) S.A.S.R. 194 *Jeffries v. The Commonwealth of Australia* (1946) S.A.S.R. 106 s. 23b. *Public Trustee v. Zoanetti* (1945) 70 C.L.R. 266; 19 A.L.J. 232, affirming *Zoanetti v. Public Trustee* (1944) S.A.S.R. 150; 18 A.L.J. 255 s. 26. *Smith and others v. Dyer and Wilson* (1949) S.A.S.R. 187 s. 28. *Richards and another v. Baker* (1943) S.A.S.R. 245 s. 30. Enacted by No. 14, s. 4, 1944, p. 33

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 1st June, 1951. 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 1st June, 1951.

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.

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* 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.
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.

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.

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.

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, 1928-1949.

Commencement : 2nd April, 1929 ; *Gazette* 28th March, 1929, p. 636.

Regulations : *Gazette* 28th March, 1929, p. 636.

Advances to Settlers Act, 1930-1944.

Regulations : 20th December, 1934, p. 1283.

Agricultural Graduates Land Settlement Act, 1922-1938.

Administration : Committed to the Commissioner of Crown Lands *Gazette* 1st March, 1923, p. 485.

Regulations : *Gazette* 7th April, 1926, p. 979 ; 26th April, 1928, p. 870.

Agricultural Seeds Act, 1938.

Commencement : 22nd June, 1939 ; *Gazette* 22nd June, 1939, p. 1458.

Regulations : *Gazette* 11th May, 1939, p. 1187 ; 21st March, 1940, p. 596.

Air Navigation Act, 1937.

Commencement : 12th January, 1938 ; *Gazette* 13th January, 1938, p. 53.

Alsatian Dogs Act, 1934-1949.

Administration : Committed to the Minister of Local Government *Gazette* 20th December, 1934, p. 1218.

Regulations : *Gazette* 9th January, 1936, p. 27 ; 26th January, 1950, p. 178.

Animals and Birds Protection Act, 1919-1938.

Administration : Committed to the Minister of Agriculture *Gazette* 3rd July, 1924, p. 1.

s. 8. Proclamations :

Under s. 8 (1) (a^1) ; *Gazette*, 31st July, 1947, p. 201.

Under s. 8 (1) (*b*) : *Gazette* 23rd June, 1921, p. 1315 ; 7th January, 1926, p. 1 ; 4th March, 1926, p. 685 ; 3rd December, 1936, p. 1195 ; 17th July, 1947, p. 94 ; 6th May, 1948, p. 923 ; 3rd March, 1949, p. 536.

Under s. 8 (1)(*c*)—

(i.) *Gazette* 29th November, 1928, p. 1137 ; 3rd February, 1938, p. 233.

(ii.) *Gazette* 23rd August, 1923, p. 413 ; 25th November, 1926, p. 1337 ; 15th March, 1928, p. 561.

(iii.) *Gazette* 29th June, 1933, p. 1093.

(iv.) *Gazette* 13th July, 1933, p. 47 ; 24th January, 1935, p. 327 ; 23rd November, 1939, p. 1380.

Animals and Birds Protection Act, 1919-1938—*continued.*

(v.) *Gazette* 23rd July, 1925, p. 167; 4th March, 1926, p. 685; 25th March, 1926, p. 865; 20th January, 1927, p. 121; 15th November, 1928, p. 1053; 20th December, 1928, p. 1277; 17th January, 1929, p. 105; 7th March, 1929, p. 513; 31st October, 1929, p. 1005; 28th January, 1932, p. 139; 3rd March, 1932, p. 435; 26th October, 1933, p. 900; 16th November, 1933, p. 1005; 14th December, 1933, p. 1167; 21st December, 1933, p. 1240; 25th January, 1934, p. 130; 22nd March, 1934, p. 843; 13th December, 1934, p. 1186; 20th December, 1934, p. 1219; 11th April, 1935, p. 1087; 28th November, 1935, p. 1285; 19th December, 1935, p. 1447; 19th December, 1935, p. 1446; 14th January, 1937, p. 34; 2nd September, 1937, p. 561; 3rd February, 1938, p. 233; 23rd November, 1939, p. 1380; 21st November, 1940, p. 1042; 9th November, 1944, p. 617.

Under s. 8 (1) (*d*): *Gazette* 12th December, 1907, p. 1297; 6th May, 1909, p. 847; 20th May, 1909, p. 954; 9th December, 1909, p. 1127; 27th March, 1913, p. 585; 8th June, 1916, p. 1217; 3rd August, 1916, p. 181; 1st February, 1917, p. 239; 10th June, 1920, p. 1399; 1st March, 1923, p. 486; 24th May, 1923, p. 1140; 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.

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* 12th December, 1935, p. 1390.

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.

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.

Art Gallery Act, 1939.

Commencement: 1st February, 1940: *Gazette* 18th January, 1940, p. 69.
Regulations: *Gazette* 29th August, 1940, p. 451.

Associations Incorporation Act, 1929-1935.

Commencement: 16th December, 1929; *Gazette* 12th December, 1929, p. 1267.
Regulations: *Gazette* 12th December, 1929, p. 1268; 9th July, 1931, p. 34; 28th May, 1942, p. 791.

Auctioneers Act, 1934.

Commencement: 1st January, 1935; *Gazette* 20th December, 1934, p. 1217.

Audit Act, 1921-1949.

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.

Commencement: 16th September, 1948; *Gazette* 16th September, 1948, p. 1068.
Regulations as to the election of the Australian Barley Board; *Gazette* 20th September, 1948, p. 1119.
General regulations: *Gazette* 11th November, 1948, p. 1498.

Bills of Sale Act, 1886-1940.

Regulations appointing fees payable to the Registrar-General: *Gazette* 9th January, 1941, p. 31.

Births and Deaths Registration Act, 1936-1947.

Commencement: 1st May, 1937; *Gazette* 28th January, 1937, p. 188.
Commencement of Births and Deaths Registration Act Amendment Act, 1947: 1st July, 1948; *Gazette* 25th December, 1947, p. 2227.
Administration: Committed to the Chief Secretary; *Gazette* 18th February, 1937, p. 334
Regulations: *Gazette* 10th June, 1948, p. 1198; 22nd March, 1951, p. 647.

Botanic Garden Act, 1935-1940.

By-laws: *Gazette* 26th May, 1949, p. 1442.

Brands Act, 1933-1948.

Administration: Committed to the Minister of Agriculture *Gazette* 3rd January, 1935, p. 1.
s. 22 (4). Proclamation: *Gazette* 24th December, 1936, p. 1322.
s. 53. Notice: *Gazette* 21st June, 1934, p. 1471.

Bread Act, 1936-1949

Commencement: 1st April, 1937; *Gazette* 11th February, 1937, p. 286.
s. 11. Proclamation: *Gazette* 1st July, 1937, p. 1.

Broadening of Gauge (South-Eastern Railways) Act, 1944.

Commencement: 15th February, 1945; *Gazette* 15th February, 1945, p. 271.

Building Act, 1923-1946.

Administration: Committed to the Minister of Local Government *Gazette* 7th February, 1924, p. 324.

s. 3 (1) (*b*). For proclamations made under the Building Act, 1881, or the District Councils Act, 1914, see the footnote in Volume 1, p. 425, of the South Australian Statutes, 1837-1936.

s. 3 (1) (*c*). Proclamations:

(i.) Municipalities: *Gazette* 6th March, 1924, p. 595; 17th April, 1924, p. 925; 21st May, 1925, p. 945; 18th March, 1926, p. 793; 30th June, 1927, p. 1406; 16th December, 1937, p. 1710; 17th March, 1938, p. 607; 27th October, 1938, p. 1100; 23rd January, 1941, p. 71; 21st October, 1943, p. 501; 15th February, 1945, p. 271; 11th April, 1946, p. 573; 9th May, 1946, p. 841; 10th July, 1947, p. 37; 4th August, 1949, p. 293; 24th August, 1950, p. 461.

(ii.) District Council Districts: *Gazette* 29th May, 1924, p. 1207; 4th September, 1924, p. 1451; 24th July, 1924, p. 162; 16th October, 1924, p. 1018; 12th

Building Act, 1923-1946—*continued.*

March, 1925, p. 433; 31st March, 1927, p. 741; 8th October, 1925, p. 846; 26th June, 1930, p. 1192; 22nd September, 1927, p. 712; 22nd March, 1928, p. 605; 17th May, 1928, p. 1033; 18th July, 1929, p. 113; 31st October, 1929, p. 1008; 14th November, 1929, p. 1085; 24th March, 1932, p. 547; 3rd November, 1932, p. 886; 30th August, 1934, p. 427; 13th August, 1936, p. 249; 8th March, 1934, p. 462; 5th December, 1935, p. 1333; 17th September, 1925, p. 680; 4th June, 1936, p. 1133; 14th January, 1926, p. 46; 29th April, 1937, p. 945; 16th September, 1937, p. 698; 10th February, 1938, p. 295; 8th December, 1938, p. 1451; 15th December, 1938, p. 1498; 9th March, 1939, p. 570; 15th June, 1939, p. 1418; 16th May, 1940, p. 1058; 11th July, 1940, p. 33; 24th October, 1940, p. 842; 6th March, 1941, p. 335; 25th September, 1941, p. 624; 26th August, 1943, p. 231; 3rd February, 1944, p. 145; 2nd November, 1944, p. 577; 18th January, 1945, p. 57; 15th February, 1945, p. 271; 7th June, 1945, p. 845; 1st November, 1945, p. 632; 24th January, 1946, p. 119; 25th July, 1946, p. 139; 24th October, 1946, p. 1045; 24th October, 1946, p. 1045, 1046; 27th March, 1947, p. 901; 27th November, 1947, p. 1711; 8th January, 1948, p. 1; 8th April, 1948, p. 731; 12th May, 1949, p. 1147; 7th July, 1949, p. 3; 29th June, 1950, p. 1328; 24th August, 1950, p. 461; 7th September, 1950, p. 601; 1st February, 1951, p. 175.

s. 3 (3). Proclamation: *Gazette* 13th January, 1944, p. 17.
s. 119. Proclamation: *Gazette* 24th August, 1950, p. 461.
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.
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.

Building Materials Act, 1949-1950.

Administration: Committed to the Treasurer, *Gazette* 8th December, 1949, p. 1412.
s. 7. Notice: *Gazette* 15th December, 1949, p. 1561.

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, 1933-1950.

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* 11th July, 1940, p. 73; 8th March, 1945, p. 400; 23rd October, 1947, p. 1302; 25th December, 1947, p. 2266; 16th December, 1948, p. 1857.

Business Agents Act, 1938-1949.

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.

Cattle Compensation Act, 1939-1948.

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.

Citrus Marketing Act, 1931.

Commencement: At 1st June, 1951, 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.

Companies Act, 1934-1939.

Commencement: 1st March, 1935; *Gazette* 13th December, 1934, p. 1185.
Regulations: *Gazette* 8th May, 1941, p. 694; 3rd September, 1942, p. 362; 14th July, 1949, p. 81.
Rules of Court: *Gazette* 8th February, 1940, p. 233 (Rule 147 and the fourth schedule disallowed, *Gazette* 19th September, 1940, p. 570); 14th October, 1948, p. 1271.

Compulsory Acquisition of Land Act, 1925.

Commencement: 27th February, 1928; *Gazette* 23rd February, 1928, p. 397.
Rules of Court: *Gazette* 10th May, 1928, p. 968.

Consolidation of Regulations Act, 1937.

s. 2. Proclamation: *Gazette* 1st June, 1944, p. 673; 20th April, 1950, p. 813.

Constitution Act, 1934-1950.

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.

Regulations: *Gazette* 17th June, 1937, p. 1308; 26th April, 1951, p. 928.

Country Factories Act, 1945.

s. 2. Proclamation: *Gazette* 30th May, 1946, p. 977.
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, 1935-1940.

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* 24th May, 1951, p. 1127.
Regulation as to places of confinement under section 77 (2) : *Gazette* 6th March 1924, p. 596.

Crown Lands Act, 1929-1944.

Regulations : *Gazette* 16th October, 1941, p. 789.
Regulations under the Crown Lands Act, 1929-1939, and the Fees Regulation Act, 1927, relating to the fee payable on noting instrument on Crown lease, etc. : *Gazette* 18th July, 1940, p. 86.
Notice setting out conditions for application for licences under Part XIV. : *Gazette* 19th February, 1942, p. 301.

Dairy Cattle Improvement Act, 1921-1940.

Administration : Committed to the Minister of Agriculture *Gazette* 2nd February, 1922, p. 471.
s. 7a. Notice : *Gazette* 30th January, 1941, p. 97.
Regulations : *Gazette* 8th July, 1937, p. 30 ; 9th September, 1937, p. 661 ; 28th September, 1939, p. 904 ; 31st July, 1941, p. 209 ; 6th May, 1948, p. 930.

Dairy Industry Act, 1928-1942.

Commencement : 8th August, 1929 ; *Gazette* 8th August, 1929, p. 329.
s. 2. Proclamations : *Gazette* 8th August, 1929, p. 329 ; 19th July, 1934, p. 74 ; 21st January, 1937, p. 85 ; 11th November, 1937, p. 1297.
General regulations : *Gazette* 24th July, 1947, p. 145.

Dairy Produce Act, 1934-1946.

Commencement : 13th December, 1934 ; *Gazette* 13th December, 1934, p. 1185.
Administration : Committed to the Minister of Agriculture *Gazette* 27th May, 1937, p. 1205.
Regulations : *Gazette* 11th April, 1935, p. 1119 ; 9th January, 1936, p. 26 ; 18th November, 1937, p. 1348.

Dangerous Drugs Act, 1934.

Commencement : 1st October, 1937 ; *Gazette* 15th April, 1937, p. 789.
Administration : Committed to the Chief Secretary *Gazette* 15th April, 1937, p. 789.
s. 4. Proclamations : *Gazette* 15th April, 1937, p. 790 ; 23rd September, 1937, p. 749; 23rd September, 1937, p. 750 ; 20th February, 1941, p. 225 ; 9th May, 1946, p. 841 ; 22nd April, 1948, p. 825 ; 23rd November, 1950, p. 1253.
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, 1946-1949.

Commencement : 17th June, 1947 : *Gazette* 12th June, 1947, p. 1637.
Administration : Committed to the Minister of Lands *Gazette* 27th February, 1947, p. 745.
ss. 19 and 21. Proclamations : *Gazette* 3rd July, 1947, p. 1 ; 2nd October, 1947, p. 970 ; 18th May, 1950, p. 1036.

Draught Stallions Act, 1932-1934.

Commencement : 1st July, 1933 ; *Gazette* 8th June, 1933, p. 973.
Administration : Committed to the Minister of Agriculture *Gazette* 8th June, 1933, p. 973.
s. 3 (3). Proclamations : *Gazette* 8th June, 1933, p. 973 ; 22nd December, 1938, p. 1542.
Regulations : *Gazette* 22nd June, 1933, p. 1054 ; 18th June, 1936, p. 1210 ; 13th July, 1944, p. 30.

Dried Fruits Act, 1934-1941.

Administration : Committed to the Minister of Agriculture *Gazette* 20th December, 1934, p. 1218.
Regulations : *Gazette* 14th February, 1935, p. 495 ; 30th January, 1936, p. 272 ; 15th December, 1938, p. 1501 ; 22nd January, 1942, p. 106 ; 6th August, 1942, p. 204.

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, 1926-1945.

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.
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. 25e. Notice : *Gazette* 10th August, 1935, p. 242.
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.
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 1st June, 1951, 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, 1915-1949.

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.

Electoral Act, 1929-1950.

Commencement: 19th December, 1929; *Gazette* 19th December, 1929, p. 1305.
Administration: Committed to the Attorney-General *Gazette* 20th May, 1937, p. 1150.
s. 13. Proclamation: *Gazette* 23rd June, 1949, p. 1816.
s. 14. Notices: *Gazette* 13th February, 1930, p. 323; 20th February, 1930, p. 374; 13th March, 1930, p. 531; 17th November, 1932, p. 959 1st December, 1932, p. 1040; 23rd February, 1933, p. 285; 9th March, 1933, p. 373; 30th March, 1933, p. 522; 1st February, 1934, p. 196; 2nd August, 1934, p. 186; 16th August, 1934, p. 312; 23rd August, 1934, p. 375; 30th May, 1935, p. 1464; 6th June, 1935, p. 1502; 16th January, 1941, p. 40; 20th February, 1941, p. 234; 20th March, 1941, p. 422.
s. 80. Proclamation: *Gazette* 9th February, 1950, p. 283.
General regulations: *Gazette* 28th November, 1940, p. 1223; 24th July, 1941, p. 126; 7th May, 1942, p. 674; 6th May, 1943, p. 596; 23rd March, 1944, p. 373; 28th September, 1944, p. 413; 20th February, 1947, p. 737; 10th June, 1948, p. 1209; 17th November, 1949, p. 1283; 3rd May, 1951, p. 977.
Regulations as to joint Commonwealth and State electoral rolls: *Gazette* 10th February, 1921, p. 279; 16th May, 1929, p. 1003.

Electrical Articles and Materials Act, 1940.

Administration: Committed to the Minister of Industry and Employment: *Gazette* 30th January, 1941, p. 95.

Electricity Act, 1943.

Administration: Committed to the Commissioner of Public Works, *Gazette* 24th February, 1944, p. 213.

Electricity Trust of South Australia Act, 1946-1949.

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.
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.

Emergency Powers Act, 1941—*continued.*

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.
Fruitcases, 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.
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.
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s. 38. Notice : *Gazette* 10th March, 1949, p. 634.
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s. 6. Definitions of explosives : *Gazette* 28th September, 1899, p. 793 ; 24th December, 1903, p. 1242 ; 13th December, 1906, p. 1141 ; 20th January, 1910, p. 68 ; 13th March, 1913, p. 493 ; 26th February, 1914, p. 518 ; 9th July, 1914, p. 67 ; 30th November, 1916, p. 1045 ; 1st March, 1917, p. 370 ; 10th July, 1919, p. 40 ; 29th July, 1920, p. 168 ; 8th December, 1921, p. 1317 ; 21st July, 1921, p. 98 ; 22nd July, 1926, p. 147 ; 7th June, 1928, p. 1211 ; 7th February, 1929, p. 260 ; 23rd April, 1931, p. 683 ; 11th August, 1932, p. 246 ; 25th March, 1937, p. 649-650 ; 2nd December, 1937, p. 1565 ; 3rd February, 1938, p. 235.
s. 20. Proclamation : *Gazette* 17th December, 1903, p. 1182.
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s. 30. Notices : *Gazette* 1st September, 1938, p. 474 ; 11th May, 1939, p. 1086.
s. 48. Proclamation : *Gazette* 30th March, 1950, p. 678.
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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.
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s. 17. Proclamations : *Gazette* 20th September, 1923, p. 678 ; 24th February, 1927, p. 397 ; 19th October, 1950, p. 945.
s. 18. Proclamation : *Gazette* 5th July, 1923, p. 2.
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Administration : Committed to the Minister of Agriculture *Gazette* 21st January, 1937, p. 85.
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Financial Emergency Act, 1931-1939.

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s. 4. Notice : *Gazette* 29th November, 1934, p. 1113.

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s. 3. Proclamation: *Gazette* 29th September, 1928, p. 755.
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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.
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.
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Fisheries Act, 1917-1946.

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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.
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Food and Drugs Act, 1908-1950.

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.
s. 30a. Proclamation: *Gazette* 25th July, 1935, p. 138.
s. 39. Proclamation: *Gazette* 29th July, 1909, p. 190.
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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.

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s. 5. Proclamations : *Gazette* 5th May, 1921, p. 981 ; 7th June, 1928, p. 1209 ; 15th January, 1931, p. 65 ; 14th May, 1936, p. 1002.
Regulations : *Gazette* 2nd August, 1894, p. 243 ; 25th May, 1933, p. 882.
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s. 4. Proclamation : *Gazette* 14th February, 1935, p. 463.
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Fruit and Vegetables (Prevention of Injury) Act, 1927.

Administration : Committed to the Minister of Agriculture *Gazette* 26th January, 1928, p. 149.
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Commencement : 19th February, 1920 ; *Gazette* 19th February, 1920, p. 493.
Administration : Committed to the Minister of Housing *Gazette* 29th May, 1924, p. 1208.

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Administration : Committed to the Minister of Industry and Employment, *Gazette* 23rd June, 1949, p. 1815.
s. 32. Proclamations : *Gazette* 3rd September, 1925, p. 571 ; 2nd February, 1928, p. 205 ; 8th August, 1929, p. 329.
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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.
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Commencement : 1st April, 1937 ; *Gazette* 25th March, 1937, p. 641.
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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.
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s. 191. Proclamations : *Gazette* 10th September, 1914, p. 623 ; 24th September, 1914, p. 707 ; 26th November, 1914, p. 1145 ; 17th December, 1914, p. 1266 ; 25th March, 1915, p. 775 ; 3rd June, 1915, p. 1284 ; 15th July, 1915, p. 331 ; 16th June, 1921, p. 1267 ; 18th March, 1926, p. 793 ; 3rd June, 1926, p. 1421 ; 16th December, 1926, p. 1512 ; 14th April, 1927, p. 842 ; 28th April, 1927, p. 934 ; 3rd April, 1930, p. 649 ; 13th November, 1930, p. 985 ; 12th February, 1931, p. 262 ; 25th August, 1932, p. 342 ; 19th January, 1933, p. 70 ; 26th January, 1933, p. 109 ; 26th October, 1933, p. 899 ; 25th January, 1934, p. 130 ; 26th April, 1934, p. 1095 ; 12th July, 1934, p. 39 ; 25th October, 1934, p. 846 ; 14th March, 1935, p. 777 ; 30th January, 1936, p. 270 ; 10th September, 1936, p. 490 ; 21st October, 1937, p. 1053 ; 29th September, 1938, p. 871 ; 18th December, 1941, p. 1461 ; 17th October, 1946, p. 999 ; 14th September, 1950, p. 655 ; 7th December, 1950, p. 1366.

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s. 38. Proclamations: *Gazette* 2nd November, 1899, p. 1039; 19th December, 1940, p. 1552.

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Regulation under the Fees Regulation Act, 1927, relating to fees for examination of plans and inspection of bacteriolytic tanks: *Gazette* 24th November, 1927, p. 1226.

Hide and Leather Industries Act, 1948.

Commencement: 1st January, 1949; *Gazette* 23rd December, 1948, p. 1866.

Hide, Skin, and Wool Dealers Act, 1915-1935.

Regulations: *Gazette* 26th November, 1936, p. 1150.

Highways Act, 1926-1949.

Commencement: 3rd February, 1927; *Gazette* 3rd February, 1927, p. 258.

Administration: Committed to the Minister of Local Government *Gazette* 10th February, 1927, p. 297.

Highways Act, 1926-1949—*continued.*

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.

Regulations as to the preservation of trees: *Gazette* 19th September, 1929, p. 701.

Regulations as to the opening of Birkenhead Bridge: *Gazette* 5th December, 1940, p. 1289.

Regulations as to the control of traffic, etc., at Birkenhead and Jervois Bridges: *Gazette* 8th November, 1945, p. 696.

Hire-Purchase Agreements Act, 1931.

Rules of Local Court under section 5: *Gazette* 18th February, 1932, p. 312.

Homes Act, 1941-1950.

s. 10. Proclamation: 5th July, 1945, p. 1.

Regulations: *Gazette* 15th January, 1942, p. 67; 13th June, 1946, p. 1095.

Homestead Act, 1895-1935.

Regulations: *Gazette* 6th February, 1896, p. 289.

Honey Marketing Act, 1949.

Commencement: 12th January, 1950; *Gazette* 12th January, 1950, p. 41.

Regulations: *Gazette* 24th August, 1950, p. 467.

Hospitals Act, 1934-1941.

Commencement: 1st May, 1937; *Gazette* 25th March, 1937, p. 642.

Administration: Committed to the Chief Secretary *Gazette* 25th March, 1937, p. 642.

s 5. Proclamations: *Gazette* 16th January, 1868, p. 51; 23rd March, 1882, p. 960; 12th October, 1905, p. 728; 1st March, 1934, p. 405; 9th August, 1934, p. 251; 24th September, 1936, p. 626; 3rd December, 1936, p. 1195; 1st July, 1937, p. 1; 26th January, 1939, p. 246; 16th March, 1939, p. 616; 17th August, 1939, p. 421.

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.

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.

Regulations relating to the following hospitals:—

Royal Adelaide Hospital: *Gazette* 23rd February, 1922, p. 641; 7th December, 1922, p. 1460; 28th August, 1924, p. 555; 24th December, 1925, p. 1665; 19th August, 1926, p. 440; 27th January, 1927, p. 179; 19th January, 1933, p. 76; 10th January, 1935, p. 267; 16th July, 1936, p. 67; 15th September, 1938, p. 697; 24th August, 1939, p. 496; 25th January, 1940, p. 167; 9th May, 1940, p. 987; 7th October, 1948, p. 1217.

Bedford Park Sanatorium: *Gazette* 15th March, 1934, p. 788.

Lady Weigall Hospital, Barmera: *Gazette* 8th October, 1936, p. 735.

The Morris Hospital, Northfield: *Gazette* 30th August, 1934, p. 431.

Mount Gambier Hospital: *Gazette* 27th January, 1938, p. 217.

Port Augusta Hospital: *Gazette* 8th September, 1938, p. 662.

Port Lincoln Hospital: *Gazette* 4th November, 1937, p. 1269.

Port Pirie Hospital: *Gazette* 11th October, 1928, p. 806.

Wallaroo Hospital: *Gazette* 21st January, 1937, p. 162.

Hospitals Act, 1934-1941—*continued.*

General regulations relating to the powers of the Inspector-General of Hospitals : *Gazette*, 27th September, 1923, p. 727.

Regulations relating to rating for hospital purposes : *Gazette* 19th August, 1920, p. 383.

Hospital Benefits Act, 1945.

Commencement : 17th January, 1946 : *Gazette* 17th January, 1946, p. 71.

Hospital Benefits (Amending Agreement) Act, 1948.

Commencement : 17th February, 1949 ; *Gazette* 17th February, 1949, p. 403.

Housing Improvement Act, 1940-1950.

Commencement : 19th December, 1940 ; *Gazette* 19th December, 1940, p. 1551.

Administration : Committed to the Treasurer ; *Gazette* 19th December, 1940, p. 1551.

s. 5. Proclamation committing execution of Act to the South Australian Housing Trust ; 19th December, 1940, p. 1551.

s. 6. Proclamation : *Gazette* 19th May, 1949, p. 1212.

s. 49. Proclamation : *Gazette* 9th October, 1941, p. 713.

Regulations under section 6 ; *Gazette* 19th December, 1940, p. 1587.

Regulations as to standards of habitation : *Gazette* 29th May, 1941, p. 806 ; 8th January, 1942, p. 57.

Rules of Local Court : *Gazette* 10th July, 1941, p. 45.

Immigration Act, 1923-1937.

Administration : Committed to the Minister of Immigration *Gazette* 24th April, 1924, p. 973.

Regulations : *Gazette* 1st March, 1928, p. 454 ; 3rd May, 1928, p. 917.

Impounding Act, 1920-1947.

Administration : Committed to the Minister of Local Government *Gazette* 22nd April, 1937, p. 849.

Income Tax Assessment Act, 1936-1946.

s. 132. Proclamation : *Gazette* 18th February, 1937, p. 334.

Regulations under the Taxation Act, 1884, and its amendments : *Gazette* 22nd January, 1885, p. 203 ; 29th December, 1904, p. 1205 ; 24th December, 1908, p. 1257.

Regulations under the Taxation Act, 1915, and its amendments : *Gazette* 20th December, 1917, p. 1320 ; 3rd January, 1918, p. 6 ; 20th December, 1923, p. 1436 ; 21st August, 1924, p. 403 ; 9th April, 1925, p. 627 ; 23rd July, 1925, p. 199.

Regulations under the Taxation Act, 1927, and its amendments : *Gazette* 29th December, 1927, p. 1681 ; 28th June, 1928, p. 1624 ; 4th July, 1929, p. 17 ; 19th December, 1929, p. 1307 ; 10th July, 1930, p. 49 ; 4th August, 1932, p. 182 ; 13th June, 1935, p. 1576.

Regulations under the Income Tax Assessment Act, 1936 : *Gazette* 24th December, 1936, p. 1367 ; 18th February, 1937, p. 375 ; 27th May, 1937, p. 1206.

Industrial and Provident Societies Act, 1923-1935.

Regulations : *Gazette* 13th November, 1924, p. 1316.

Rules of Court under section 9 (3) : *Gazette* 2nd October, 1924, p. 830.

Industrial Code, 1920-1950.

Rules of the Industrial Court : *Gazette* 24th August, 1944, p. 229 ; 20th September, 1945, p. 467.

Regulations as to Industrial Boards : *Gazette* 28th April, 1921, p. 939 ; 2nd June, 1921, p. 1179 ; 18th August, 1921, p. 320 ; 13th January, 1944, p. 43 ; 25th November, 1948, p. 1579.

Regulations as to jurisdiction of Industrial Boards : *Gazette* 21st February, 1946, p. 331 ; 30th May, 1946, p. 1018.

Rules as to the Board of Industry : *Gazette* 13th January, 1921, p. 54 ; 27th January, 1921, p. 158 ; 14th April, 1921, p. 712.

Regulations as to the Board of Industry : *Gazette* 28th January, 1937, p. 188.

Regulations as to factories and shops : *Gazette* 28th April, 1921, p. 942 ; 24th November, 1927, p. 1226 ; 7th December, 1944, p. 800.

Inebriates Act, 1908-1934.

Regulations : *Gazette* 26th October, 1911, p. 859 ; 8th August, 1912, p. 300 ; 7th January, 1915, p. 2.

Rules of Court : *Gazette* 26th October, 1911, p. 864.

Infectious Diseases Hospital Transfer Act, 1947.

s. 3. Notice fixing 1st April, 1948, as the "appointed day" : *Gazette*, 25th March, 1948, p. 644.

s. 8. Commencement : 16th September, 1948 ; *Gazette* 16th September, 1948, p. 1068.

Inflammable Oils Act, 1908-1935.

Commencement: 1st June, 1909; *Gazette* 4th March 1909, p. 444.
Administration: Committed to the Minister of Industry *Gazette*, 17th November, 1932, p. 953.
s. 46. Proclamation: *Gazette* 28th October, 1920, p. 1120.
General regulations: *Gazette* 28th June, 1934, p. 1513; 6th May, 1943, p. 595; 9th May, 1946, p. 886; 19th September, 1946, p. 667.; 21st April, 1949, p. 997.
Regulations for control of ships carrying inflammable oils: *Gazette* 22nd November, 1934, p. 1086; 27th February, 1941, p. 279.

Institute of Medical and Veterinary Science Act, 1937-1944.

Commencement: 9th June, 1938; *Gazette* 9th June, 1938, p. 1270.
Regulations: *Gazette* 30th June, 1938, p. 1568; 22nd December, 1949, p. 1581.

Insurance Companies (Deposits) Act, 1924-1931.

Regulations: *Gazette* 4th April, 1929, p. 752.

Interest on Crown Advances and Leases Act, 1944.

s. 2. Notice: *Gazette* 25th January, 1945, p. 91.
s. 3. Notice: *Gazette* 25th January, 1945, p. 91.

Interstate Destitute Persons Relief Act, 1910-1943.

Commencement: 5th January, 1911; *Gazette* 5th January, 1911, p. 1.
s. 5. Proclamations: *Gazette* 23rd March, 1911, p. 499; 20th February, 1913, p. 343, 2nd October, 1913, p. 762; 5th August, 1915, p. 555; 21st July, 1921, p. 95.
Regulations: *Gazette* 27th April, 1911, p. 720.

Irrigation Act, 1930-1946.

Commencement: 5th February, 1931; *Gazette* 5th February, 1931, p. 189.
ss. 16, 17, and 18. Proclamations relating to irrigation areas: *Gazette* 11th July, 1907, p. 43; 12th November, 1908, p. 933; 25th March, 1909, p. 572; 29th April, 1909, p. 785; 27th January, 1910, p. 104; 13th October, 1910, p. 744; 3rd November, 1910, p. 919; 24th November, 1910, p. 1063; 19th September, 1912, p. 677; 12th June, 1913, p. 1268; 21st May, 1914, p. 1106; 4th February, 1915, p. 276; 25th February, 1915, p. 484; 25th February, 1915, p. 485; 2nd September, 1915, p. 800; 17th February, 1916, p. 299; 17th August, 1916, p. 289; 28th September, 1916, p. 568; 9th November, 1916, p. 910; 13th June, 1918, p. 1117; 30th October, 1919, p. 1083; 11th August, 1921, p. 269; 15th December, 1921, p. 1386; 26th January, 1922, p. 158; 27th April, 1922, p. 1119; 24th August, 1922, p. 413; 7th September, 1922, p. 545; 12th April, 1923, p. 819; 17th May, 1923, p. 1074; 12th July, 1923, p. 49; 16th August, 1923, p. 350; 5th June, 1924, p. 1271; 4th June, 1925, p. 1085; 9th July, 1925, p. 51; 24th September, 1925, p. 739; 9th September, 1926, p. 614; 22nd December, 1927, p. 1609; 17th May, 1928, p. 1035; 25th September, 1930, p. 621; 13th November, 1930, p. 986; 8th January, 1931, p. 26; 17th January, 1935, p. 292; 14th October, 1943, p. 475; 22nd January, 1948, p. 167; 12th August, 1948, p. 647; 30th September, 1948, p. 1168; 8th September, 1949, p. 647; 23rd November, 1950, p. 1255.
Regulations: *Gazette* 20th June, 1928, p. 1642; 3rd July, 1930, p. 2.

Irrigation on Private Property Act, 1939-1949.

Commencement: 5th January, 1940: *Gazette* 4th January, 1940, p. 1.
s. 9. Proclamations: *Gazette* 12th December, 1940, p. 1425; 6th February, 1941, p. 148; 27th September, 1945, p. 490.

Juries Act, 1927-1937.

Commencement: 6th January, 1928; *Gazette* 5th January, 1928, p. 1.
ss. 9 and 10. Proclamation: *Gazette* 28th September, 1950, p. 738.
s. 77. Proclamation: *Gazette* 24th May, 1951, p. 1121.

Justices Act, 1921-1943.

Commencement: 26th July, 1922; *Gazette* 29th June, 1922, p. 1575.
Rules of the Supreme Court as to appeals under Part VI.: *Gazette* 22nd September, 1938, p. 776.
Rules made by the Governor under section 203: *Gazette* 27th February, 1930, p. 443; 3rd April, 1930, p. 650; 6th April, 1933, p. 552; 29th April, 1937, p. 947; 1st September, 1938, p. 499; 15th June, 1944, p. 718.
Regulations as to payment to witnesses and others for attendance at courts of summary jurisdiction; *Gazette* 24th May, 1951, p. 1126.
Rules under the Maintenance Orders (Facilities for Enforcement) Act, 1922, and the Justices Act, 1921: *Gazette* 25th October, 1923, p. 953; 26th February, 1931, p. 374.
Rules under the Licensing Act, 1932, and the Justices Act, 1921: *Gazette* 29th April, 1937, p. 945; 11th April, 1946, p. 653.

Juvenile Courts Act, 1941.

Commencement : 1st July, 1942 ; *Gazette* 18th June, 1942, p. 847.
Administration : Committed to the Attorney-General ; *Gazette* 18th June, 1942, p. 847.

Land Agents Act, 1925-1950.

Commencement : 7th January 1926 ; *Gazette* 7th January, 1926, p. 1.
Commencement of Land Agents Act Amendment Act, 1950 : 18th January, 1951 ; *Gazette* 18th January, 1951, p. 73.
Administration : Committed to the Attorney-General *Gazette* 28th January, 1926, p. 152.
Regulations : *Gazette* 28th January, 1926, p. 153 ; 11th February, 1926, p. 267; 18th March, 1926, p. 794 ; 9th February, 1928, p. 262 ; 16th February, 1928, p. 331 ; 15th July, 1937, p. 115 ; 11th January, 1940, p. 67 ; 14th March, 1940, p. 540 ; 24th January, 1946, p. 169 ; 25th May, 1950, p. 1102 ; 15th June, 1950, p. 1248 ; 29th March, 1951, p. 691.

Landlord and Tenant Act, 1936.

Commencement : 1st May, 1937 ; *Gazette* 25th March, 1937, p. 645.

Landlord and Tenant (Control of Rents) Act, 1942-1950.

Commencement : 1st January, 1943 ; *Gazette* 3rd December, 1942, p. 1089.
Commencement of Part IIIB. : 16th August, 1948 ; *Gazette* 13th August, 1948, p. 703.
Administration : Committed to the Attorney-General ; *Gazette* 10th December, 1942, p. 1123.
s. 26b. Notice : *Gazette* 20th July, 1950, p. 144.
s. 26e. Notice : *Gazette* 20th July, 1950, p. 144.
Regulations : *Gazette* 26th January, 1950, p. 178.
Regulations prescribing form of notice to quit : *Gazette* 25th January, 1951, p. 119 ; 22nd February, 1951, p. 474.
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, 1944-1949.

Regulations : *Gazette* 5th April, 1945, p. 500.

Land Tax Act, 1936-1948.

Commencement : 7th January, 1937 ; *Gazette* 7th January, 1937, p. 1.
s. 45. Proclamation : *Gazette* 15th December, 1949, p. 1508.
Regulations under the Taxation Act, 1884, and its amendments : *Gazette* 22nd January, 1885, p. 203 ; 29th December, 1904, p. 1205 ; 24th December, 1908, p. 1257.
Regulations under the Taxation Act, 1915, and its amendments : *Gazette* 20th December, 1917, p. 1320 ; 3rd January, 1918, p. 6 ; 20th December, 1923, p. 1436 ; 21st August, 1924, p. 403 ; 9th April, 1925, p. 627 ; 23rd July, 1925, p. 199.
Regulations under the Taxation Act, 1927, and its amendments : *Gazette* 29th December, 1927, p. 1681 ; 28th June, 1928, p. 1624 ; 4th July, 1929, p. 17 ; 19th December, 1929, p. 1311 ; 10th July, 1930, p. 49 ; 4th August, 1932, p. 182 ; 13th June, 1935, p. 1576.

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.

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.

Libraries and Institutes Act, 1939-1950—*continued.*

Regulations relating to the Public Library and other premises: *Gazette* 5th December, 1940, p. 1288; 14th February, 1946, p. 241.

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, 1932-1949.

Commencement: 8th December, 1932; *Gazette* 8th December, 1932, p. 1079.

s. 5. Order: *Gazette* 11th October, 1917, p. 852.

s. 114. Proclamations: *Gazette* 26th May, 1932, p. 963; 8th June, 1933, p. 974; 29th June, 1933, p. 1093; 10th August, 1939, p. 352.

s. 223. Proclamation: *Gazette* 28th July, 1938, p. 166.

s. 230. For table of resolutions carried at local option polls prior to 26th April, 1937, see the footnote in Volume 4, p. 502 of the South Australian Statutes, 1837-1936. Notices of subsequent resolution: *Gazette* 8th June, 1944, p. 702 (Hindmarsh, Norwood and Semaphore districts); 20th March, 1947, p. 889 (Adelaide and Murray districts); 23rd March, 1950, p. 662 (Semaphore and Port Pirie Districts); 30th March, 1950, p. 684 (Stuart and Glenelg Districts).

Regulations as to polls under section 62: *Gazette* 22nd December, 1932, p. 1187; 17th February, 1944, p. 87.

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* 26th January, 1950, p. 169.

Regulations as to proof of notices: *Gazette* 14th October, 1937, p. 1027.

Regulations as to licensing districts: *Gazette* 28th July, 1938, p. 168.

Regulation under the Fees Regulation Act, 1927, as to the fee payable for a permit under section 150a of the Licensing Act; *Gazette* 11th April, 1946, p. 651.

Life Assurance Companies Act, 1936-1941.

Regulations: *Gazette* 27th June, 1889, p. 1800; 2nd October, 1941, p. 676.

Lifts Regulation Act, 1908-1934.

Regulations: *Gazette* 21st November, 1935, p. 1273.

Liquid Fuel Act, 1941.

Commencement: At 1st June, 1951, 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, 1938-1945.

Commencement: 1st February, 1939; *Gazette* 19th January, 1939, p. 121.

s. 13 (7). Notice: *Gazette* 2nd February, 1939, p. 343.

Loans to Producers Act, 1927-1946.

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.

s. 294. Proclamations: *Gazette* 5th November, 1936, p. 1005; 8th May, 1947, p. 1425; 20th January, 1949, p. 113; 15th December, 1949, p. 1507.

General rules of Court: *Gazette* 24th February, 1927, p. 413.

Further rules of Court as to Local Court actions: *Gazette* 19th December, 1929, p. 1344; 17th September, 1931, p. 494; 27th January, 1938, p. 169; 20th November, 1941, p. 985; 9th January, 1947, p. 23; 17th April, 1947, p. 1062; 31st July, 1947, p. 261; 26th August, 1948, p. 902; 1st September, 1949, p. 607.

Rules of Court as to bailiffs' fees: *Gazette* 20th October, 1932, p. 802.

Local Courts Act, 1926-1947—*continued.*

Rules of Court as to transferring judgments : *Gazette* 26th December, 1935, p. 1635.
Rules of Court as to appeals under the Bailiffs and Inquiry Agents Licensing Act, 1945 : *Gazette* 9th May, 1946, p. 887.
Rules of Court as to applications under section 5 of the Hire-Purchase Agreements Act, 1931 : *Gazette* 18th February, 1932, p. 312.
Rules of Court as to appeals under the Housing Improvement Act, 1940 : *Gazette* 10th July, 1941, p. 45.
Rules of Court as to appeals and other matters under the Landlord and Tenant (Control of Rents) Act, 1942 : *Gazette* 1st May, 1947, p. 1121 ; 15th December, 1949, p. 1516 ; 22nd March, 1951, p. 655.
Rules of Court as to procedure under the Landlord and Tenant (Rent Reduction) Act, 1932-1936 : *Gazette* 22nd December, 1932, p. 1209.
Rules of Court in respect of section 309 of the Local Government Act, 1934 ; *Gazette* 4th November, 1948, p. 1425.
Regulations as to applications under section 10 of the Marine Stores Act, 1898-1936 : *Gazette* 22nd June, 1899, p. 1357.
Rules of Court as to applications under the Mortgagors Relief Act, 1931-1936 : *Gazette* 28th January, 1932, p. 158.
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, 1934-1949.

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.
s. 75. Proclamations : *Gazette* 18th May, 1939, p. 1206 ; 20th February, 1947, p. 685.
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.
s. 495. Proclamations : *Gazette* 21st September, 1922, p. 675 ; 31st July, 1924, p. 226 ; 28th February, 1935, p. 592 ; 28th November, 1935, p. 1285 ; 14th January, 1937, p. 33 ; 12th June, 1941, p. 862 ; 1st October, 1942, p. 494 ; 12th September, 1946, p. 449.
s. 625. Proclamations : *Gazette* 7th December, 1944, 1944, p. 779 ; 10th June, 1948, p. 1195 ; 30th September, 1948, p. 1168 ; 8th December, 1949, p. 1411 ; 22nd December, 1949, p. 1579.
s. 647. Proclamation : *Gazette* 3rd May, 1894, p. 1009.
Regulations relating to Local Government Auditors' Certificates : *Gazette* 20th February, 1936, p. 459.
Regulations as to qualifications of officers : *Gazette* 13th October, 1938, p. 1023 ; 16th March, 1939, p. 670 ; 22nd August, 1940, p. 400 ; 16th November, 1944, p. 704 ; 16th May, 1946, p. 895 ; 24th October, 1946, p. 1113.
Regulations relating to reflections on barriers : *Gazette* 19th December, 1935, p. 1447.
Regulations relating to the charges of the Crown Solicitor under section 674 : *Gazette* 31st January, 1935, p. 371.
Regulations relating to cemeteries generally : *Gazette* 5th October, 1944, p. 444; 15th February, 1951, p. 335.

Local Government Act, 1934-1949—*continued.*

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.

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).

Local Government (Forestry Reserves) Act, 1944.

Administration: Committed to the Minister of Forests *Gazette* 25th January, 1945, p. 86.

Lottery and Gaming Act, 1936-1950.

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.

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.)

Regulations as to betting tickets: *Gazette* 20th December, 1933, p. 1231; 6th March, 1941, p. 337.

Rules as to bookmakers: *Gazette* 13th February, 1947, p. 651; 23rd September, 1948, p. 1147; 2nd December, 1948, p. 1686; 21st July, 1949, p. 208; 28th July, 1949, p. 280; 1st December, 1949, p. 1361; 30th November, 1950, p. 1311.

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, 1926-1950.

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.

Maintenance Orders (Facilities for Enforcement) Act, 1922-1925.

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.

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, 1939-1948.

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 ; 8th August, 1935, p. 237.
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.
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, 1941-1949.

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, 1919-1950.

Regulations : *Gazette* 29th April, 1920, p. 1137 ; 26th May, 1921, p. 1111.

Mental Defectives Act, 1935-1950.

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.

Mental Defectives Act, 1935-1950—*continued.*

s. 12. Proclamations: *Gazette* 23rd March, 1922, p. 876; 2nd May, 1929, p. 903; 17th August, 1939, p. 421; 17th August, 1939, p. 422.
s. 16. Proclamation: *Gazette* 24th October, 1940, p. 841.
s. 122. Proclamations: *Gazette* 21st January, 1915, p. 127; 26th October, 1922, p. 941.
Regulations relating to the Parkside Mental Hospital: *Gazette* 2nd December, 1915, p. 1559; 20th January, 1916, p. 94; 21st December, 1922, p. 1560; 28th June, 1923, p. 1375; 27th January, 1927, p. 179; 10th January, 1935, p. 265.
Regulations relating to the Enfield Receiving House: *Gazette* 18th January, 1923, p. 98; 18th April, 1940, p. 862; 2nd November, 1944, p. 614.
Regulations relating to the Northfield Mental Hospital: *Gazette* 13th August, 1931, p. 255; 18th April, 1940, p. 862; 2nd November, 1944, p. 613.
Regulations relating to voluntary boarders: *Gazette* 23rd May, 1929, p. 1052.
Regulations relating to criminal mental defectives: *Gazette* 24th October, 1940, p. 886.
Regulations relating to powers to write off charges, &c.: *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, 1936-1948.

Commencement: 1st April, 1937; *Gazette* 25th March, 1937, p. 646.
General regulations: *Gazette* 16th January, 1913, p. 107; 5th June, 1913, p. 1257; 12th June, 1919, p. 1037; 12th June, 1919, p. 1038; 2nd February, 1922, p. 508; 2nd February, 1922, p. 509; 13th November, 1924, p. 1329: 27th November, 1924, p. 1407; 4th October, 1934, p. 686; 1st April, 1937, p. 723; 8th April, 1937, p. 754; 1st July, 1937, p. 15; 16th December, 1937, p. 1729; 16th December, 1937, p. 1730; 12th May, 1938, p. 978; 12th May, 1938, p. 980; 25th August, 1938, p. 405; 8th June, 1939, p. 1415; 7th December, 1939, p. 1558; 28th March, 1940, p. 673; 15th January, 1942, p. 78; 15th January, 1942, p. 79; 14th May, 1942, p. 712; 18th November, 1943, p. 652; 21st August, 1947, p. 582; 28th August, 1947, p. 627; 22nd April, 1948, p. 863; 12th August, 1948, p. 650; 23rd December, 1948, p. 1916; 6th October, 1949, p. 847; 23rd November, 1950, p. 1268; 22nd March, 1951, p. 648.
Regulations as to the milch cow market: *Gazette* 29th May, 1913, p. 1204; 2nd February, 1922, p. 509.
Regulations as to branding of stock: *Gazette* 29th May, 1913, p. 1205.
Regulations as to inspection of small goods: *Gazette* 4th April, 1918, p. 662.
Regulations as to inspection of meat in shops: *Gazette* 2nd February, 1922, p. 508.
Regulations as to muzzling of dogs and use of sticks in handling stock: *Gazette* 4th October, 1934, p. 686.
Regulations as to the election of the board: *Gazette* 1st February, 1934, p. 194; 28th May, 1942, p. 791.

Metropolitan Drainage Act, 1935.

ss. 7, 8, and 15. Notices: *Gazette* 26th June, 1941, p. 946; 27th April, 1944, p. 544; 24th August, 1950, p. 463.
ss. 10, 11, and 15. Notices: *Gazette* 16th June, 1938, p. 1458; 28th March, 1940, p. 649.
Regulations: *Gazette* 7th July, 1938, p. 2.

Metropolitan Milk Supply Act, 1946-1950.

Commencement of Part III.: 2nd October, 1947; *Gazette* 2nd October, 1947, p. 970.
s. 18. Notices: *Gazette* 2nd October, 1947, p. 1002; 27th May, 1948, p. 1151; 12th May, 1949, p. 1191; 18th May, 1950, p. 1039; 14th December, 1950, p. 1633.
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* 15th March, 1951, p. 626.
Regulations fixing the price of cream: *Gazette* 7th December, 1950, p. 1371.
General regulations: *Gazette* 13th November, 1947, p. 1649; 17th February, 1949, p. 437.

Mines and Works Inspection Act, 1920-1935.

Commencement: 20th January, 1921; *Gazette* 20th January, 1921, p. 106.
Administration: Committed to the Minister of Mines *Gazette* 17th March, 1921, p. 537.
Regulations: *Gazette* 6th October, 1949, p. 861.

Mining Act, 1930-1950.

Regulations: 16th October, 1947, p. 1139; 9th September, 1948, p. 970.

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, 1935-1949.

By-laws as to fares and routes: *Gazette* 14th July, 1910, p. 47; 18th September, 1919, p. 665; 8th June, 1922, p. 1478; 18th October, 1923, p. 901; 16th April, 1925, p. 681; 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.

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.

The National Park Act, 1891-1935.

By-laws: *Gazette* 17th July, 1947, p. 97; 30th September, 1948, p. 1168.

The National Pleasure Resorts Act, 1914-1935.

Administration: Committed to the Minister of Immigration *Gazette* 22nd May, 1924, p. 1141.
By-laws: *Gazette* 29th October, 1925, p. 1165.

Native Plants Protection Act, 1939.

Administration: Committed to the Minister of Afforestation; *Gazette* 10th October, 1940, p. 745.
s. 3. Proclamation: *Gazette* 10th October, 1940, p. 745.
Regulations: *Gazette* 1st August, 1946, p. 183.

Northern Areas and Whyalla Water Supply Act, 1940.

Commencement: 3rd October, 1940; *Gazette* 3rd October, 1940, p. 675.

The Northern Territory Surrender Act, 1907.

Commencement: 1st January, 1911; *Gazette* 22nd December, 1910, p. 1299.

Northern Territory Surrender Act Amendment Act, 1919.

Commencement: 1st January, 1920; *Gazette* 25th December, 1919, p. 1573.

Notification of Births Act, 1926-1936.

Regulations: *Gazette* 22nd December, 1927, p. 1611.

Noxious Insects Act, 1934.

Administration: Committed to the Minister of Agriculture *Gazette* 10th January, 1935, p. 263.
s. 3. Proclamations: *Gazette* 10th January, 1935, p. 263; 21st February, 1935, p. 547.
Regulations: *Gazette* 10th January, 1935, p. 264.

Noxious Trades Act, 1943.

Commencement : 1st January, 1949 : *Gazette* 9th December, 1948, p. 1744.
Administration : Committed to the Minister of Health: *Gazette* 17th February, 1944, p. 88.
Regulations : *Gazette* 9th December, 1948, p. 1787 ; 9th December, 1948, p. 1789 ; 3rd August, 1950, p. 226 ; 3rd August, 1950, p. 227.

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.

Nurses Registration Act, 1920-1949.

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.
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.
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.
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, 1913-1945.

Administration : Committed to the Chief Secretary *Gazette* 5th February, 1914, p. 319.
Regulations : *Gazette* 26th February, 1914, p. 516 ; 7th February, 1946, p. 235.

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.
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, 1936-1950.

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.
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, 1935-1947.

Regulations: *Gazette* 21st July, 1892, p. 141; 4th October, 1906, p. 714; 29th October, 1914, p. 947; 8th May, 1930, p. 859; 29th May, 1930, p. 1009; 30th July, 1931, p. 165; 7th September, 1933, p. 467; 8th March, 1934, p. 474; 9th June, 1938, p. 1441 (regulation 67 disallowed, *Gazette* 15th September, 1938, p. 697); 25th September, 1941, p. 639; 18th December, 1947, p. 2221; 28th April, 1949, p. 1032; 5th April, 1951, p. 786.

Regulations under the Fees Regulation Act, 1927, relating to the charges of the Crown Solicitor for perusing and settling regulations, and to the fee for publishing a list of registered chemists: *Gazette* 19th December, 1929, p. 1311; 11th November, 1937, p. 1307.

Phylloxera Act, 1936-1948.

Commencement: 1st June, 1937; *Gazette* 25th March, 1937, p. 645.

Physiotherapists Act, 1945-1949.

Commencement: 6th June, 1946; *Gazette* 6th June, 1946, p. 1021.

Administration: Committed to the Chief Secretary, *Gazette* 17th January, 1946, p. 71; 3rd October, 1946, p. 747.

Regulations: *Gazette* 13th February, 1947, p. 677; 31st July, 1947, p. 260; 25th September, 1947, p. 933; 22nd January, 1948, p. 210; 15th July, 1948, p. 292; 2nd June, 1949. p. 1719.

Pistol Licence Act, 1929.

Commencement: 1st January, 1940; *Gazette* 19th December, 1929, p. 1305.

Regulations: *Gazette* 5th December, 1929, p. 1216.

The Places of Public Entertainment Act, 1913-1934.

Administration: Committed to the Chief Secretary *Gazette* 11th December, 1913, p. 1679, s. 4. Proclamations: *Gazette* 18th December, 1913, p. 1734; 15th July, 1915, p. 331; 7th October, 1915, p. 1020; 8th February, 1917, p. 263; 9th May, 1918, p. 945; 24th October, 1918, p. 916; 21st August, 1919, p. 379; 24th August, 1922, p. 415; 24th May, 1923, p. 1137; 5th March, 1925, p. 390; 26th November, 1925, p. 1405; 18th March, 1926, p. 794; 30th September, 1926, p. 802; 27th September, 1928, p. 686; 19th September, 1929, p. 698; 6th August, 1931, p. 203; 19th April, 1934, p. 1057; 7th June, 1934, p. 1393; 1st November, 1934, p. 885; 13th December, 1934, p. 1186; 14th February, 1935, p. 463; 4th July, 1935, p. 1; 5th September, 1935, p. 517; 14th November, 1935, p. 1133; 13th February, 1936, p. 397; 18th March, 1937, p. 586; 9th September, 1937, p. 639; 9th November, 1939, p. 1259; 15th July, 1943, p. 53; 20th December, 1945, p. 909; 7th November, 1946, p. 1173; 23rd January, 1947, p. 475; 1st May, 1947, p. 1117; 16th September, 1948, p. 1068; 6th January, 1949, p. 1; 20th January, 1949, p. 114; 20th January, 1949, p. 114; 11th August, 1949, p. 357.

Regulations: *Gazette* 17th May, 1923, p. 1075; 14th February, 1924, p. 394; 22nd January, 1925, p. 102; 31st July, 1930, p. 186; 4th December, 1930, p. 1131; 19th October, 1939, p. 1155; 14th October, 1943, p. 491; 19th October, 1944, p. 516; 9th August, 1945, p. 206.

Police Act, 1936-1946.

Commencement: 1st April, 1937; *Gazette* 25th March, 1937, p. 646.

s. 43. Proclamation: *Gazette* 14th June, 1934, p. 1434.

Regulations made by the Commissioner of Police for the general government of the police force: *Gazette* 30th September, 1920, p. 907; 23rd July, 1931, p. 100.

Regulations made by the Commissioner of Police relating to appointments, transfers, and promotions to plain clothes and detective police were approved by the Chief Secretary on 13th April, 1921, but have not been published in the *Gazette*.

Regulations made by the Governor as to promotions: *Gazette* 10th November, 1921, p. 1105.

Regulations made by the Governor as to police officers engaging in business: *Gazette* 29th August, 1935, p. 514.

Regulations made by the Governor as to appeals to the appeal board: *Gazette* 11th February, 1926, p. 265.

Regulations made by the Governor under section 149a relating to penalties for local government offences: *Gazette* 23rd March, 1939, p. 732; 14th December, 1939, p. 1612; 6th March, 1941, p. 337.

Police Pensions Act, 1929-1950.

Commencement: 1st January, 1930; *Gazette* 19th December, 1929, p. 1305.

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.

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.

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. 12. Notices: *Gazette* 3rd November, 1949, p. 1156; 19th January, 1950, p. 105; 6th April, 1950, p. 758.
s. 20. Orders: *Gazette* 3rd November, 1949, p. 1156; 6th July, 1950, p. 20; 4th January, 1951, p. 2; 8th March, 1951, p. 530.
Regulations: *Gazette* 17th March, 1949, p. 649; 22nd September, 1949, p. 765; 26th January, 1950, p. 176.

Prevention of Cruelty to Animals Act, 1936-1949.

Commencement: 1st June, 1937; *Gazette* 25th March, 1937, p. 644.

Prices Act, 1948-1950.

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.
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.
s. 19. Proclamations of declared goods and services: *Gazette* 20th September, 1948, p. 1115; 4th November, 1948, p. 1422; 2nd December, 1948, p. 1681; 23rd December, 1948, p. 1865; 13th January, 1949, p. 51; 24th February, 1949, p. 483; 31st March, 1949, p. 839; 14th April, 1949, p. 940; 14th April, 1949, p. 940; 14th April, 1949, p. 940; 16th June, 1949, p. 1787; 23rd June, 1949, p. 1815; 30th June, 1949, p. 1867; 30th June, 1949, p. 1867; 28th July, 1949, p. 229; 4th August, 1949, p. 294; 13th October, 1949, p. 913; 3rd November, 1949, p. 1085; 24th November, 1949, p. 1287; 12th January, 1950, p. 42; 19th January, 1950, p. 102; 9th February, 1950, p. 283; 16th February, 1950, p. 358; 30th March, 1950, p. 679; 27th April, 1950, p. 901; 25th May, 1950, p. 1099; 6th July, 1950, p. 4; 14th September, 1950, p. 654; 5th October, 1950, p. 799; 2nd November, 1950, p. 1065; 30th November, 1950, p. 1301; 18th January, 1951, p. 74; 19th January, 1951, p. 113; 22nd February, 1951, p. 403; 22nd March, 1951, p. 646; 26th April, 1951, p. 925.
ss. 21 and 24. Orders fixing maximum prices of declared goods and declared services:—
Aerated waters, ice cream, etc.; *Gazette* Prices Order No. 148, 22nd March, 1951, p. 654.
Barley: *Gazette* Prices Order No. 24, 7th April, 1949, p. 891.
Boot and shoe repairs: *Gazette* Prices Order No. 153, 10th May, 1951, p. 1035.
Bran and pollard: *Gazette* Prices Order No. 117, 14th December, 1950, p. 1634.
Bread—Adelaide metropolitan area: *Gazette* Prices Order No. 118, 14th December, 1950, p. 1635.
Bread—Beyond Adelaide metropolitan area: *Gazette* Order No. 119, 14th December, 1950, p. 1636.
Bricks—Adelaide metropolitan area: *Gazette* Prices Order No. 155, 31st May, 1951, p. 1188.
Bricks—Country areas: *Gazette* Prices Order No. 156, 31st May, 1951, p. 1188.
Brown onions: *Gazette* Prices Order No. 78, 23rd February, 1950, p. 430.
Builders hardware: *Gazette* Prices Order No. 60, 17th October, 1949, p. 1011.
Canned fruits: *Gazette* Prices Order No. 149, 29th March, 1951, p. 694.
Canned meats: *Gazette* Prices Order No. 137, 22nd February, 1951, p. 405.
Clothing, etc., sales by retail: *Gazette* Prices Order No. 52, 4th August, 1949, p. 298.
Cooking and kitchen utensils, and handkerchiefs: *Gazette* Prices Order No. 152, 26th April, 1951, p. 926.
Copper bars, blocks, ingots and pigs: *Gazette* Prices Order No. 125, 21st December, 1950, p. 1860.
Crockery, chinaware, eathenware or glass (imported): *Gazette* Prices Order No. 51, 4th August, 1949, p. 297.
Eggs: *Gazette* Prices Order No. 76, 9th February, 1950, p. 286.
Fibrous plaster: *Gazette* Prices Order No. 147, 22nd March, 1951, p. 648.
Firewood and mallee roots: *Gazette* Prices Order No. 120, 21st December, 1950, p. 1857.
Floor coverings: *Gazette* Prices Order No. 64, 10th December, 1949, p. 1167.

Prices Act, 1948-1950—*continued.*

Flour : *Gazette* Prices Order No. 116, 14th December, 1950, p. 1634.
Footwear : *Gazette* Prices Orders No. 34, 9th June, 1949, p. 1728 ; No. 42, 30th June, 1949, p. 1871.
Furniture—Retail : *Gazette* Prices Order No. 139, 22nd February, 1951, p. 406.
Goods (various) : *Gazette* Prices Order No. 114, 30th November, 1950, p. 1305.
Hand tools : *Gazette* Prices Order No. 43, 15th July, 1949, p. 161.
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. 150, 5th April, 1951, p. 737.
Industrial firewood : *Gazette* Prices Order No. 157, 24th May, 1951, p. 1124.
Jams and jellies : *Gazette* Prices Order No. 142, 8th March, 1951, p. 529.
Leather : *Gazette* Prices Order No. 145, 15th March, 1951, p. 583.
Liquor—Sale by retail : *Gazette* Prices Order No. 115, 7th December, 1950, p. 1368.
Mattresses and pillows : *Gazette* Prices Order No. 50, 4th August, 1949, p. 296.
Meat : *Gazette* Prices Order No. 108, 9th November, 1950, p. 1148.
Mineral lubricating oils : *Gazette* Prices Order No. 85, 1st June, 1950, p. 1155.
Petroleum and shale products : *Gazette* Prices Order No. 151, 12th April, 1951, p. 804.
Pig lead : *Gazette* Prices Order No. 98, 21st September, 1950, p. 697.
Potatoes : *Gazette* Prices Order No. 154, 17th May, 1951, p. 1071.
Radiata pine sawn timber : *Gazette* Prices Order No. 158, 31st May, 1951, p. 1189.
Radio receivers, radio gramophones and radiograms : *Gazette* Prices Order No. 138, 22nd February, 1951, p. 406.
Ready-made garments : *Gazette* Prices Order No. 53, 4th August, 1949, p. 300.
Retreading and recapping : *Gazette* Prices Order No. 144, 15th March, 1951, p. 584.
Rubber articles : *Gazette* Prices Order No. 107, 2nd November, 1950, p. 1070.
Safety matches : *Gazette* Prices Order No. 25, 7th April, 1949, p. 889.
Salt, loose, fine : *Gazette* Prices Order No. 143, 8th March, 1951, p. 529.
Scrap copper : *Gazette* Prices Order No. 132, 1st February, 1951, p. 177.
Scrap lead : *Gazette* Prices Order No. 141, 1st March, 1951, p. 485.
Second-hand bags and sacks : *Gazette* Prices Order No. 126, 21st December, 1950, p. 1860.
Sheets, tea-towels, etc. : *Gazette* Prices Order No. 124, 21st December, 1950, p. 1859.
Shirts, flannels, underpants, and pyjamas : *Gazette* Prices Order No. 54, 4th August, 1949, p. 303.
Smallgoods : *Gazette* Prices Order No. 109, 16th November, 1950, p. 1207.
Sugar : *Gazette* Prices Order No. 66, 17th November, 1949, p. 1225.
Tea : *Gazette* Prices Order No. 128, 4th January, 1951, p. 3.
Tyres and tubes, new, sale by retail : *Gazette* Prices Order No. 146, 15th March, 1951, p. 581.
Wattle bark : *Gazette* Prices Order No. 57, 13th October, 1949, p. 914.
Wax matches : *Gazette* Prices Order No. 33, 16th June, 1949, p. 1788.
Wool furnishing materials : *Gazette* Prices Order No. 41, 30th June, 1949, p. 1871.
Zinc bars, blocks, and ingots : *Gazette* Prices Order No. 97, 21st September, 1950, p. 697.

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.

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.

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 Agriculture *Gazette* 18th May, 1944, p. 613.

Primary Producers' Debts Act, 1935-1943.

Administration : Committed to the Minister of Agriculture *Gazette* 18th May, 1944, p. 613.
Regulations : *Gazette* 11th July, 1935, p. 75 ; 18th June, 1936, p. 1210.

Prisons Act, 1936.

Commencement : 1st June, 1937 ; *Gazette* 25th March, 1937, p. 645.
s. 13. Proclamations : *Gazette* 7th September, 1939, p. 690 ; 8th August, 1940, p. 221.
s. 18. Proclamation : *Gazette* 21st September, 1939, p. 813.
General prison regulations : *Gazette* 15th October, 1936, p. 809 ; 21st July, 1949, p. 207.
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. Proclamation: *Gazette* 19th December, 1940, p. 1552.

Public Parks Act, 1943.

Administration: Committed to the Minister of Local Government *Gazette* 27th January, 1944, p. 92.

Public Service Act, 1936-1950.

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 (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.
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.
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.

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, 1927-1944.

Regulations: *Gazette* 5th September, 1940, p. 513.

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, 1928-1950.

Commencement: 1st October, 1928; *Gazette* 27th September, 1928, p. 686.
Regulations: *Gazette* 27th September, 1928, p. 688; 28th May, 1942, p. 791.

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, 1936-1950.

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, 1935-1948.

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.
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.

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, 1934-1950.

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.

Road Traffic Act, 1934-1950—*continued.*

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.

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.

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Administration of Part VII.: Committed to the Minister of Local Government *Gazette* 18th March, 1937, p. 586.

s. 10. Proclamations: *Gazette* 2nd October, 1930, p. 662; 21st April, 1932, p. 696; 6th October, 1932, p. 686; 24th May, 1934, p. 1282; 20th December, 1934, p. 1219; 2nd May, 1935, p. 1225; 23rd May, 1935, p. 1383; 30th April 1936, p. 933; 4th June, 1936, p. 1133; 6th August, 1936, p. 207; 19th November, 1936, p. 1111; 8th April, 1937, p. 745; 20th April, 1937, p. 945; 16th September, 1937, p. 697; 6th April, 1939, p. 835; 29th June, 1939, p. 1501; 14th March, 1940, p. 537; 9th May, 1940, p. 986; 24th July, 1947, p. 129; 14th October, 1948, p. 1267; 23rd December, 1948, p. 1866; 10th February, 1949, p. 335; 4th August, 1949, p. 293, 9th March, 1950, p. 533; 13th July, 1950, p. 49; 3rd August, 1950, p. 223; 4th January, 1951, p. 1; 1st February, 1951, p. 175.

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.

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.

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.

s. 143. Proclamation: *Gazette* 18th March, 1937, p. 586.

s. 151. Proclamation: *Gazette* 19th October, 1939, p. 1094.

Regulations: *Gazette* 1st February, 1945, p. 161; 9th August, 1945, p. 218; 3rd January, 1946, p. 24; 8th August, 1946, p. 214; 18th March, 1948, p. 638; 16th December, 1948, p. 1858; 22nd June, 1950, p. 1280; 17th August, 1950, p. 330; 15th March, 1951, p. 586.

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, 1895-1943.

s. 57a. Commencement: 1st July, 1938; *Gazette* 9th June, 1938, p. 1270.

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, 1929-1949.

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.
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, 1929-1946.

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.
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.

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.
s. 9. Proclamations : *Gazette* 29th April, 1943, p. 549 ; 24th July, 1947, p. 131.
Regulations : *Gazette* 15th February, 1945, p. 273 ; 2nd October, 1947, p. 1027.

South Australian Housing Trust Act, 1936-1948.

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.
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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 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.
7. Passenger rates and conditions—By-law 228 : *Gazette* 4th January, 1935, p. 41 : 28th September, 1939, p. 905 ; by-law 233 : *Gazette* 16th September, p. 704 : by-law No. 238 : *Gazette* 1st July, 1943, p. 23 ; by-law No. 239 : *Gazette* 12th April, 1945, p. 547 ; by-law No. 243 : *Gazette* 17th February, 1949, p. 433 ; by-law No. 247 : *Gazette* 31st August, 1950, p. 564.
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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1. Employment, rules, duties, &c., of staff—Regulation No. 56 : *Gazette* 2nd November, 1922, p. 990 ; regulation No. 86 : *Gazette* 28th March, 1929, p. 652 ; regulation No. 88 : *Gazette* 27th June, 1929, p. 1495 ; regulation No. 90 : *Gazette* 23rd January, 1930, p. 139 ; regulation No. 105 : *Gazette* 7th March, 1935, p. 688 ; regulation No. 108 : *Gazette* 30th May, 1935, p. 1439 ; regulation No. 123 : *Gazette*, 13th March, 1941, p. 370 ; regulation No. 125 : *Gazette* 2nd April, 1942, p. 498 ; regulation No. 128 : *Gazette* 24th December, 1942, p. 1218.
2. Employment on other than railway duties—Regulation No. 120 : *Gazette* 9th May, 1940, p. 1054.
3. Locomotive workshop rules—Regulation No. 89 : *Gazette* 21st November, 1929, p. 1125
4. Branches of railway service—Regulation No. 99 : *Gazette* 14th January, 1932, p. 32.
5. Classification of officers—Regulation No. 111 : *Gazette* 24th September, 1936, p. 643 ; regulation No. 114 : *Gazette* 14th October, 1937, p. 1029 ; regulation No. 115 : *Gazette* 14th October, 1937, p. 1030 ; regulation No. 119 : *Gazette* 28th November, 1940, p. 1211 ; regulation No. 136 : *Gazette* 29th April, 1948, p. 921.
6. Home stations and travelling allowances—Regulation No. 65 : *Gazette* 21st August, 1924, p. 469 ; regulation No. 67 : *Gazette* 11th September, 1924, p. 658.
7. Transfers—Regulation No. 66 : *Gazette* 11th September, 1924, p. 658.
8. Leave of absence, holidays, sick leave, hours of duty—Regulation No. 68 : *Gazette* 20th November, 1924, p. 1338 ; regulation No. 69 : *Gazette* 23rd July, 1925, p. 182 ; regulation No. 118 : *Gazette* 3rd November, 1938, p. 1182 ; regulation No. 131 : *Gazette* 9th May, 1946, p. 899 ; regulation No. 134 : *Gazette* 21st November, 1946, p. 1322.
9. Injuries, sickness, and medical standards—Regulation No. 107 : *Gazette* 18th April, 1935, p. 1142.
10. Clothing and equipment—Regulation No. 91: *Gazette* 28th August, 1930, p. 410.
11. The Railways Institute—Regulation No. 79 : *Gazette* 28th July, 1927, p. 218; regulation No. 84 : *Gazette* 8th March, 1928, p. 509 ; regulation No. 101, *Gazette* 25th February, 1932, p. 381.
12. The Railways Service Appeal Board—*Gazette* 11th February, 1904, p. 253 ; 18th December, 1941, p. 1504.
13. The Railway Officers Classification Board : *Gazette* 19th January, 1939, p. 239 ; 19th October, 1939, p. 1155 ; 3rd October, 1940, p. 733.
14. Audit regulations : *Gazette* 16th March, 1944, p. 302 ; 3rd January, 1946, p. 21.

South-Eastern Drainage Act, 1931-1948.

Commencement : 1st January, 1932 ; *Gazette* 17th December, 1931, p. 1115.
Administration : Committed to the Minister of Irrigation *Gazette* 17th December, 1931, p. 1115.
Rules of Court as to appeals under section 53 or section 96 : *Gazette* 5th May, 1932, p. 779.

Stamp Duties Act, 1923-1950.

Regulations : *Gazette* 24th July, 1924, p. 169 ; 8th March, 1951, p. 532.

The Standard Time Act, 1898.

Commencement : 1st May, 1899 ; *Gazette* 9th February, 1899, p. 245.

State Bank Act, 1925-1941.

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.

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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.
Regulation relating to the Fire Brigades Board : *Gazette* 27th January, 1949, p. 193.
Regulation relating to the South Australian Housing Trust : *Gazette* 19th May, 1949, p. 1420.

Steam Boilers and Enginedrivers Act, 1935.

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.
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Stock and Poultry Diseases Act, 1934-1946.

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.
s. 5 (1). Notices under definition of " stock ": *Gazette* 27th May, 1937, p. 1211 ; 5th April, 1945, p. 503.
s. 6. Proclamations : *Gazette* 15th December, 1932, p. 1143 ; 10th December, 1942, p. 1124 ; 26th August, 1943, p. 230 ; 27th February, 1947, p. 744 ; 21st July, 1949, p. 165 ; 21st July, 1949, p. 166 ; 25th January, 1951, p. 115.
ss. 29 and 30. Notice : *Gazette* 30th October, 1947, p. 1356.
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.

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.
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s. 8. Notice : *Gazette* 26th January, 1933, p. 111.
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Succession Duties Act, 1929-1950.

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.
Regulations : *Gazette* 20th January, 1949, p. 129.
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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.
Regulations as to superannuation rights of officers transferred from other Governments : *Gazette* 29th May, 1947, p. 1601 ; 9th November, 1950, p. 1146.
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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 and probate : *Gazette* 24th November, 1927, p. 1255 ; 11th March, 1937, p. 537 ; 14th October, 1937, p. 1021 ; 2nd June, 1938, p. 1265 ; 22nd June, 1950, p. 1278.
Administration of Justice Act, 1922—Procedure : Rules dated 25th October, 1922. Not published in the *Gazette*.
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Companies Act, 1934 : *Gazette* 8th February, 1940, p. 233. (Rule 147 and the fourth schedule disallowed, *Gazette* 19th September, 1940, p. 570) ; 14th October, 1948, p. 1271.
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Harbors Act, 1913—Appeals and other proceedings : *Gazette* 19th April, 1917, p. 639.
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Mental Defectives Act, 1913—Applications : *Gazette* 3rd September, 1914, p. 585. [Rules made under the Lunatics Act, 1864, on 3rd September, 1869, and 10th August, 1875, may also be applied in any case where the court or judge so orders.]

Prize Court Rules :—Proclamation as to war with Germany, *Gazette* 7th September, 1939, p. 689.

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Testators Family Maintenance Act, 1918—Applications : Dated 27th May, 1922. Not published in the *Gazette*.

Trustee Act, 1936 : *Gazette* 4th November, 1937, p. 1225 ; 16th December, 1948, p. 1804.

Workmen's Compensation Act, 1932—Appeals : *Gazette* 4th November, 1937, p. 1229.

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Commencement : 26th March, 1936 ; *Gazette* 26th March, 1936, p. 689.

Regulations as to examinations and licensing of surveyors : *Gazette* 1st July, 1948, p. 112.

Regulations as to surveys, fees, etc. : *Gazette* 16th November, 1939, p. 1367 ; 14th December, 1950, p. 1633.

Regulation under the Fees Regulation Act, 1927, relating to the fee payable for the publication of a list of licensed surveyors : *Gazette* 11th November, 1937, p. 1307.

Swine Compensation Act, 1936-1946.

Commencement : 1st March, 1937 ; *Gazette* 24th December, 1936, p. 1321.

Administration : Committed to the Minister of Agriculture *Gazette* 24th December, 1936, p. 1322.

Regulations : *Gazette* 16th January, 1941, p. 35 ; 9th November, 1944, p. 656 ; 5th June, 1947, p. 1632 ; 26th August, 1948, p. 864.

Tatiara Drainage Trust Act, 1949.

Commencement : At 1st June, 1951, this Act had not been brought into opera'

Testator's Family Maintenance Act, 1918-1943.

Rules of Court were made 27th May, 1922, but have not been published in the *Gazette*.

Textile Products Description Act, 1944.

Commencement : At 1st June, 1951, this Act had not been brought into operation.

Administration : Committed to the Minister of Industry and Employment *Gazette* 11th January, 1945, p. 27.

Tobacco Industry Protection Act, 1934.

Administration : Committed to the Minister of Agriculture *Gazette* 28th February, 1935, p. 591.

Regulations : *Gazette* 28th February, 1935, p. 592 ; 2nd May, 1935, p. 1225.

Town Planning Act, 1929.

Commencement : 15th January, 1930 ; *Gazette* 16th January, 1930, p. 69.

Administration : Committed to the Attorney-General *Gazette* 20th February, 1930, p. 369.

Regulations : *Gazette* 13th March, 1930, p. 526 ; 15th December, 1938, p. 1502.

The Travelling Stock Waybills Act, 1911-1947.

Administration : Committed to the Minister of Agriculture *Gazette* 3rd June, 1937, p. 1254.

Trespassing on Land Act, 1928.

Administration : Committed to the Minister of Agriculture *Gazette* 20th December, 1928, p. 1277.

s. 2. Proclamations : *Gazette* 20th December, 1928, p. 1278; 12th September, 1940, p. 516, 18th March, 1943, p. 309.

Trustee Act, 1936-1950.

Commencement : 1st November, 1937 ; *Gazette* 25th March, 1937, p. 646.
Commencement of Trustee Act Amendment Act, 1941; 8th December, 1941; *Gazette* 4th December, 1941, p. 1193.
s. 5 (1) (*f*). Proclamations : *Gazette* 21st June, 1894, p. 1381 ; 8th February, 1900, p. 228; 21st February, 1901, p. 367 ; 6th October, 1904, p. 635 ; 7th June, 1906, p. 996 ; 1st June, 1911, p. 1071 ; 21st May, 1914, p. 1105 ; 17th August, 1922, p. 333 ; 7th September, 1922, p. 545 ; 1st March, 1928, p. 453 ; 19th May, 1932, p. 899.
s. 5 (2). Proclamations : *Gazette* 15th May, 1902, p. 1025 ; 17th August, 1922, p. 333 ; 11th October, 1923, p. 834.
Rules of Court : *Gazette* 4th November, 1937, p. 1225 ; 16th December, 1948, p. 1804.

Unemployment Relief Council Act, 1930.

Administration : Committed to the Minister of Industry and Employment *Gazette* 11th May, 1933, p. 789.
Regulations : *Gazette* 9th July, 1931, p. 33 ; 12th November, 1936, p. 1066.

University of Adelaide Act, 1935-1950.

By-laws under section 18a : *Gazette* 24th May, 1951, p. 1125.

Use of Firearms Restriction Act, 1917-1934.

Administration : Committed to the Chief Secretary *Gazette* 20th December, 1917, p. 1319.

Vaccination Act, 1936.

Commencement : 1st June, 1937 ; *Gazette* 25th March, 1937, p. 645.
Regulations : *Gazette* 17th May, 1894, p. 1112 ; 29th January, 1903, p. 186 ; 7th August, 1913, p. 301 ; 18th December, 1913, p. 1734.

Venereal Diseases Act, 1947.

Regulations : *Gazette* 10th June, 1948, p. 1206.

Vermin Act, 1931-1945.

s. 20 (3). Notices : *Gazette* 13th December, 1923, p. 1395 ; 15th May, 1924, p. 1112 ; 20th November, 1924, p. 1370 ; 21st May, 1925, p. 974 ; 26th November, 1925, p. 1448 ; 27th May, 1926, p. 1393 ; 19th May, 1927, p. 1131 ; 24th November, 1927, p. 1284 ; 17th May, 1928, p. 1062 ; 15th May, 1930, p. 900 ; 22nd December, 1932, p. 1217 ; 18th May, 1933, p. 827 ; 21st December, 1933, p. 1243 ; 1st February, 1934, p. 196 ; 8th February, 1934, p. 256 ; 9th May, 1935, p. 1288 ; 16th May, 1935, p. 1312 ; 17th September, 1936, p. 604 ; 4th March, 1937, p. 482.
Notice : *Gazette* 9th May, 1935, p. 1288.
Notice : *Gazette* 9th May, 1935, p. 1288.
as relating to making of loans, &c. : *Gazette* 1st April, 1926, p. 926 ; 27th January, 1927, p. 180.

Veterinary Districts Act, 1940.

Administration: Committed to the Minister of Agriculture; *Gazette* 10th April, 1941, p. 521.
Regulations: *Gazette* 8th May, 1941, p. 693.

Veterinary Surgeons Act, 1935-1938.

Commencement : 1st February, 1936 ; *Gazette* 16th January, 1936, p. 89.
Administration : Committed to the Minister of Agriculture *Gazette* 11th February, 1937, p. 286.
Regulations : *Gazette* 3rd October, 1940, p. 735 ; 24th August, 1950, p. 466.

Vine, Fruit, and Vegetable Protection Act, 1885-1936.

ss. 3 and 4. Proclamations : *Gazette* 3rd December, 1885, p. 1407 ; 25th September, 1891, p. 781 ; 12th February, 1891, p. 450 ; 21st June, 1894, p. 1381 ; 7th March, 1895, p. 605 ; 12th May, 1898, p. 994 ; 11th May, 1905, p. 898 ; 18th April, 1907, p. 768 ; 2nd May, 1907, p. 837 ; 14th August, 1909, p. 365 ; 2nd February, 1911, p. 196 ; 11th July, 1912, p. 41 ; 6th August, 1914, p. 346 ; 6th August, 1914, p. 346 ; 31st October, 1918, p. 963 ; 1st September, 1921, p. 441 ; 17th March, 1927, p. 625 ; 15th September, 1927, p. 652 ; 8th October, 1931, p. 691 ; 21st April, 1932, p. 695 ; 22nd December, 1932, p. 1183 ; 27th July, 1933, p. 141 ; 3rd August, 1933, p. 197 ; 20th December, 1934, p. 1219 ; 7th March, 1935, p. 685 ; 12th December, 1935, p. 1390 ; 16th January, 1936, p. 89 ; 24th December, 1936, p. 1322 ; 7th April, 1938, p. 791 ; 15th June, 1939, p. 1418 ; 1st February, 1940, p. 170 ; 11th April, 1940, p. 718 ; 7th November, 1940, p. 970 ; 20th November, 1941, p. 980 ; 18th July, 1946, p. 91 ; 31st January, 1947, p. 583 ; 11th February, 1947, p. 633 ; 20th February, 1947, p. 683 ; 1st April, 1947, p. 938 ; 13th November, 1947, p. 1449 ; 13th November, 1947, p. 1450 ; 15th April, 1948, p. 775 ; 4th August, 1949, p. 294 ; 6th July, 1950, p. 3 ; 21st December, 1950, p. 1853.

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Regulations: *Gazette* 26th March, 1942, p. 455.
Rules of Local Court; *Gazette* 26th March, 1942, p. 477.

War Funds Regulation Act, 1916-1935.

Regulations: *Gazette* 16th August, 1917, p. 417.

Water Conservation Act, 1936.

Commencement: 1st June, 1937; *Gazette* 25th March, 1937, p. 644.
s. 6. Proclamations: *Gazette* 20th January, 1927, p. 121; 8th August, 1929, p. 330; 6th February, 1930, p. 226; 23rd October, 1930, p. 834; 13th November, 1930, p. 986.
s. 53. Proclamations: *Gazette* 23rd April, 1931, p. 682; 7th May, 1931, p. 741; 7th May, 1931, p. 742; 21st May, 1931, p. 805; 11th June, 1931, p. 974; 25th June, 1931, p. 1045; 25th June, 1931, p. 1046; 25th June, 1931, p. 1048; 25th June, 1931, p. 1049; 25th June, 1931, p. 1050; 25th June, 1931, p. 1051; 2nd July, 1931, p. 1; 2nd July, 193 1, p. 2; 16th July, 1931, p. 62; 16th July, 1931, p. 63; 16th July, 1931, p. 64; 30th July, 1931, p. 158; 30th July, 1931, p. 161; 6th August, 1931, p. 201; 21st July, 1932, p. 91; 20th October, 1932, p. 799; 5th January, 1933, p. 2; 24th August, 1933, p. 353; 16th November, 1933, p. 1003; 7th December, 1933, p. 1127; 7th December, 1933, p. 1128; 14th December, 1933, p. 1167; 25th January, 1934, p. 131; 22nd March, 1934, pp. 844-845; 14th June, 1934, p. 1433; 30th August, 1934, p. 426; 1st November, 1934, p. 886; 17th January, 1935, p. 292; 4th July, 1935, p. 2; 20th February, 1936, p. 442; 16th July, 1936, pp. 65-66; 8th October, 1936, p. 697; 3rd December, 1936, p. 1194; 22nd April, 1937, p. 850; 22nd June, 1939, p. 1457; 6th February, 1941, p. 147; 12th June, 1941, p. 862; 1st July, 1943, p. 1; 15th November, 1945, p. 699; 4th November, 1948, p. 1421.
By-laws and regulations: *Gazette* 2nd April, 1925, p. 583; 28th July, 1927, p. 242; 1st March, 1928, p. 457; 12th April, 1951, p. 809.

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s. 94. Proclamations: *Gazette* 1st June, 1922, p. 1393; 20th June, 1922, p. 1576; 29th May, 1924, p. 1208; 21st May, 1925, p. 946; 7th January, 1926, p. 1; 27th May, 1926, p. 1265; 16th December, 1926, p. 1510; 27th January, 1927, p. 177; 1st December, 1927, p. 1457; 10th May, 1928, p. 963; 29th November, 1928, p. 1138; 13th June, 1929, p. 1398; 17th July, 1930, p. 86; 26th February, 1931, p. 374; 10th September, 1936, p. 490; 19th November, 1936, p. 1110; 19th October, 1944, p. 471.
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s. 108. Proclamation: *Gazette* 31st October, 1895, p. 957; 17th August, 1939, p. 421.
s. 109. Proclamation: *Gazette* 17th September, 1936, p. 546.
By-laws: *Gazette* 25th May, 1933, p. 897: 13th July, 1933, p. 49; 27th March, 1941, p. 441; 28th April, 1949, p. 1043; 22nd March, 1951, p. 648; 12th April, 1951, p. 809.

Weights and Measures Act, 1934-1944.

Commencement: 1st June, 1937; *Gazette* 25th March, 1937, p. 643.
s. 8. Proclamation: *Gazette* 15th August, 1946, p. 251.
s. 57b. Proclamation: *Gazette* 20th August, 1945, p. 247.
Administration: Committed to the Commissioner of Crown Lands *Gazette* 25th March, 1937, p. 643.
s. 8 (3). Notice: *Gazette* 27th January, 1938, p. 175.
s. 57b. Proclamation: *Gazette*, 13th March, 1941, p. 369.
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Regulations made under the Fees Regulation Act, 1927, relating to the fees payable for the testing of standard weights: *Gazette* 24th November, 1927, p. 1225; 12th July, 1928, p. 46.

Whaling Act, 1937.

Commencement: At 1st June, 1951, this Act had not been brought into operation.

Wheat Industry Stabilization Act, 1946.

Commencement: At 1st June, 1951, this Act had not been brought into operation.

Wheat Products Prices Act, 1938.

Commencement: 5th December, 1938: *Gazette* 3rd December, 1938, p. 1449.
s. 14. Proclamation: *Gazette* 5th January, 1939, p. 2.
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Wheat Stabilization Scheme Ballot Act, 1948.

s. 2 (10). Notice of affirmative result of ballot: *Gazette* 21st October, 1948, p. 1295.

Whyalla Town Commission Act, 1944-1949.

s. 10. Notice: *Gazette* 5th April, 1945, p. 519.
s. 27a. Proclamation: *Gazette* 2nd November, 1950, p. 1065.
s. 31. Proclamation: *Gazette* 19th April, 1945, p. 551.
Regulations: *Gazette* 2nd November, 1950, p. 1068.

Wild Dogs Act, 1931-1948.

Administration: Committed to the Commissioner of Crown Lands *Gazette* 1st July, 1937, p. 2.
s. 5. Proclamation: *Gazette* 5th January, 1950, p. 3.
s. 10. Notice: *Gazette* 5th February, 1948, p. 326.

Wills Act, 1936-1940.

Commencement: 1st June, 1937; *Gazette* 25th March, 1937, p. 644.

Workmen's Compensation Act, 1932-1950.

Commencement of Workmen's Compensation Act, 1932: 3rd May, 1933; *Gazette* 27th April, 1933, p. 657.
Commencement of sections 3 to 9 of the Workmen's Compensation Act Amendment Act, 1940; 2nd January, 1941; *Gazette* 5th December, 1940, p. 1285.
s. 91. Proclamations: *Gazette* 14th July, 1938, p. 49; 19th December, 1940, p. 1551; 12th January, 1950, p. 41.
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Rules of Local Court: *Gazette* 4th May, 1933, p. 723; 2nd July, 1942, p. 22.
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The Workmen's Liens Act, 1893-1936.

Commencement: 27th January, 1894: *Gazette* 25th January, 1894, p. 173.
Regulations: *Gazette* 21st February, 1895, p. 453.

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