

ACTS OF THE PARLIAMENT OF SOUTH
AUSTRALIA

—
1944



ACTS
OF
THE PARLIAMENT
OF
SOUTH AUSTRALIA

1944

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

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Printed and published, by authority, by
K. M. STEVENSON, GOVERNMENT PRINTER, ADELAIDE

1945

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ANNO OCTAVO

GEORGII VI REGIS.

A.D. 1944.

No. 1 of 1944.

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

[Assented to 22nd July, 1944.]

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), 1944 ". 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 forty-five, any moneys not exceeding in the whole two million pounds. Issue and application of £2,000,000.

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 forty-four, except increases of salaries or wages fixed or prescribed by any return made under any Act relating to the public service, or by any regulation, or by any award, order, or determination of any court or other body empowered to fix or prescribe wages or salaries. 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.

Recoup
to Governor's
Appropriation
Fund.

4. (1) All money appropriated from the Governor's Appropriation Fund to meet expenditure incurred between the thirtieth day of June, nineteen hundred and forty-four, and the commencement of this Act, shall be recouped to the Governor's Appropriation Fund out of the money voted by this Act, to the intent that the Governor shall thereafter have power to appropriate revenue under the authority of subsection (1) of section 72 of the Constitution Act, 1934-1943, to the full amount and for the purposes permitted by that subsection.

(2) In this section " Governor's Appropriation Fund " means the Governor's Appropriation Fund as defined by subsection (2) of section 72 of the Constitution Act, 1934-1943.

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

J. M. NAPIER, Lieutenant-Governor.



ANNO OCTAVO

GEORGII VI REGIS.

A.D. 1944.

No. 2 of 1944.

An Act to amend the Road Traffic Act, 1934-1943.

[Assented to 31st August, 1944.]

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 "Road Traffic Act Amendment Act, 1944". Short titles.

(2) The Road Traffic Act, 1934-1943, as amended by this Act, may be cited as the "Road Traffic Act, 1934-1944".

(3) The Road Traffic Act, 1934-1943, 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 9a of the principal Act is amended by striking out the word "forty-four" therein and inserting in lieu thereof "forty-five". Amendment of s. 9a of principal Act—
Temporary reduction of registration fee.

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

J. M. NAPIER, Lieutenant-Governor.



ANNO OCTAVO

GEORGII VI REGIS.

A.D. 1944.

No. 3 of 1944.

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

[Assented to 14th September, 1944.]

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), 1944 ".

Issue and application of £1,000,000.

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 forty-five, in addition to any moneys so issued and applied pursuant to the Supply Act (No. 1) 1944, any moneys not exceeding in the whole one 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 forty-four, except increases of salaries or wages fixed or prescribed by any return made under any Act relating to the public service, or by any regulation, or by any award, order, or determination of any court or other body empowered to fix or prescribe wages or salaries.

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

4. (1) All money appropriated from the Governor's Appropriation Fund to meet expenditure incurred between the thirtieth day of June, nineteen hundred and forty-four, and the commencement of this Act, shall be recouped to the Governor's Appropriation Fund out of the money voted by this Act, to the intent that the Governor shall thereafter have power to appropriate revenue under the authority of subsection (1) of section 72 of the Constitution Act, 1934-1943, to the full amount and for the purposes permitted by that subsection.

Recoup
to Governor's
Appropriation
Fund.

(2) In this section " Governor's Appropriation Fund " means the Governor's Appropriation Fund as defined by subsection (2) of section 72 of the Constitution Act, 1934-1943.

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

J. M. NAPIER, Lieutenant-Governor.



ANNO OCTAVO

GEORGII VI REGIS.

A.D. 1944.

No. 4 of 1944.

An Act to provide for the acquisition and distribution of supplies of chaff and hay, and for incidental purposes.

[Assented to 3rd October, 1944.]

WHEREAS it is expedient, in view of the drought now prevailing in the State of South Australia, to make extraordinary provision for ensuring that there will be sufficient supplies of chaff and hay available for the use of persons requiring the same: BE IT THEREFORE ENACTED by the Governor of the State of South Australia, with the advice and consent of the Parliament thereof, as follows:

Short title.

1. This Act may be cited as the "Chaff and Hay (Acquisition) Act, 1944".

Interpretation.

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

"committee" means The Chaff and Hay Acquisition Committee constituted under this Act:

"Minister" means the Minister of the Crown to whom the administration of this Act is for the time being committed by the Governor.

Constitution of committee.

3. (1) A committee to be called "The Chaff and Hay Acquisition Committee" is hereby constituted.

(2) The committee shall consist of four members to be appointed by the Governor upon the nomination of the Minister.

(3) The members of the committee shall hold office for such term as is from time to time fixed by the Minister and upon such conditions as are from time to time fixed by the Minister.

(4) The committee shall be deemed to be an instrumentality of the Crown.

4. (1) The committee may acquire any chaff or hay within the State.

Power of committee to acquire chaff or hay.

(2) The committee may acquire any standing crop within the State which is capable of being harvested as hay.

(3) The powers conferred by this section shall not be exercised after the thirtieth day of September, nineteen hundred and forty-five.

5. (1) The power of acquisition conferred by this Act upon the committee may be exercised in any of the following ways :—

Method of acquiring chaff or hay.

I. The committee, any member of the committee, or any person authorized in writing by the committee for the purpose may purchase any chaff, hay or standing crop :

II. The committee may give to the owner of any chaff, hay or standing crop, or to the person apparently having the custody thereof or in occupation of the land where it is, notice in writing that it is the intention of the committee to acquire the chaff, hay or standing crop.

(2) Upon the purchase of any chaff, hay or standing crop, or upon notice in respect thereof being given as provided by subsection (1), the chaff, hay or standing crop shall vest absolutely in the committee and shall, subject to any disposition thereof made by the committee under this Act, be and remain the property of the committee for the purpose of this Act.

(3) The powers of acquisition conferred by this Act may be exercised by the committee in the manner provided by paragraph II. of subsection (1) only within such parts of the State as the Governor by proclamation declares to be parts of the State within which the said powers may be exercised. The Governor may make any such proclamation and may by proclamation revoke or vary any such proclamation.

6. (1) Notwithstanding the provisions of this Act, the committee shall not acquire (otherwise than by purchase) any chaff, hay or standing crop from any primary producer if the committee is satisfied that the primary producer has not in his possession or disposition (apart from the chaff, hay or standing crop so

Limitation of power of acquisition.

acquired) fodder reasonably sufficient for the stock of the primary producer during the succeeding period of twelve months.

(2) In this section "primary producer" means any person engaged in agricultural, horticultural, viticultural, pastoral or other like pursuits.

Payment for
chaff or hay
acquired.

7. (1) If any chaff, hay or standing crop is acquired by the committee, the chaff, hay or standing crop shall be freed from all mortgages, charges, liens, pledges, interests and trusts affecting the same.

(2) The rights and interests of every person in any chaff, hay or standing crop acquired by the committee shall upon the acquisition thereof be converted into claims for compensation.

(3) The amount of compensation payable to any person in respect of any chaff, hay or standing crop acquired by the committee shall be such as is agreed upon between the person concerned and the committee or, in the absence of agreement, as is determined in an action for compensation against the committee.

In determining the amount of compensation to be paid as aforesaid, the court hearing the action shall assess the value of the chaff, hay or standing crop at the time it is acquired by the committee and having regard to the provisions of any regulation, order or declaration made pursuant to any Act of the Commonwealth and fixing the price of chaff, hay or standing crops.

Power to
purchase chaff
or hay from
outside the
State.

8. (1) The committee or any person authorized in writing by the committee for the purpose may purchase any chaff or hay outside the State.

(2) The powers conferred by this section shall not be exercised after the thirtieth day of September, nineteen hundred and forty-five.

Power to
harvest crop.

9. The committee may harvest or cause to be harvested any standing crop acquired by the committee.

Power to
dispose of
chaff or hay.

10. The committee may, upon such terms and conditions as are prescribed, sell chaff or hay to any person.

Power to enter
land.

11. (1) Any member of the committee or any person authorized in writing by the committee for the purpose may at any time enter into and search any premises, wharf, vessel, or conveyance where any chaff or hay is or is supposed to be and may at any time enter upon any land where any standing crop is or is supposed to be.

(2) For the purpose of taking possession of any chaff or hay acquired by the committee or for the purpose of harvesting any standing crop acquired by the committee, any member of the committee or any person authorized by the committee may, with any necessary equipment, enter and remain in or upon any premises, wharf, vessel, conveyance or land and may do all things necessary for any such purpose.

12. (1) The committee may do all things necessary for the storage and protection of any chaff, hay or standing crop acquired by or the property of the committee.

General powers
of committee.

(2) The committee may insure any such chaff, hay or standing crop.

13. (1) The Treasurer of the State may arrange to borrow, for the purposes of this Act, two hundred and fifty thousand pounds in accordance with the agreement approved by the Financial Agreement Act, 1927.

Financial
provision.

(2) Without any further appropriation than this section, the amount so borrowed may be applied for the purpose of carrying this Act into effect.

14. (1) All legal proceedings by the committee with respect to any matter arising out of this Act shall be commenced in the name of the committee and all proceedings against the committee or any member of the committee with respect to any such matter shall be instituted against the committee in the name of the committee.

Proceedings by
or against
committee.

(2) The Treasurer of the State shall, from the moneys appropriated for the purpose of this Act, satisfy all orders made by any court against the committee in any such legal proceedings.

(3) No matter or thing done or suffered by the committee or by any member thereof, *bona fide* in the execution of this Act, or the exercise or discharge, or intended exercise or discharge, of any of its or his powers or duties, shall subject any member of the committee to any liability in respect thereof.

15. The Governor may make regulations for all or any of the following purposes, namely :—

Regulations.

- (a) Prescribing the constitution and procedure of the committee ;
- (b) Prescribing the form of and the manner of giving notices required to be given under this Act ;
- (c) Prescribing the manner of acquisition by the committee of chaff, hay and standing crops ;

- (d) Prescribing the manner of payment of compensation for chaff, hay and standing crops acquired by the committee ;
- (e) The sale or disposal by the committee of chaff and hay ;
- (f) Authorizing the acquisition or requisition by the committee of any plant or machinery necessary for the purposes of this Act ;
- (g) Authorizing the acquisition or requisition by the committee of facilities for the storage of chaff and hay acquired by the committee ;
- (h) For the protection of the property of the committee ;
- (i) Prescribing penalties to be recoverable summarily and not exceeding fifty pounds for the breach of any regulation ;
- (j) Prescribing any matter necessary or convenient for the purposes of this Act or to give effect to this Act.

Validation of
past purchases
of chaff.

16. (1) All contracts and arrangements made or entered into by the Treasurer of the State before the passing of this Act for the purchase of chaff shall be deemed to have been lawfully made and entered into.

(2) Without any further appropriation than this section, any portion of the amount borrowed pursuant to section 13 may be applied for the purpose of carrying out any such contract or arrangement.

(3) All chaff purchased as aforesaid shall vest in the committee and shall be disposed of by the committee in manner provided by this Act.

Non-applica-
tion of Public
Supply and
Tender Act,
1914-1940.

17. The Public Supply and Tender Act, 1914-1940, shall not apply to the committee or to any property acquired by or vested in the committee.

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

J. M. NAPIER, Lieutenant-Governor.



ANNO OCTAVO

GEORGII VI REGIS.

A.D. 1944.

No. 5 of 1944.

An Act to amend the Dairy Produce Act, 1934-1942.

[Assented to 12th October, 1944.]

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 "Dairy Produce Act Amendment Act, 1944". Short titles.

(2) The Dairy Produce Act, 1934-1942, as amended by this Act, may be cited as the "Dairy Produce Act, 1934-1944".

(3) The Dairy Produce Act, 1934-1942, is in this Act 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 26 of the principal Act is amended by striking out the word "forty-four" at the end thereof and inserting in lieu thereof the word "forty-six". Amendment of s. 26 of the principal Act—
Duration of Act.

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

J. M. NAPIER, Lieutenant-Governor.



ANNO OCTAVO

GEORGII VI REGIS.

A.D. 1944.

No. 6 of 1944.

An Act to amend the Institute of Medical and Veterinary Science Act, 1937.

[Assented to 12th October, 1944.]

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 "Institute of Medical and Veterinary Science Act Amendment Act, 1944".

(2) The Institute of Medical and Veterinary Science Act, 1937, as amended by this Act, may be cited as the "Institute of Medical and Veterinary Science Act, 1937-1944".

(3) The Institute of Medical and Veterinary Science Act, 1937, 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. 5 of the
principal Act—
Members of
Council.**

3. Section 5 of the principal Act is amended by adding at the end of subsection (1) thereof the following passage :—

(e) a veterinary officer of the Public Service of the State nominated by the Minister of Agriculture.

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

J. M. NAPIER, Lieutenant-Governor.



ANNO OCTAVO

GEORGII VI REGIS.

A.D. 1944.

No. 7 of 1944.

An Act to amend the Marriage Act, 1936-1941.

[Assented to 19th October, 1944.]

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 "Marriage Act Amendment Act, 1944". Short titles.

(2) The Marriage Act, 1936-1941, as amended by this Act, may be cited as the "Marriage Act, 1936-1944".

(3) The Marriage Act, 1936-1941, is hereinafter referred to as "the principal Act".

2. Section 26 of the principal Act is amended by striking out subsection (4) thereof and by inserting in lieu thereof the following subsections :—

Amendment of
principal Act,
s. 26.—
Consent to
marriage of
minor.

(4) If the person by whom a marriage is proposed to be celebrated is satisfied by documentary evidence that any parent or guardian whose consent to the marriage is required by this section has in fact consented to the marriage, he may celebrate the marriage without the production of the consent of that parent or guardian in the form required by this section. In every such case the person celebrating the marriage shall forthwith report the marriage to the principal registrar and the reasons for not complying with subsection (1).

(5) If the Minister is satisfied—

(a) that there is no parent or guardian resident in South Australia by whom consent can be given as required by this section ; or

- (b) that any parent or guardian by whom consent is required to be given by this section is incapable of giving consent or is absent from South Australia, and that, in any such case, it is not practicable to obtain the consent of that parent or guardian ; or
- (c) that the place of residence of any parent or guardian of any party to the marriage and by whom consent is required to be given by this section is unknown to that party ; or
- (d) that the consent of any parent or guardian by whom consent is required to be given by this section is being unreasonably withheld,

the Minister, if of opinion that in the circumstances of the case it is desirable that the marriage should be celebrated, may, by notice in writing given on the recommendation of the principal registrar, authorize the celebration of the marriage without the consent of that parent or guardian.

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

J. M. NAPIER, Lieutenant-Governor.



ANNO OCTAVO

GEORGI VI REGIS.

A.D. 1944.

No. 8 of 1944.

An Act to authorize the Treasurer to raise moneys to the amount of one million seven hundred thousand pounds for various public works, and for other purposes.

[Assented to 19th October, 1944.]

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 " Public Purposes Loan Act, Short title. 1944".

2. In this Act " Financial Agreement " means the Financial Interpretation. Agreement made between the Commonwealth and all the States of Australia and ratified by the Financial Agreement Act, 1927.

3. The Treasurer may arrange for the sum of one Power to borrow. million seven hundred thousand pounds to be borrowed in accordance with the Financial Agreement on behalf of the State.

4. All sums of money borrowed under section 3 of this Act shall be applied to the several purposes set forth in the first schedule to this Act, and to the extent set forth in that schedule ; and shall be applied by the Treasurer in such amounts and manner as the Governor, by warrant under his hand, countersigned by the Chief Secretary, from time to time authorizes and directs. Application of moneys.

5. All salaries of officers, payable out of moneys borrowed under this Act, shall be annually submitted to Parliament. Salaries to be submitted to Parliament.

Advances.

6. The Governor may, by warrant countersigned by the Chief Secretary, authorize the Treasurer to advance to the proper responsible Minister of the Crown, for the purposes of this Act, any sums of money not exceeding in the whole the amount authorized by this Act to be borrowed; and an amount equal to the sums of money so advanced shall be retained by the Treasurer out of any moneys borrowed under the authority of this Act, and applied in repayment of the moneys so advanced.

Power to borrow money for expenses incurred.

7. In addition to the amount of one million seven hundred thousand pounds authorized by section 3 of this Act to be borrowed, there may be borrowed under that section such sum as will be sufficient to pay all discounts, charges, and other expenses incurred in connection with the borrowing of that amount of one million seven hundred thousand pounds and the amount of those discounts, charges, and other expenses shall be charged proportionately to the several purposes set forth in the first schedule to this Act.

Re-application of moneys credited to the loan account.

8. (1) In this section and in the following section "moneys credited to Loan Account" means money received by the Treasurer in repayment of advances made or other sums expended out of moneys borrowed under any Act, and surplus revenue credited to the loan account in accordance with section 30 of the Public Finance Act, 1936.

(2) The Treasurer may apply any moneys credited to the loan account for the time being in his hands to the several purposes set forth in the second schedule to this Act and to the extent therein set forth, and in such amount and manner as the Governor by warrant under his hand countersigned by the Chief Secretary from time to time authorizes and directs.

Entries of repayments in Treasury accounts.

9. Whenever the Treasurer receives any repaid loan moneys he shall make a reduction corresponding to the amount so received, in the debits of the appropriate loan accounts in the books of the Treasurer.

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

J. M. NAPIER, Lieutenant-Governor.

SCHEDULES

THE FIRST SCHEDULE.

Undertakings to be Paid for out of Loans raised pursuant to this Act.

Undertaking.	Amount.	
	£	£
PRIMARY PRODUCERS ASSISTANCE DEPARTMENT.		
Drought Relief Account.....	—	65,000
LANDS.		
Crown Lands Development Act	—	150,000
RAILWAYS.		
Railway Accommodation (portion of expenditure only)	—	200,000
ENGINEERING AND WATER SUPPLY DEPARTMENT.		
Adelaide and Millbrook Water District (portion of expenditure only)	50,000	
Adelaide Sewers (portion of expenditure only).....	50,000	
Country Water Districts (portion of expenditure only)	20,000	
Barossa Water District (portion of expenditure only)	20,000	
Warren Water District (portion of expenditure only)	10,000	
		150,000
ARCHITECT-IN-CHIEF.		
Hospital Buildings	118,000	
School Buildings	170,000	
Police and Court House Buildings	10,000	
Agricultural College	6,000	
Other Government Buildings	31,000	
		335,000
MISCELLANEOUS.		
South Australian Housing Trust—Wartime and Postwar Housing.....	550,000	
Metropolitan and Export Abattoirs Board (portion of expenditure only).....	150,000	
Leigh Creek Coal Field.....	100,000	
		800,000
Total	—	£1,700,000

THE SECOND SCHEDULE.

Undertakings to be Paid for out of Moneys Credited to the Loan Account.

Undertaking.	Amount.	
	£	£
STATE BANK.		
Advances for Homes	150,000	
Loans to Producers.....	20,000	
Advances to Settlers.....	5,000	
Loans for Fencing and Water Piping	1,000	
Vermín Proof Fencing	1,000	
Advances to State Bank (under Part VIA of the State Bank Act 1925-1941).	50,000	
		227,000
PRIMARY PRODUCERS ASSISTANCE DEPARTMENT.		
Drought Relief 1940	—	27,500
LANDS.		
Land Repurchase for Closer Settlement.	—	50,000
IRRIGATION AND DRAINAGE.		
Irrigation and Reclamation of Swamp Lands	97,000	
Lessees Reclaimed Swamp Lands—Loans to	2,000	
South-Eastern Drainage	500	
		99,500
WOODS AND FORESTS.		
Afforestation	—	296,000
RAILWAYS.		
Railway Accommodation (portion of expenditure only)	—	300,000
HARBORS BOARD.		
Harbors Accommodation	—	75,000
ENGINEERING AND WATER SUPPLY.		
Morgan-Whyalla Water Main	60,000	
Adelaide and Millbrook Water District (portion of expenditure only)	104,000	
Adelaide Sewers (portion of expenditure only).....	40,000	
Country Water Districts (portion of expenditure only)	26,000	
Barossa Water District (portion of expenditure only)	27,000	
Beetaloo, Bundaleer, and Baroota Water District..	89,000	
Tod River Water District	75,000	
Warren Water District (portion of expenditure only)	5,000	
Water Conservation	1,000	
River Murray Weirs, Dams, Locks, Etc.	1,000	
Metropolitan Floodwaters	1,000	
		429,000

*Undertakings to be Paid for out of Moneys Credited to the Loan Account—
continued.*

Undertaking.	Amount.	
	£	£
MISCELLANEOUS.		
Expenses and Discounts of Floating Conversion Loans	25,000	
Produce Stores	12,000	
Settlement of Discharged Soldiers on the Land.....	7,000	
Metropolitan and Export Abattoirs Board (portion of expenditure only).....	70,000	
		114,000
		£1,618,000



ANNO OCTAVO

GEORGI VI REGIS.

A.D. 1944.

No. 9 of 1944.

An Act to amend the Public Works Standing Committee Act, 1927-1940.

[Assented to 19th October, 1944.]

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

Short titles.

1. (1) This Act may be cited as the "Public Works Standing Committee Act Amendment Act, 1944".

(2) The Public Works Standing Committee Act, 1927-1940, as amended by this Act, may be cited as the "Public Works Standing Committee Act, 1927-1944".

(3) The Public Works Standing Committee Act, 1927-1940, 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. 6 of principal Act—
Declaration by members.**

3. Section 6 of the principal Act is amended by adding at the end thereof the following passage:—

Provided that—

- (a) if the offices of President and Deputy President of the Legislative Council are both vacant, a member of the Legislative Council, and
- (b) if the offices of Speaker and Deputy Speaker are both vacant, a member of the House of Assembly,

may make the declaration required by this section, before a Commissioner for taking Affidavits in the Supreme Court. Any declaration so made, shall be filed by the Clerk of the Legislative Council or the Clerk of the House of Assembly, according to the House of Parliament of which the person making the declaration is a member.

4. Section 7 of the principal Act is amended—

Amendment of
s. 7 of the
principal Act—
Extraordinary
vacancies.

(a) by striking out the proviso to paragraph (b) of subsection (1) thereof and inserting in lieu thereof the words “in which case subsection (1a) of this section shall apply”:

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

(1a) For the purposes of this Act a person who has ceased to be a member of a House of Parliament because that House has expired or been dissolved or because his term as such member has come to an end shall nevertheless be regarded as continuing to be a member of that House for the following period:—

(a) if he is not elected to a seat in that House at the next election, until his successor is appointed as hereinafter provided:

(b) if he is so elected, during the whole of the period between the time when he ceases to be a member of the House and his election.

The Governor shall, within three months after every election, make an appointment to the committee to fill the seat of each member of the committee who at that election was not elected to the House from which he was appointed to the committee.

(c) by striking out the whole of the second sentence in subsection (2) thereof.

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

J. M. NAPIER, Lieutenant-Governor.



ANNO OCTAVO

GEORGI VI REGIS.

A.D. 1944.

No. 10 of 1944.

An Act to amend the Stock Foods Act, 1941.

[Assented to 19th October, 1944.]

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 "Stock Foods Act Amendment Act, 1944".

(2) The Stock Foods Act, 1941, as amended by this Act, may be cited as the "Stock Foods Act, 1941-1944".

(3) The Stock Foods Act, 1941, is hereinafter referred to as "the principal Act".

Amendment of
principal Act,
s. 15—
Prosecutions.

2. Section 15 of the principal Act is amended by striking out the words "Chief Inspector of Stock" in the third line thereof and by inserting in lieu thereof the words "chief inspector".

Amendment of
principal Act,
s. 16—
Appointment
of chief
inspector.

3. Section 16 of the principal Act is amended—

- (a) by striking out the word "such" in the first line thereof and by inserting in lieu thereof the words "a chief inspector and such other"; and
- (b) by striking out the words "The Chief Inspector of Stock shall, without any further appointment than this section, be the chief inspector under this Act" in the third and fourth lines thereof.

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

J. M. NAPIER, Lieutenant-Governor.



ANNO OCTAVO

GEORGII VI REGIS.

A.D. 1944.

No. 11 of 1944.

An Act to provide that a certain area of Park Lands shall be included in the Cemetery at West Terrace, Adelaide, and shall form part of the Soldiers' Section of that Cemetery.

[Assented to 9th November, 1944.]

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

1. This Act may be cited as the "West Terrace Cemetery (Soldiers' Section) Extension Act, 1944". Short title.

2. Section 551 of the Hundred of Adelaide shall, as from the passing of this Act— Extension of soldiers' section of West Terrace Cemetery.

- (a) cease to be park lands :
- (b) be included in the West Terrace Cemetery :
- (c) form part of that section of the West Terrace Cemetery which is used for the burial of ex-members of the Australian Imperial Forces of the 1914-1918 War :
- (d) subject to paragraph (e) of this section, be under the control of the Commissioner of Public Works :
- (e) be managed and maintained in accordance with arrangements made between the Commissioner of Public Works and the body known as the A.I.F. Cemetery Trust Incorporated.

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

J. M. NAPIER, Lieutenant-Governor.



ANNO OCTAVO

GEORGII VI REGIS.

A.D. 1944.

No. 12 of 1944.

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 forty-five, and for other purposes.

[Assented to 9th November, 1944.]

Preamble.

WHEREAS, by certain Acts of the Parliament of South Australia, certain moneys are or may be collected, to be paid to the Treasurer on behalf of His Majesty, His heirs and successors, for the public uses of the said State and support of the Government thereof: AND WHEREAS certain other moneys are or may become payable to the said State for the like uses, under the Commonwealth of Australia Constitution Act, 63 & 64 Vict. ch. 12, and certain Acts of the Parliament of the Commonwealth: BE IT THEREFORE ENACTED by the Governor of the State of South Australia, with the advice and consent of the Parliament thereof, as follows:

Short title.

1. This Act may be cited as the "Appropriation Act, 1944".

Further issue.

2. Out of the said moneys paid 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 eight million, six hundred and twelve thousand, eight hundred and twenty pounds.

Appropriation
of General
Revenue.

3. (1) Out of the sum of two million pounds issued under the authority of the Supply Act (No. 1), 1944, the sum of one million pounds issued under the authority of the Supply Act (No. 2), 1944, and the said sum of eight million, six hundred and twelve thousand, eight hundred and twenty 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 forty-five the sum of eleven million, six hundred and twelve thousand, eight hundred and twenty pounds, the said amount being appropriated as follows, viz. :—

Estimates,
1944-1945.

	£
Legislative Council	3,894
House of Assembly	6,042
Parliamentary Library	1,508
Joint House Committee	2,402
Electoral	8,499
Government Reporting	9,506
Parliamentary Standing Committee on Public Works	1,043
Legislature, Miscellaneous	13,560
Private Secretary	500
Chief Secretary	5,345
Statistical	13,123
Audit	13,093
Printing and Stationery	66,367
Police	397,740
Sheriff and Gaols and Prisons	47,145
Hospitals	672,983
Children's Welfare and Public Relief	204,803
Central Board of Health	10,805
Civil Defence	17,092
Chief Secretary, Miscellaneous	191,233
Attorney-General	4,822
Crown Solicitor	8,471
Parliamentary Draftsman	2,260
Public Trustee	12,579
Supreme Court	18,194
Adelaide Local Court	9,241
Adelaide Police Court	9,617
Country Local Courts	12,480
Coroners	1,049
Registrar-General of Deeds	19,199
Attorney-General, Miscellaneous	2,165
The Treasury and Superannuation Fund Branch	15,917
Motor Vehicles	23,494
Agent-General in England	4,842
Taxation	21,539
Stamp and Succession Duties	7,657
Publicity and Tourist Bureau	4,662
Interest and Exchange	552,000
Unclaimed Moneys—Repayment of	100
Treasurer, Miscellaneous	170,925
Lands	135,960
Botanic Garden	9,741
Government Motor Garage	5,893
Soldier Settlement Administration	64,959
Commissioner of Crown Lands, Miscellaneous ..	24,230
Public Works (Office of the Commissioner)	1,781
Engineering and Water Supply	612,996
Architect-in-Chief	27,574
Government Offices	24,408

	£
Cemetery (West Terrace)	5,340
Public Stores	36,090
Aborigines	32,437
Public Works	150,335
Commissioner of Public Works, Miscellaneous ..	17,656
Education	1,236,387
The Libraries	28,034
The Museum	6,847
The Art Gallery	3,773
Observatory	1,943
Minister of Education, Miscellaneous	72,872
Industry	10,100
Factories and Steam Boilers	16,483
Minister of Industry, Miscellaneous	1,035
Minister of Agriculture	3,542
Agriculture (Including Stock and Brands)	103,494
Agricultural College	26,767
Produce	120,859
Fisheries and Game	4,647
Chemistry	13,290
Primary Producers' Assistance	13,783
Woods and Forests	11,918
Minister of Agriculture, Miscellaneous	9,787
Department of Lands, Irrigation and Drainage ..	227,082
Minister of Irrigation, Miscellaneous	1,425
Mines	34,562
Minister of Mines, Miscellaneous	115
Harbors Board	337,789
Minister of Marine, Miscellaneous	400
Railways	5,408,568
Transport Control Board	5,185
Minister of Railways, Miscellaneous	108,887
Highways and Local Government	25,173
Minister of Local Government, Miscellaneous ..	40,777
Total	<u>£11,612,820</u>

(2) If—

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

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

the Governor may, by warrant under section 72 of the Constitution Act, 1934-1943, 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 section 72 of the Constitution Act, 1934-1943, for the said financial year shall be increased by the amount of money appropriated pursuant to this subsection.

Sections 48 and 187 of the Industrial Code, 1920-1943, 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 forty-six.

4. The issue and payment by the Treasurer, from time to time, of any sum or sums of money for the purposes hereinbefore mentioned, not exceeding in the whole the sums respectively in that behalf hereinbefore specified, to such persons and in such portions as the Governor has heretofore directed by any order or orders in writing signed by him and countersigned by the Chief Secretary, or may hereafter direct by any order or orders so signed and countersigned, is hereby authorized; and the said 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 have been or are so paid shall be to him a full discharge for the sum or sums for which the same receipts shall be or are respectively given, and the amounts thereof shall be passed to his credit in account accordingly.

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

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

6. (1) All money appropriated from the Governor's Appropriation Fund to meet expenditure incurred between the thirtieth day of June, nineteen hundred and forty-four, and the commencement of this Act, shall be recouped to the Governor's Appropriation Fund out of the money voted by this Act, to the intent that the Governor shall thereafter have power to appropriate revenue under the authority of subsection (1) of section 72 of the Constitution Act, 1934-1943, to the full extent and for the purposes permitted by that subsection.

Recoup to Governor's Appropriation Fund.

(2) In this section " Governor's Appropriation Fund " means the Governor's Appropriation Fund as defined by subsection (2) of section 72 of the Constitution Act, 1934-1943.

Power to make
payments.

7. 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 forty-five notwithstanding that the payment is—

- (a) in respect of a period prior to the first day of July, nineteen hundred and forty-four ; or
- (b) at a rate in excess of the rate which, during the period in respect of which the payment is made, was in force under any return made by the Classification and Efficiency Board, pursuant to the Public Service Act, 1936-1942, or under any regulation of the South Australian Railways Commissioner.

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

J. M. NAPIER, Lieutenant-Governor.



ANNO OCTAVO

GEORGII VI REGIS.

A.D. 1944.

No. 13 of 1944.

An Act to empower the Treasurer to vary the rates of interest payable in respect of advances and loans made by the Crown and to vary the rates of interest with respect to which the rents or instalments payable under certain Crown leases and agreements for the sale and purchase of land of the Crown are fixed.

[Assented to 23rd November, 1944.]

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 “ Interest on Crown Advances and Leases Act, 1944 ”. Short title

2. (1) The Treasurer may from time to time by notice published in the *Gazette* declare that the rate of interest which shall be payable upon advances or loans made under or pursuant to any Act by any Minister of the Crown, the State Bank of South Australia, or any Government instrumentality shall, from the day specified in the notice, be the rate fixed in the notice. Power of Treasurer to fix rates of interest on Crown advances and loans.

(2) From the day specified in any notice given as aforesaid in respect of advances or loans made under any Act then, notwithstanding the provisions of that Act, the rate of interest which shall be payable upon any advance or loan to which the notice relates and made as aforesaid under that Act shall (whether or not the advance or loan was made before the publication of the notice) be the rate fixed in the notice.

(3) If any Act to which any such notice relates provides for the giving of a rebate of interest to persons who within a period provided by or pursuant to that Act pay the interest or instalments payable under advances or loans made under that Act, the Treasurer may from time to time by notice published in the *Gazette* declare that from the day specified in the notice the amount of the rebate shall be that specified in the notice. From the day specified as aforesaid the rebate of interest which shall be given pursuant to that Act in respect of advances and loans to which the notice relates shall, notwithstanding the provisions of that Act, be that declared by the notice.

(4) If any Act to which any such notice relates provides that if interest on or instalments of advances or loans made under that Act are not paid within any period provided by or pursuant to that Act, a higher or additional rate of interest shall be payable, the Treasurer may from time to time by notice published in the *Gazette* declare that from the day specified in the notice the higher or additional rate of interest to be so payable shall be that specified in the notice. From the day specified as aforesaid the higher or additional rate of interest which shall be payable pursuant to that Act in respect of advances and loans to which the notice relates shall, notwithstanding the provisions of that Act, be that declared by the notice.

(5) In any notice given under this section, the Treasurer may declare that—

- (a) the provisions of the notice shall apply in respect of all advances or loans made pursuant to all the provisions of any Act; or
- (b) the provisions of the notice shall apply only in respect of advances or loans made pursuant to any specified provision of any Act; or
- (c) the provisions of the notice shall apply in respect of all advances or loans made pursuant to all the provisions of any Act except such provisions thereof as are specified in the notice.

(6) If any notice given under this section relates to the rate of interest payable upon any advance or loan made before the passing of this Act, the rate of interest fixed by the notice with respect to such advance or loan shall not exceed the rate of interest which was payable on that advance or loan at the time of the making of the advance or loan, and in any notice given under this section the Treasurer may, for the purpose of giving effect to the intent of this subsection, declare different rates of interest to be paid upon advances or

loans made under or pursuant to any Act according to whether the advances or loans were made before or after the passing of this Act.

(7) Every Act to which any notice given under this section relates shall be construed subject to the provisions of this section and so as to give effect to any notice given under this section relating to that Act.

(8) This section and any notice given under this section shall not apply to any advance or loan made by the State Bank of South Australia in the course of its general banking business or to any interest payable in respect of any such advance or loan.

3. (1) In this section—

“Crown agreement” means any agreement whereby any person has agreed to purchase land from the Crown:

Provision as to
interest rates
applicable to
Crown leases
and
agreements.

“Crown lease” means any lease granted by the Crown.

(2) If pursuant to any provision of any Act, the rent or any other amount payable under any Crown lease or the instalments or any other amount payable under any Crown agreement is fixed with relation to any rate of interest fixed by or pursuant to that Act, the Treasurer may from time to time by notice in the *Gazette* declare that, from the day specified in the notice, the rate of interest aforesaid shall be that declared in the notice.

(3) In any notice given under this section, the Treasurer may declare that—

(a) the provisions of the notice shall apply in respect of all rent or instalments or other amounts fixed pursuant to all the provisions of any Act; or

(b) the provisions of the notice shall apply only in respect of rent or instalments or other amounts fixed pursuant to any specified provisions of any Act; or

(c) the provisions of the notice shall apply in respect of all rent or instalments or other amounts fixed pursuant to all the provisions of any Act except such provisions thereof as are specified in the notice.

(4) If the rent or instalments or any other amount payable under any Crown lease or Crown agreement is fixed with relation to a rate of interest fixed by or pursuant to any Act or provision of any Act and if any notice is given under this section with respect to that Act or that provision, the Minister by whom the Crown lease or Crown agreement was

granted may, notwithstanding any provision of that Act, vary the provisions of the Crown lease or Crown agreement for the payment of any such rent, instalments or other amount, so that the rent or instalments or other amount payable thereunder shall be fixed with relation to the rate of interest declared in the notice. Every such variation shall take effect as from the day from which the notice takes effect.

(5) If any notice given under this section declares the rate of interest with relation to which is fixed the rent or instalments or any other amount payable under any Crown lease or Crown agreement granted before the passing of this Act, the rate of interest so declared with respect to any such Crown lease or Crown agreement shall not exceed the rate of interest with relation to which the rent or instalments or other amount was fixed at the time of the granting of the Crown lease or Crown agreement, and in any notice given under this section the Treasurer may, for the purpose of giving effect to the intent of this subsection, declare different rates of interest with relation to which rents or instalments or other amounts payable under Crown leases or Crown agreements as aforesaid are fixed according to whether the Crown leases or Crown agreements were granted before or after the passing of this Act.

(6) Every Act to which any notice given under this section relates and every Crown lease and Crown agreement granted under any such Act shall be construed subject to the provisions of this section, and so as to give effect to every notice given pursuant to this section which relates to that Act.

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

J. M. NAPIER, Lieutenant-Governor.



ANNO OCTAVO

GEORGII VI REGIS.

A.D. 1944.

No. 14 of 1944.

An Act to repeal the Employers Liability Act, 1934, and to amend the Wrongs Act, 1936-1940, by the enactment of provisions for the abolition of the rule of common employment.

[Assented to 23rd November, 1944.]

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 "Wrongs Act Amendment Act, 1944". Short titles.

(2) The Wrongs Act, 1936-1940, as amended by this Act, may be cited as the "Wrongs Act, 1936-1944".

(3) The Wrongs Act, 1936-1940, is hereinafter called "the principal Act".

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

3. The Employers Liability Act, 1934, is repealed.

Repeal of
Employers
Liability Act,
1934.

4. The following heading and section are enacted and inserted in the principal Act after section 29 :—

Enactment of
s. 30 of
principal Act—

Abolition of the rule of common employment.

30. (1) Where any injury or damage is suffered by a servant by reason of the wrongful act, neglect or default of a fellow servant, the employer of those servants shall

Abolition of
rule of common
employment.

be liable in damages in respect of that injury or damage in the same manner and in the same cases as if those servants had not been engaged in a common employment.

(2) This section applies to any injury or damage arising from a wrongful act, neglect or default committed after the enactment of this section, whether the contract of employment was made before or is made after the enactment of this section.

(3) "Employer" in this section includes the Crown and instrumentalities of the Crown.

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

J. M. NAPIER, Lieutenant-Governor.



ANNO OCTAVO

GEORGII VI REGIS.

A.D. 1944.

No. 15 of 1944.

An Act to provide for broadening the gauge of the Railways from Wolseley to Mount Gambier and from Mount Gambier to Millicent.

[Assented to 30th November, 1944.]

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 “ Broadening of Gauge (South-Eastern Railways) Act, 1944 ”. Short title.

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

3. This Act is incorporated with the South Australian Railways Commissioners Act, 1936-1941, and with the Compulsory Acquisition of Land Act, 1925. Incorporation.

4. (1) The Commissioner may—

(a) alter from three feet six inches to five feet three inches the gauge of the lines of railway between Wolseley and Mount Gambier and between Mount Gambier and Millicent: Provided that, if any arrangements are made for the adoption of a uniform Australian railway gauge other than five feet three inches, the Commissioner, with the consent of the Governor, may alter the gauge of the said lines of railway to that uniform gauge; and

(b) for that purpose take up, relay or reconstruct the whole or any part of the said lines of railway ; and

Power to
broaden south-
eastern
railways.

- (c) make any alteration to or adjustment of any line of railway or of any works and conveniences connected with any line of railway which he deems it necessary or convenient to make by reason of the alteration of the gauge of any railway pursuant to this Act.

Application
of South
Australian
Railways
Commissioners
Act.

5. The provisions of Part IV. of the South Australian Railways Commissioners Act, 1936-1941, with the exception of section 55 thereof shall apply in relation to the broadening of the gauge of any railway pursuant to this Act, as if the broadening of that gauge were the construction of a line of railway.

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

J. M. NAPIER, Lieutenant-Governor.



ANNO OCTAVO

GEORGI VI REGIS.

A.D. 1944.

No. 16 of 1944.

An Act to provide that certain textile products shall bear trade descriptions showing their fibre content, and for purposes incidental thereto.

[Assented to 30th November, 1944.]

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 "Textile Products Description Act, 1944". Short title

2. This Act shall commence on a day to be fixed by the Governor by proclamation. Commencement of Act.

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

"fibre" means wool, hair, silk, cotton, fibre of flax, or any other fibre, natural or artificial :

"re-processed wool" means wool recovered from woven, knitted or felted material which has not been used :

"re-used wool" means wool recovered from woven, knitted or felted material which has been used :

"textile product" means—

(a) any product (including garments, piece goods and rolls) manufactured from fibre by weaving, knitting, felting, or other process :

(b) tops and yarns,

but does not include any textile product which is exempted from this Act by proclamation :

“ virgin wool ” means wool other than re-processed wool or re-used wool :

“ wool ” means fibre of the fleece of any variety of the domestic sheep or lamb (*ovis aries*) :

“ wrapping ” means any box, paper, carton, band or other wrapping in which textile products are packed or bound, but does not include any such wrapping in which the products are packed or bound by a retailer for delivery to a retail buyer.

(2) The Governor may by proclamation declare that any textile product shall be exempted from this Act and may by proclamation vary or revoke any proclamation for the time being in force under this section.

Duty to label
textile
products.

4. A person shall not sell, offer to sell, expose for sale or deliver on sale any textile product unless a description complying with section 5 of this Act is applied in accordance with that section to that product and to any wrapping in which that product is packed or bound.

Requirements
as to
descriptions.

5. A description applied to textile products pursuant to section 4 of this Act shall comply with the following requirements :—

- (a) It shall be written in English in clearly legible characters :
- (b) It shall be printed on or woven into the product or wrapping or a tag, label, or ticket affixed or attached to the product or wrapping :
- (c) It shall be conspicuously placed so as to be clearly visible :
- (d) It shall show separately the percentage by weight of each of the following ingredients of the textile product :—
 - (i.) virgin wool ;
 - (ii.) re-processed or re-used wool ;
 - (iii.) each fibre other than wool if the percentage by weight of all such fibres is five per cent or more ;
 - (iv.) any non-fibrous loading, filling or adulterating material :
- (e) The word “ wool ” or any word derived from the word “ wool ” shall not be used in the description to describe or to form part of the description of any fibre which is not wool :

(f) If a textile product contains at least ninety-five per centum by weight of virgin wool, it shall be sufficient if the product is described as "woollen goods", or "all wool", or "pure wool":

(g) It shall comply with any requirements which are prescribed by regulation under this Act.

6. (1) A person shall not sell, offer to sell, or expose for sale or deliver on sale any textile product to which is applied a description which consists of or contains the word "wool" or any word derived from the word "wool" unless at least fifty per cent. by weight of the materials of which that product is made is wool: Provided that this subsection shall not apply to the description required under section 5 of this Act.

Restriction on
use of word
"wool" or
"woollen."

(2) For the purposes of subsection (1) of this section a description shall be deemed to be applied to a textile product if the description is marked on the product, or on any tag, label or ticket attached thereto, or on any wrapping in which the product is packed or bound, or if the description is used or applied in any manner likely to lead to the belief that it describes the product.

7. A person who contravenes any provision of this Act shall be guilty of an offence and liable on summary conviction to a fine of not more than one hundred pounds.

Offences and
penalty.

8. In proceedings for an offence against section 4 of this Act in respect of any textile products it shall be a defence—

Defence.

(a) in a case where the defendant is the manufacturer of the products, that the percentages of the fibre contents of the products did not differ from those stated in the description by more than three per cent in the aggregate:

(b) in a case where the products are imported goods, that the products were sold having applied thereto a description showing all particulars required by or pursuant to the Commerce (Trade Descriptions) Act, 1905-1933, of the Commonwealth, and the regulations thereunder:

(c) in any case, that at the time when the offence occurred the products bore the same description as had been applied to them when the defendant acquired them and that that description appeared to comply with this Act and had not been altered in any way by the defendant.

Regulations.

9. The Governor may make any regulations necessary or convenient for carrying this Act into effect and may by regulation prescribe fines recoverable summarily and not exceeding fifty pounds for breach of any regulations.

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

J. M. NAPIER, Lieutenant-Governor.



ANNO OCTAVO

GEORGII VI REGIS.

A.D. 1944.

No. 17 of 1944.

An Act relating to The Adelaide Electric Supply Company Limited, and for other purposes.

[Assented to 7th December, 1944.]

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 Adelaide Electric Supply Company Act, 1944 ”. Short title.

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

Interpretation.

“ the Company ” means The Adelaide Electric Supply Company Limited, its successors and assigns :

“ the Treasurer ” means the Treasurer of the State, or the Minister of the Crown for the time being acting as Treasurer.

3. (1) An inquiry shall be held by a Royal Commission into the matters mentioned in this section.

Inquiry by
Royal
Commission.

(2) The Royal Commission shall be appointed by the Governor and shall be constituted of—

- (a) a Judge of the Supreme Court, who shall be chairman ;
- (b) a member nominated by the Treasurer ; and
- (c) a member nominated by the Company.

A decision of any two members of the Commission shall be regarded as the decision of the whole Commission.

(3) The Commission shall inquire into and report upon the supply of electricity by the Company and all matters connected therewith and the question whether any further legislation relating to the Company is desirable and, if so, the nature of such legislation.

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

J. M. NAPIER, Lieutenant-Governor.



ANNO OCTAVO

GEORGII VI REGIS.

A.D. 1944.

No. 18 of 1944.

An Act to provide for the assistance of primary producers who have suffered loss by drought or frost in the year nineteen hundred and forty-four.

[Assented to 7th December, 1944.]

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 "Drought and Frost Relief Act, 1944". Short title.

2. (1) Subject to this Act, the Treasurer may make a grant of money to any primary producer who has suffered loss as a result of drought or frost in the year nineteen hundred and forty-four. Grants to primary producers.

(2) Every such grant shall be made in accordance with arrangements made between the Governments of the State and of the Commonwealth or between Ministers acting on behalf of those Governments.

(3) A person shall not be eligible for a grant unless he is one of a class of primary producers approved by or on behalf of the Government of the Commonwealth as being eligible for grants.

3. (1) A grant paid under this Act to any person—

(a) shall not pass to any other person by virtue of any assignment made before payment of the grant ;

Protection of grants.

(b) shall not be subject to any lien, right of set off or appropriation, or charge, which lien, right, or charge exists or is claimed in respect of any debt incurred before payment of the grant ;

(c) shall not be taken or applied by virtue of any legal process, in or towards satisfaction of any debt incurred before payment of the grant.

(2) In this section “ grant ” means the whole or any part of a grant.

Financial
provision.

4. (1) Every grant under this Act shall in the first instance be paid out of cash in the hands of the Treasurer and shall be debited to a Suspense Account kept at the Treasury.

(2) The cash paid under subsection (1) of this section shall be recouped to the Treasurer out of—

(a) the money received by the State from the Commonwealth for the purpose of paying grants under this Act :

(b) such amounts of the General Revenue of the State or of loan money raised under this Act, or both, as the Treasurer may apply for the purpose of such recoupment.

The amounts specified in paragraphs (a) and (b) of this section shall be credited to the Suspense Account.

Power to
borrow.

5. (1) The Treasurer may arrange for a sum not exceeding one-half of the total amount of the grants made under this Act and not exceeding four hundred and fifty thousand pounds to be borrowed in accordance with the Financial Agreement on behalf of the State.

(2) Any money so borrowed shall be applied in accordance with section 4 of this Act.

Appropriation.

6. This Act, without any further appropriation, shall be sufficient authority for the Treasurer to make any payment, whether of General Revenue or loan money, mentioned in this Act.

Exemption.

7. Stamp duty shall not be payable upon any declaration or other document made or executed by an applicant for assistance under this Act in connection with his application.

8. The Governor may make regulations prescribing the forms of application and the procedure to obtain grants under this Act and any other matters necessary or convenient to be prescribed for the purpose of the administration of this Act, and may by any regulation prescribe fines recoverable summarily and not exceeding fifty pounds for breach of any regulation. Regulations.

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

J. M. NAPIER, Lieutenant-Governor.

Administrative committed to
Minister of Agriculture in lieu of
Treasury vide gazette 22/3/45
17/4



ANNO OCTAVO
GEORGII VI REGIS.

A.D. 1944.

No. 19 of 1944.

An Act to make further provision for the payment of
Members of Parliament.

[Assented to 7th December, 1944.]

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 “Payment of Members of
Parliament Act, 1944”.

Payment of
members of
Parliament
other than
Ministers.

2. Every member of Parliament, not being a Minister of the
Crown, shall in addition to any salary, annual sum or other
payment to which he is entitled out of the General Revenue
of the State, be entitled to receive an additional sum at the
rate of two hundred pounds per annum.

Application of
certain
enactments.

3. Sections 4 and 5 of the Payment of Members of Parliament
Act, 1936, shall apply in relation to the payments provided
for by this Act in like manner as they apply to the payments
provided for in that Act.

This Act to
apply notwith-
standing other
Acts.

4. This Act shall apply notwithstanding the provisions of
any Act in force at the time of the passing of this Act.

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

J. M. NAPIER, Lieutenant-Governor.



ANNO OCTAVO

GEORGII VI REGIS.

A.D. 1944.

No. 20 of 1944.

An Act to amend the Road Traffic Act, 1934-1944.

[Assented to 7th December, 1944.]

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 "Road Traffic Act Amendment Act (No. 2), 1944". Short titles.

(2) The Road Traffic Act, 1934-1944, as amended by this Act may be cited as the "Road Traffic Act, 1934-1944".

(3) The Road Traffic Act, 1934-1944, is hereinafter called "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 4 of the principal Act is amended by inserting in the third line of the definition of "trailer" therein after the word "vehicle" (first occurring) the words "and any machine which is mounted on wheels and is constructed or adapted for being drawn by a motor vehicle." Amendment of s. 4 of principal Act—
Interpretation.

4. Section 7 of the principal Act is amended—

(a) by striking out paragraph (a) of subsection (5) thereof;

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

Amendment of s. 7 of principal Act—
Exemption of road making vehicles from registration.

(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 con-

structing 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.

Amendment of
s. 9 of principal
Act—

Mode of com-
puting registra-
tion fee.

5. Section 9 of the principal Act is amended by inserting therein at the end of paragraph (5) the following passage:—

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.

Amendment of
s. 42 of
principal Act—
Lights on motor
vehicles.

6. Section 42 of the principal Act is amended—

(a) by striking out the words “the off side of” in the tenth, twenty-third and twenty-fourth lines of subsection (1);

(b) by striking out subsection (3) thereof and inserting in lieu thereof the following subsection:—

(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.

Amendment of
s. 70b of
principal Act—
Penalty for
driving
uninsured
vehicle.

7. Section 70b of the principal Act is amended by inserting after the word “may” in the penultimate line of subsection (1) thereof the words “impose a fine of less than twenty pounds and”.

Amendment of
s. 111 of
principal Act—
Lights where
load projects.

8. Section 111 of the principal Act is amended by striking out subsection (2) thereof and inserting in lieu thereof the following subsection:—

(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.

Amendment of
s. 111a of
principal Act—
Lights on
projecting parts
of vehicles.

9. Section 111a of the principal Act is amended by striking out subsection (2) thereof and inserting in lieu thereof the following subsection:—

(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.

10. Section 123 of the principal Act is amended by adding at the end thereof the following subsections, the previous part of the section being read as subsection (1) thereof:—

Amendment of
s. 123 of
principal Act—
Significance
of traffic signs.

(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:—

- (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.

(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.

(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.

Amendment of
s. 139 of
principal Act—
Duty to stop in
case of accident.

11. Section 139 of the principal Act is amended by inserting the words “ as soon as practicable after the accident happens ” before the word “ stop ” in the fourth line.

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

J. M. NAPIER, Lieutenant-Governor.



ANNO OCTAVO

GEORGII VI REGIS.

A.D. 1944.

No. 21 of 1944.

An Act to amend the Advances for Homes Act, 1928-1935.

[Assented to 14th December, 1944.]

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 "Advances for Homes Act Amendment Act, 1944". Short titles.

(2) The Advances for Homes Act, 1928-1935, as amended by this Act, may be cited as the "Advances for Homes Act, 1928-1944".

(3) The Advances for Homes Act, 1928-1935, is hereinafter referred to as "the principal Act".

2. Section 11 of the principal Act is amended by striking out the words "four hundred and fifty" wherever occurring in the fifth, tenth, and sixteenth lines thereof and by inserting in lieu thereof in every case the words "six hundred". Amendment of principal Act, s. 11—
Qualified persons.

3. Section 16 of the principal Act is amended by striking out the word "seven" in the last line thereof and by inserting in lieu thereof the words "one thousand one". Amendment of principal Act s. 16—
Limit of cost of dwelling-house and land.

4. Section 18 of the principal Act is amended—

(a) by striking out subsection (2) thereof and by inserting in lieu thereof the following subsection :— Amendment of principal Act s. 18—
Deposit on sale of dwelling-house.

(2) Before the bank sells a dwelling-house to a qualified person, he shall pay to the bank such sum as is fixed by the bank but which shall be not less than—

(a) twenty-five pounds, if the purchase-money payable to the bank does not exceed seven hundred and twenty-five pounds ;

(b) fifty pounds, if the purchase-money payable to the bank exceeds seven hundred and twenty-five pounds but does not exceed nine hundred pounds ;

(c) one hundred pounds, if the purchase-money payable to the bank exceeds nine hundred pounds.

(b) by striking out the word “ one-seventh ” in the second line of subsection (4) thereof and by inserting in lieu thereof the word “ one-tenth ”.

Amendment of
principal Act,
s. 19—
Restriction on
sale of house.

5. Section 19 of the principal Act is amended by adding at the end of paragraph (b) thereof the following proviso :—

Provided that if the bank is satisfied that the said person, or the wife or husband (if any) of the said person, owns a dwelling-house which is situated at a place remote from his place of employment and that by reason of the distance of the dwelling-house from his place of employment, he cannot reside in that dwelling-house, the bank may sell a dwelling-house to that person in pursuance of this Part.

Amendment of
principal Act,
s. 22—
Advances for
dwelling-
houses.

6. Section 22 of the principal Act is amended—

(a) by striking out the words “ land owned by him ” in the fourth line thereof and by inserting in lieu thereof the words “ his holding ”;

(b) by striking out the word “ six-sevenths ” wherever occurring in subsections (2), (3), (4), and (7), thereof and by inserting in lieu thereof in every case the word “ nine-tenths ” ;

(c) by striking out the words “ seven hundred ” in the last line of subsection (5) thereof and by inserting in lieu thereof the words “ one thousand ”.

Amendment of
principal Act,
s. 25—
Restriction on
making of
advance.

7. Section 25 of the principal Act is amended by adding at the end of paragraph (b) thereof the following proviso :—

Provided that if the bank is satisfied that the applicant or the wife or husband (if any) of the applicant, owns a dwelling-house which is situated at a place remote from the place of employment of the applicant and that, by

reason of the distance of the dwelling-house from his place of employment, the applicant cannot reside in that dwelling-house, the bank may make an advance to the applicant.

8. Section 35 of the principal Act is amended by striking out the words "seven hundred" in the last line of subsection (2) thereof and by inserting in lieu thereof the words "one thousand".

Amendment of
principal Act,
s. 35—
Acquisition of
freehold.

9. Section 40 of the principal Act is amended by striking out the words "seven hundred" in the last line thereof and by inserting in lieu thereof the words "one thousand".

Amendment of
principal Act,
s. 40—
Repair of
property.

10. Section 46 of the principal Act is amended by striking out the words "of twenty-five pounds" in the third line thereof.

Amendment of
principal Act,
s. 46—
Deposit of
necessary
margin.

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

J. M. NAPIER, Lieutenant-Governor.



ANNO OCTAVO

GEORGII VI REGIS.

A.D. 1944.

No. 22 of 1944.

An Act to amend the Advances to Settlers Act, 1930, so as to provide for the making of advances for the purpose of the erection, enlargement or alteration of dwelling-houses on land used for primary production.

[Assented to 14th December, 1944.]

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 "Advances to Settlers Act Amendment Act, 1944".

(2) The Advances to Settlers Act, 1930, as amended by this Act, may be cited as the "Advances to Settlers Act, 1930-1944".

(3) The Advances to Settlers Act, 1930, is hereinafter referred to as "the principal Act".

Enactment of
s. 12a of
principal Act—

2. The following section is enacted and inserted in the principal Act after section 12 thereof :—

Special provis-
ion for the
making of
advances for the
erection of
dwelling-houses.

12a. (1) In this section "primary producer" means any person who—

- (a) is the proprietor of any estate in fee simple in any land ; or
- (b) is the lessee under any lease of Crown lands, whether the original lessee or a successor in title of the original lessee ; or
- (c) is the purchaser under an agreement containing a covenant to purchase Crown lands whether the original purchaser or a successor in title of the original purchaser,

and who is engaged in agricultural, horticultural, viticultural or pastoral pursuits on that land.

Any reference in this section to the "holding" of a primary producer shall be deemed to be a reference to the land of the primary producer on which he is engaged in agricultural, horticultural, viticultural or pastoral pursuits.

(2) The bank may make an advance of any amount not exceeding one thousand pounds to any primary producer for the purpose of erecting, enlarging or altering a dwelling-house on the holding of that primary producer.

(3) The power to make an advance under this section shall be in addition to any other power to make advances under this Act.

(4) Every advance under this section shall be made subject to the following provisions :—

- I. The dwelling-house erected, enlarged or altered by means of the advance shall be used for the purpose of residence by the primary producer or by a member of the family or an employee of the primary producer who is employed upon the holding of the primary producer or by a person who, pursuant to an agreement for the share farming or the letting of the holding of the primary producer or any part thereof, is engaged in agricultural, horticultural, viticultural or pastoral pursuits on the holding or part thereof:
- II. No advance shall be made except upon the security of a mortgage of the estate and interest of the primary producer in his holding. If the holding is encumbered by a previous mortgage or charge in favour of the Crown or any instrumentality of the Crown, the bank may make the advance upon the security of a mortgage subject to such previous mortgage or charge. If the holding is encumbered by a previous mortgage or charge other than a mortgage or charge in favour of the Crown or any instrumentality of the Crown, the advance may be made upon the security of a subsequent mortgage of such estate or interest subject to such previous mortgage or charge but no such advance shall be made unless the Land Board is satisfied that the primary production derived from the holding is sufficient to justify the erection, enlarging or alteration of the

dwelling-house and that the fair estimated value of the holding is such that the advance should be made in accordance with this section and the Land Board recommends the making of the advance:

III. An advance made under this section shall not be made to an amount so that the total amounts secured by mortgage (whether made pursuant to this or any other Act or otherwise) of the holding of the primary producer exceeds nine-tenths of the fair estimated value of the holding of the primary producer and any improvements already made on his holding together with the fair estimated value of the improvement to be made by the erection, enlargement, or alteration of the dwelling-house for which the advance is made.

(5) Except where inconsistent with the provisions of this section, the provisions of this Act shall apply with respect to every advance under this section.

(6) Advances under this section shall be made out of moneys from time to time provided by Parliament for the purpose.

Amendment of
principal Act,
s. 5—
Advances to
Settlers Fund.

3. Section 5 of the principal Act is amended by striking out the words “not exceeding two hundred thousand pounds in any one financial year” in subsection (2) thereof.

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

J. M. NAPIER, Lieutenant-Governor.



ANNO OCTAVO

GEORGI VI REGIS.

A.D. 1944.

No. 23 of 1944.

An Act to amend the Community Hotels Incorporation Act, 1938.

[Assented to 14th December, 1944.]

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 "Community Hotels Incorporation Act Amendment Act, 1944". Short titles.

(2) The Community Hotels Incorporation Act, 1938, as amended by this Act, may be cited as the "Community Hotels Incorporation Act, 1938-1944".

(3) The Community Hotels Incorporation Act, 1938, is hereinafter called "the principal Act".

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

3. The following sections are enacted and inserted in the principal Act after section 6 thereof :— Enactment of ss. 7 and 8 of the principal Act—

7. (1) Licences under section 118 of the Licensing Act, 1932-1936, may be granted to and held by the incorporated associations known as "The Renmark Hotel Incorporated" and the "Barmera Hotel Incorporated"; and subsections (2), (3), and (4) of section 85 of the Licensing Act, 1932-1936, shall apply in relation to each of those associations and to the person named by it as manager of the licensed premises as if the association were a company incorporated under the laws of the State.

Provision for grant of licences to certain associations.

(2) Any licence granted to either of the said associations under section 118 of the Licensing Act, 1932-1936, or under any previous enactment corresponding to that section, shall be deemed to have been and to be of the same force and validity as if this section had been in force when the licence was so granted.

Community
hotel licence
not to be
forfeited.

8. A licence granted to any of the associations mentioned in this Act shall not be liable to become void or to be forfeited, or to be declared to be forfeited, under Division X. of Part IV. of the Licensing Act, 1932-1936, by reason of any conviction, act or default of the manager of the premises for which the licence is granted.

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

J. M. NAPIER, Lieutenant-Governor.



ANNO OCTAVO

GEORGII VI REGIS.

A.D. 1944.

No. 24 of 1944.

An Act to provide for the adjustment of boundaries where buildings or walls encroach on adjoining land; to facilitate the determination of boundaries; and for purposes connected therewith.

[Assented to 14th December, 1944.]

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 "Encroachments Act, Short title. 1944".

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

"adjacent owner" means the owner of land over which an encroachment extends :

"boundary" means the boundary line between contiguous parcels of land :

"building" means a substantial building of a permanent character and includes a wall :

"court" means a court which has jurisdiction in the particular matter :

"encroaching owner" means the owner of land contiguous to the boundary beyond which an encroachment extends :

"encroachment" means encroachment by a building, and includes encroachment by overhang of any part as well as encroachment by intrusion of any part in or upon the soil :

“owner” means any person entitled to an estate of freehold in possession—

- (a) whether in fee simple or for life or otherwise ;
- (b) whether at law or in equity ;
- (c) whether absolutely or by way of mortgage ;

and includes a mortgagee under a registered mortgage of a freehold estate in possession in land under The Real Property Act, 1886-1939 :

“subject land” means that part of the land of the adjacent owner over which an encroachment extends.

Jurisdiction of
courts.

3. (1) The Supreme Court shall have jurisdiction to hear and determine any application or proceeding under this Act, irrespective of the amount involved.

(2) The local court of full jurisdiction nearest to an encroachment or boundary shall, subject to subsection (3) of this section, have jurisdiction to hear and determine any application under this Act relating to that encroachment or boundary.

(3) A local court of full jurisdiction shall not, except by consent of both parties, have jurisdiction—

- (a) to make an order for payment of compensation in excess of five hundred pounds :
- (b) to order the conveyance, transfer or lease of, or the grant of any estate, interest, easement, right or privilege in relation to, any land the value of which exceeds five hundred pounds :
- (c) to order the removal of any encroachment where the value of the subject land exceeds five hundred pounds.

Application to
Court in
respect of en-
croachments.

4. (1) Either an adjacent owner or an encroaching owner may apply to the court for relief under this Act in respect of any encroachment.

(2) On the application the court may make such orders as it deems just with respect to—

- (a) the payment of compensation to the adjacent owner ;
- (b) the conveyance transfer or lease of the subject land to the encroaching owner, or the grant to him of any estate or interest therein, or any easement, right, or privilege in relation thereto ;
- (c) the removal of the encroachment.

(3) The court may grant or refuse the relief or any part thereof as it deems proper in the circumstances of the case, and in the exercise of this discretion may consider amongst other matters—

- (a) the fact that the application is made by the adjacent owner or by the encroaching owner, as the case may be ;
- (b) the situation and value of the subject land, and the nature and extent of the encroachment ;
- (c) the character of the encroaching building, and the purposes for which it may be used ;
- (d) the loss and damage which has been or will be incurred by the adjacent owner ;
- (e) the loss and damage which would be incurred by the encroaching owner if he were required to remove the encroachment ;
- (f) the circumstances in which the encroachment was made.

(4) This section applies to encroachments made either before or after the commencement of this Act.

5. (1) The minimum compensation to be paid to the adjacent owner in respect of any conveyance, transfer, lease, or grant to the encroaching owner shall, if the encroaching owner satisfies the court that the encroachment was not intentional, and did not arise from negligence, be the unimproved capital value of the subject land, and in any other case three times such unimproved capital value. Compensation.

(2) In determining whether the compensation shall exceed the minimum, and if so, by what amount, the court shall have regard to—

- (a) the value, whether improved or unimproved, of the subject land to the adjacent owner ;
- (b) the loss and damage which has been or will be incurred by the adjacent owner through the encroachment and through the orders proposed to be made in favour of the encroaching owner ;
- (c) the circumstances in which the encroachment was made.

Charge on
land.

6. (1) The order for payment of compensation may be registered in the Lands Titles Office or the General Registry Office in such manner as the Registrar-General determines, and shall, except so far as the court otherwise directs, upon registration operate as a charge upon the land of the encroaching owner and shall have the same priority as if it were a mortgage registered at the time when the order is registered.

(2) In this section the land of the encroaching owner means the parcel of land contiguous to the boundary beyond which the encroachment extends, or such part thereof as the court specifies in the order.

Encroaching
owner—Com-
pensation and
conveyance.

7. Wherever the court sees fit, and in particular where the encroaching owner is not an owner beneficially entitled to the fee simple free from encumbrances, the court may determine—

- (a) by whom and in what proportions the compensation is to be paid in the first instance, and is to be borne ultimately;
- (b) to whom, for whose benefit, and upon what limitations the conveyance, transfer or lease of the subject land or grant in respect thereof is to be made.

Adjacent
owner—Com-
pensation and
conveyance.

8. Wherever the court sees fit, and in particular where the adjacent owner is not an owner beneficially entitled to the fee simple free from encumbrances, the court may determine—

- (a) to whom, for whose benefit, and in what proportions the compensation is to be paid or applied; and
- (b) by whom the conveyance, transfer or lease of the subject land or grant in respect thereof is to be made.

Vesting order.

9. Wherever the court may make or has made an order under this Act with respect to the subject land, the court may make such vesting order as it deems proper in lieu thereof or in addition thereto, or in default of compliance therewith.

Boundaries.

10. (1) Where any question arises, whether an existing building encroaches or a proposed building will encroach beyond the boundary, either of the owners of the contiguous parcels of land may apply to the court for the determination under this Act of the true boundary.

(2) On the application the court may make such orders as it deems proper for determining, marking, and recording the true boundary.

(3) This section applies to buildings erected either before or after the commencement of this Act.

11. (1) In any proceeding before a court, however originated, the court may, if it sees fit, exercise any of the powers conferred by this Act, and may stay the proceeding on such terms as it deems proper. Suit, action, or other proceeding.

(2) Where any proceeding is taken or is about to be taken by any person, and the court in which the proceeding is taken or is about to be taken, or the Supreme Court, is of opinion that the matter could more conveniently be dealt with by an application under this Act, the court may grant an injunction on such terms as it may deem proper, restraining the person from taking or continuing the proceedings.

(3) In any proceeding the court may, if it is of opinion that the matter could more conveniently be dealt with by an application under this Act, stay the action on such terms as it deems proper.

12. In any application under this Act the court may require— Persons interested.

(a) that notice of the application shall be given to any person interested ;

(b) that any person interested shall be made a party to the application.

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

J. M. NAPIER, Lieutenant-Governor.



ANNO OCTAVO

GEORGII VI REGIS.

A.D. 1944.

No. 25 of 1944.

An Act to amend the Fire Brigades Act, 1936-1942.

[Assented to 14th December, 1944.]

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 " Fire Brigades Act Amendment Act, 1944 ".

(2) The Fire Brigades Act, 1936-1942, as amended by this Act, may be cited as the " Fire Brigades Act, 1936-1944 ".

(3) The Fire Brigades Act, 1936-1942, is hereinafter referred to as " the principal Act ".

Enactment of
s. 24a of
principal Act—

2. The following section is enacted and inserted in the principal Act after section 24 thereof :—

Power to
provide
residences for
employees.

24a. Subject to subsection (3) of section 24, the board may acquire and hold any real property for the purpose of providing dwelling-houses or other dwelling accommodation for the chief officer, or any officer, fireman, or other person employed by the board and may for that purpose erect or cause to be erected any buildings on any land of the board.

Enactment of
s. 27a of
principal Act—

3. The following section is enacted and inserted in the principal Act after section 27 thereof :—

Power to
borrow for the
provision of
residences for
employees.

27a. (1) For the purpose of providing dwelling-houses or other dwelling accommodation for the chief officer, or any officer, fireman or other person employed by the

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board, the board may, with the consent of the Minister, from time to time borrow such moneys as may be necessary for that purpose.

(2) The moneys borrowed pursuant to this section may, at the discretion of the board, be borrowed either upon the security of any freehold or leasehold lands of the board or may be raised by the sale of debentures or may be both borrowed and raised as aforesaid. Subject to this section, the provisions of section 26 shall apply to the borrowing of any moneys upon the security of the freehold or leasehold lands of the board and the provisions of section 27 shall apply to the borrowing of any moneys by the sale of debentures.

(3) The moneys borrowed under this section shall not at any time exceed one hundred thousand pounds.

(4) The powers conferred by this section shall be in addition to those conferred on the board by sections 26 and 27.

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

J. M. NAPIER, Lieutenant-Governor.



ANNO OCTAVO

GEORGII VI REGIS.

A.D. 1944.

No. 26 of 1944.

An Act to amend the Crown Lands Act, 1929-1941.

[Assented to 14th December, 1944.]

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 “Crown Lands Act Amendment Act, 1944”.

 (2) The Crown Lands Act, 1929-1941, as amended by this Act, may be cited as the “Crown Lands Act, 1929-1944”.

 (3) The Crown Lands Act, 1929-1941, 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. 5 of principal Act Powers of Governor. 3. Section 5 of the principal Act is amended by inserting therein after paragraph (f) the following paragraphs :—

 (f1) by proclamation declare that any dedicated lands or reserved lands shall be under the care, control, and management of any Minister, municipal or district council, or any association, corporate or unincorporate :

 (f2) by proclamation revoke or vary any proclamation made under paragraph (f1) of this section :

Amendment of s. 9 of principal Act—Powers of Commissioner. 4. Section 9 of the principal Act is amended—

 (a) by striking out the word “gates” in the first line of paragraph (n) thereof and inserting in lieu thereof the words “or construct and maintain gates, grids, and ramps or any of them” ;

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

(n1) impose conditions on the grant of any permission under paragraph (n) of this section, and revoke any permission upon breach of any condition thereof :

5. Section 11 of the principal Act is amended by striking out the word “ four ” in the second line and inserting in lieu thereof the word “ six ”.

Amendment of
s. 11 of
principal Act—
Constitution of
Land Board.

6. The following section is enacted and inserted in the principal Act after section 22a thereof :—

Enactment of
s. 22a of
principal Act—

22b. (1) Notwithstanding any other provision of this Act, if the board is of the opinion that any parcel of Crown Land is not sufficient to provide a living area, but can conveniently be worked by a lessee or purchaser in conjunction with the land comprised in his lease or agreement, the Commissioner, on the application of that lessee or purchaser and the recommendation of the board, may direct that a lease or agreement of the parcel of land shall be granted to the lessee or purchaser.

Allotment of
land less than
living area.

(2) If such a direction is given it shall not be necessary to invite applications for the land whether by notice in the *Gazette* or otherwise.

(3) The rent or price payable for any such parcel shall be determined by the Commissioner on the recommendation of the Board.

7. The heading to Division IIIA. of Part V. of the principal Act is amended by striking out the words “ in Whyalla ”.

Amendment of
heading to
Division IIIA.
of Part V.

8. Section 41d of the principal Act is amended by inserting at the end thereof the following subsection :—

Amendment of
s. 41d of the
principal Act—

(5) A land grant of the fee simple of land surrendered under this section may contain all or any of the following conditions, namely :—

Purchase of
fee simple of
Whyalla town
lands.

(a) that the grantee or his successor in title shall during any period specified in the condition personally reside upon the land :

(b) that the grantee or his successor in title shall within such time as is specified in the con-

dition erect on the land in accordance with plans and specifications to be approved by the Commissioner, such premises as are specified in the condition and shall not, without the consent in writing of the Commissioner, erect on the land any other premises :

- (c) a condition regulating or restricting in such manner as is specified in the condition the purposes for which the land may be used :
- (d) that the land shall not be transferred, mortgaged, or otherwise dealt with within a period specified in the condition, but not exceeding six years from the date of the land grant, without the consent in writing of the Commissioner.

If the land grant contains any such conditions, subsections (2) to (8) inclusive of section 232h of this Act shall apply to every such condition in the same way as they apply to conditions under that section.

This subsection shall be deemed to have come into force on the seventh day of September, nineteen hundred and thirty-nine.

Enactment of
s. 41f of
principal Act—

9. The following section is enacted and inserted in the principal Act after section 41e thereof :—

Application of
ss. 41a-41e to
Leigh Creek.

41f. Sections 41a to 41e (inclusive) of this Act shall apply in relation to any town constituted after the thirtieth day of September, nineteen hundred and forty-four on the Leigh Creek coalfield, in the same way as they apply in relation to the town of Whyalla, and the said sections shall be construed as if every reference therein to the town of Whyalla were also a reference to any town constituted as aforesaid.

Enactment of
s. 50b of
principal Act—

10. The following section is enacted and inserted in the principal Act after section 50a thereof :—

Power to
reduce money
payable under
leases and
agreements.

50b. (1) Notwithstanding any other provision of this Act, the Commissioner may, on the recommendation of the board—

- (a) reduce the amount fixed in any lease as the price at which the fee simple of the land comprised in the lease may be purchased ;
- (b) reduce any amount payable under any lease as the price of improvements, or any instalments thereof ;

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- (c) reduce any other amount payable under any lease, not being rent ;
- (d) reduce the rate of interest payable on any such amount as is mentioned in paragraph (b) or (c) of this section ;
- (e) remit or accept payment by instalments of the whole or any part of any arrears of any kind owing under a lease or agreement ;
- (f) impose conditions on the grant of any concession under this section and revoke the concession upon breach of any condition so imposed.

(2) Where the liabilities of a lessee or purchaser are altered under this section, the lease or agreement shall be deemed to be varied so as to provide for the altered liabilities; and the same rights and remedies shall be available for enforcing the altered liabilities as were available for enforcing the liabilities of the lessee or purchaser before the alteration.

(3) This section shall apply to amounts payable either before or after the enactment of this section.

11. Section 144 of the principal Act is amended by striking out the words “and the Surveyor-General” in paragraph 1.

Amendment of s. 144 of principal Act—
Acquisition of land by repurchase.

12. Section 145 of the principal Act is amended by striking out the whole of the proviso thereto.

Amendment of s. 145 of principal Act—
Acquisition of land compulsorily.

13. Section 152 of the principal Act is amended—

Amendment of s. 152 of principal Act—
Acquisition of large estates and land on River Murray.

(a) by striking out the words “signed by the Director of Lands” in the third line of subsection (2) and inserting in lieu thereof the words “given by the board”;

(b) by striking out the words “Surveyor-General and the Director of Lands” in the fourth line of subsection (3) and inserting in lieu thereof the word “board”.

14. Section 153 of the principal Act is amended—

Amendment of s. 153 of principal Act—
Acquisition of lands for working land adjacent to River Murray.

(a) by striking out the words “Director of Lands has signed” in the third line of paragraph (b) of sub-

section (2) and inserting in lieu thereof the words “ board has given ” ;

(b) by striking out paragraph (c) of subsection (2) ;

(c) by striking out in paragraph (d) of subsection (2) the words “ Surveyor-General and the Director of Lands have ” and inserting in lieu thereof the words “ board has ” ;

(d) by striking out the words “ Director of Lands ” in subsection (3) and inserting in lieu thereof the word “ board ”.

Amendment of
s. 154 of
principal Act—
Land irrigable
from River
Murray.

15. Section 154 of the principal Act is amended—

(a) by striking out the words “ Director of Lands has certified in writing ” in the second and third lines of subsection (2) and inserting in lieu thereof the words “ board has certified ” ;

(b) by striking out the words “ Surveyor-General and the Director of Lands have ” in the fifth and sixth lines of subsection (2) and inserting in lieu thereof the words “ board has ” ;

(c) by striking out the words “ certificates of the Surveyor-General and Director of Lands ” in subsection (3) and inserting in lieu thereof the words “ certificate of the board ”.

Amendment of
s. 155 of
principal Act—
Land requiring
drainage.

16. Section 155 of the principal Act is amended—

(a) by striking out the words “ Surveyor-General and the Engineer-in-Chief have ” in the second and third lines of subsection (2) and inserting in lieu thereof the words “ board after obtaining a report from the Engineer-in-Chief as to the possibility of draining the land has ” ;

(b) by striking out the word “ have ” in the fifth line of subsection (2) and inserting in lieu thereof the word “ has ” ;

(c) by striking out the words “ Surveyor-General and the Engineer-in-Chief ” in subsection (3) and inserting in lieu thereof the word “ board ”.

Amendment of
s. 170 of
principal Act—
Purchase of
land by
arrangement.

17. Section 170 of the principal Act is amended—

(a) by striking out the words “ and the Surveyor-General ” in the penultimate line of subsection (1) ;

(b) by striking out the word “ values ” in the second line of subsection (2) and inserting in lieu thereof the word “ value ” ;

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(c) by striking out the words "and the Surveyor-General are" in the second and third lines of subsection (2) and inserting in lieu thereof the word "is";

(d) by striking out paragraph (b) of subsection (2) and inserting in lieu thereof the following paragraph:—

(b) the value placed upon the land by the board is less than the price required by the owner of the land, but the applicants are willing to pay to the Commissioner a sum equal to one-tenth of the said value and also the difference between the said value and the said price, and the Commissioner consents thereto; and

(e) by striking out the words "and the Surveyor-General" in the first and second lines of paragraph (c) of subsection (2);

(f) by striking out the words "and the Surveyor-General" in the second line of paragraph (e) of subsection (2);

(g) by striking out in paragraph (f) of subsection (2) thereof all the words before the words "and make a deposit of the prescribed amount" in the tenth and eleventh lines of the said paragraph and by inserting in lieu thereof the following words:—

(f) the applicants pay in any case where the said value is equal to or greater than the price required by the owner, a sum equal to one-tenth of the said price and in any case where the said value is less than the said price, one-tenth of the said value and also the difference between the said value and the said price".

18. Section 170a of the principal Act is amended—

(a) by striking out the words "and the Surveyor-General" in subsection (3);

(b) by striking out the words "and the Surveyor-General or" in the third line of subsection (4);

(c) by striking out paragraph (b) of subsection (4).

Amendment of
s. 170a of
principal Act—
Purchase of
land for
allotment to
one settler.

19. Section 170b of the principal Act is amended—

(a) by striking out the words "and the Surveyor-General" in subsection (3);

Amendment of
s. 170b of
principal Act—
Loans for
schemes for
closer settle-
ment.

(b) by striking out the words “ and the Surveyor-General or ” in the third line of subsection (4) ;

(c) by striking out paragraph (b) of subsection (4) thereof.

Amendment of
s. 184 of
principal Act—
Power to
grant leases on
surrender.

20. Section 184 of the principal Act is amended by inserting after the word “ agreement ” in the seventh line thereof the words “ or lease ”, and by inserting after the word “ price ” in the seventh line thereof the words “ or rent ”.

Amendment of
s. 199 of
principal Act—
Surrender of
agreement for
perpetual
lease.

21. (1) Section 199 of the principal Act is amended by inserting in subsection (2) after paragraph (b) the following paragraph :—

(c) the provisions (if any) to be inserted in the perpetual lease for the purpose of binding the applicant to pay for all or any of the improvements on the land.

(2) The amendment made by this section shall be deemed to have come into force at the time of the passing of the principal Act.

Amendment of
s. 200 of
principal Act—
Reduction of
purchase
money.

22. Section 200 of the principal Act is amended—

(a) by striking out the words “ the Surveyor-General and ” in the second line of subsection (2) ;

(b) by striking out the words “ the Surveyor-General and ” in the first line of subsection (3) ;

(c) by striking out the word “ their ” in the second line of subsection (3) and inserting in lieu thereof the word “ its ” ;

(d) by striking out the words “ the Surveyor-General and ” in the eighth and ninth lines of subsection (3).

Repeal of
s. 201 (3) of
principal Act—
Consequential
repeal.

23. (1) Subsection (2) of section 201 of the principal Act is amended—

(a) by striking out the words “ hereinafter provided for ” in the second and third lines and inserting in lieu thereof the words “ of the board ” ;

(b) by striking out the whole of lines 10 to 19 thereof.

(2) Subsection (3) of section 201 of the principal Act is repealed.

Amendment of
s. 203 of
principal Act—
Conditional
increase of
holding.

24. Section 203 of the principal Act is amended by striking out the words “ the Surveyor-General and ” in the fifth line.

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25. Section 206 of the principal Act is amended by striking out the proviso to subsection (1) thereof and inserting in lieu thereof the following passage :—

Amendment of
s. 206 of the
principal Act—
Surrender of
new lease.

The lessee surrendering may nominate himself or any other person, or any persons (of whom the said lessee may be one) as the person or persons to whom a lease or leases of the whole or any part or parts of the surrendered land may be granted : Provided that a lease shall not be granted to a person other than the lessee surrendering unless the transfer to that person has been approved in the usual manner.

26. Section 207 of the principal Act is amended by striking out all words therein after “agreement” in the second line.

Amendment of
s. 207 of
principal Act—
Surrender of
agreement.

27. Section 208 of the principal Act is amended by striking out the proviso to subsection (1) thereof and inserting in lieu thereof the following passage :—

Amendment of
s. 208 of the
principal Act—
Surrender of
agreement for
new agreement.

The purchaser surrendering may nominate himself, or any other person, or any persons (of whom the said purchaser may be one) as the person or persons to whom an agreement or agreements of the whole or any part or parts of the surrendered land may be granted : Provided that an agreement shall not be granted to a person other than the purchaser surrendering unless a transfer to that person has been approved in the usual manner.

28. Section 208aa of the principal Act is amended by striking out the figures “207” in the first line and inserting in lieu thereof the figures “208”.

Amendment of
s. 208aa of
principal Act.

29. The following section is enacted and inserted in the principal Act after section 209 thereof :—

Enactment of
s. 209a of
principal Act—

209a. (1) Where a person holds any marginal land on lease or agreement the Commissioner on the recommendation of the board may—

Surrender of
lease or
agreement for
marginal land
lease.

- (a) permit him to surrender that lease or agreement as to the whole or any part of the land comprised therein ;
- (b) on any such surrender grant him a lease under the Marginal Lands Act, 1940, of the land surrendered ;
- (c) if more than one such lease or agreement is surrendered by the same person, grant him

one lease under the Marginal Lands Act, 1940, comprising all the land surrendered.

(2) Section 4 of the Marginal Lands Act, 1940, shall apply to any lease so granted.

(3) In this section "marginal land" means land which has been used principally for wheat growing, but which in the Commissioner's opinion, because of inadequate rainfall, with or without other causes, is unsuitable for wheat growing as the principal operation carried on thereon.

Amendment of
s. 211a of
principal Act—
Extension of
time for
exercising
right of
purchase.

30. Section 211a of the principal Act is amended by adding at the end of the definition of "the present war" in subsection (2) the words "and any war in which Great Britain becomes engaged during that war".

Amendment of
s. 221 of
principal Act—
Surrender of
agreement for
perpetual lease.

31. (1) Section 221 of the principal Act is amended by inserting in subsection (2) thereof after paragraph (b) the following paragraph:—

and (c) the provisions (if any) to be inserted in the perpetual lease for the purpose of binding the applicant to pay for all or any of the improvements on the land.

(2) The amendment made by this section shall be deemed to have come into force at the time of the passing of the principal Act.

Enactment of
s. 234a of
principal Act—

32. The following section is enacted and inserted in the principal Act after section 234 thereof:—

Building
conditions in
town blocks.

234a. (1) Whenever any town land is offered for sale under this Part the Commissioner may by notice in the *Government Gazette* offering the land for sale, declare that the land shall be sold subject to a condition that the purchaser or his successor in title shall within the time specified in the condition erect on the land buildings of a kind specified in the condition and complying with any other requirements so specified.

(3) Subsections (2) to (8) inclusive of section 232h of this Act shall apply to every such condition in the same way as they apply to conditions under that section.

Amendment of
s. 235 of
principal Act—
Limitation of
town
allotments
that may be
purchased.

33. Section 235 of the principal Act is amended by striking out subsections (1) and (2) thereof and inserting in lieu thereof the following subsections:—

(1) Whenever town lands are sold by auction, under any provision of this Act, the Commissioner may by notice in the *Government Gazette* direct that all or any of

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the following conditions shall apply in relation to any area specified in the notice, being the whole or any part of the town where the lands are situated :—

- (a) That not more than a specified number of allotments in that area shall be purchased by or on behalf of any person ;
- (b) That no allotments in that area shall be purchased by or on behalf of any person who holds more than a specified number of allotments in that area ;
- (c) That allotments in that area shall not be purchased by or on behalf of any person so as to increase the total number of allotments in that area held by him or on his behalf beyond a specified number.

(2) If it is shown to the satisfaction of the Commissioner that any allotments have been purchased in breach of any such condition the Governor may by notice published in the *Government Gazette*, cancel the sale of all or any of those allotments ; whereupon the sale so cancelled shall become absolutely void, and the allotments of which the sale was cancelled shall be forfeited to the Crown.

34. The following section is enacted and inserted in the principal Act after section 244 thereof :—

Enactment of
s. 244a of
principal Act—

244a. A licence granted under the last preceding section may contain conditions requiring the licensee to erect or construct and maintain gates, grids and ramps or any of them at any place not within a municipality or district council district, on any road which passes through or abuts on the land described in the licence, and such other conditions as the Commissioner thinks fit.

Conditions in
licences.

35. Section 263a of the principal Act is amended—

Amendment of
s. 263a of
principal Act—
Soil
conservation
reserves.

- (a) by striking out the word “perpetual” (twice occurring) in the second and third lines of subsection (1) ;
- (b) by adding at the end of subsection (1) thereof the words “unless the Commissioner, on the recommendation of the board, determines that a greater total area should be set apart and reserved in any particular case. If such a determination is made the total area shall not exceed that so determined”.

36. Section 263b of the principal Act is amended—

Amendment of
s. 263b of
principal Act—
Insurance.

- (a) by inserting after the word “lessee” in the fourth line of subsection (2) the words “or purchaser”;

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

(3) If a lessee or purchaser does not insure any buildings, erections, or improvements, as required by his lease or agreement or this Act, the Commissioner may insure them and recover the cost of so doing from the lessee or purchaser as a debt by action in any court of competent jurisdiction.

Enactment of
s. 265b of
principal Act—

37. The following section is enacted and inserted in the principal Act after section 265a :—

Power of
Commissioner
to manage
blocks.

265b. (1) If—

(a) a lessee or purchaser is continuously absent from the land comprised in his lease or agreement for one month or more without having given the Commissioner notice of such absence ; or

(b) notice of cancellation of any lease or agreement has been given pursuant to this Act,

and if the Commissioner believes on reasonable grounds that the land comprised in the lease or agreement is being seriously neglected and is thereby deteriorating in value, he may, on the recommendation of the board, assume the general control and management of that land and may do all things necessary to keep it in production and prevent deterioration.

(2) Any expense incurred by the Commissioner in so doing shall be a charge on the land and shall be payable by the lessee or purchaser for the time being of the land and may be recovered by the Commissioner by action in any court of competent jurisdiction as a debt due to him by the lessee or purchaser.

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

J. M. NAPIER, Lieutenant-Governor.



ANNO OCTAVO

GEORGII VI REGIS.

A.D. 1944.

No. 27 of 1944.

An Act to provide for the establishment and management of forests by municipal and district councils, and for incidental purposes.

[Assented to 14th December, 1944.]

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 "Local Government (Forestry Reserves) Act, 1944". Short title.

2. In this Act—

Interpretation.

"council" means municipal council or district council:

"Minister" means the Minister of the Crown to whom for the time being the administration of this Act is committed by the Governor.

3. (1) The Governor may by proclamation made on the recommendation of the Conservator of Forests declare—

Power to declare local government forestry reserves.

(a) any Crown land which has been dedicated or reserved as a forestry reserve or for forestry purposes and placed under the care, control and management of a council:

(b) any land of a council the use of which is not restricted by any trust, dedication, reservation or condition or which, if so restricted, may pursuant to such trust, dedication, reservation or condition, be used for forestry purposes,

to be a local government forestry reserve for the purposes of this Act.

(2) The Governor may by proclamation made on the recommendation of the Conservator of Forests revoke or vary any such proclamation.

(3) Whilst any land is comprised in a local government forestry reserve it shall be used only for forestry purposes and for purposes incidental to forestry purposes.

Power of
council to
establish
forest.

4. (1) A council may establish and manage a forest on any local government forestry reserve.

(2) A council may expend any moneys of the council for the purpose of establishing or managing any such forest or for any incidental purpose.

Power to make
advances to
councils for
forestry
purposes.

5. (1) From moneys provided by Parliament for the purpose, the Minister may, on the recommendation of the Conservator of Forests, from time to time make advances to any council for the purpose of the establishment or management by the council of a forest pursuant to this Act. Any such advance may be made to the council without obtaining the consent of the ratepayers of the council.

(2) Every such advance shall be free of interest and shall, subject to section 6, be repaid by the council in such manner as the Minister, on the recommendation of the Conservator of Forests, from time to time directs. Every such advance shall be made upon such other conditions as the Minister, on the recommendation of the Conservator of Forests, from time to time directs and shall be made upon the condition that the amount advanced shall be expended by the council in accordance with any directions given to the council by the Conservator of Forests.

Provision as to
management
of forest.

6. (1) The council shall, subject to this Act, undertake the management of any forest established by the council and may sell or otherwise dispose of any timber or other products derived from the forest.

(2) The proceeds of the sale of any such timber or other products and any other revenue derived by the council from the local government forestry reserve shall be applied by the council—

(a) firstly, in payment of the expenses incurred by the council in the management of the forest;

(b) secondly, in repayment of any advance made to the council pursuant to section 5;

- (c) thirdly, in making such provision as is necessary to comply with any direction of the Conservator of Forests for the replanting of the forest.

Any surplus may be paid into the general revenue of the council.

(3) If any advance is made to a council pursuant to section 5, the council shall not be obliged to make any repayment of the advance except from the proceeds of the sale of timber or other products as aforesaid or from other revenue derived as aforesaid.

7. (1) The Conservator of Forests may advise any council as to the establishment or management of any forest and the disposal of timber or other products derived from the forest.

Powers of
Conservator of
Forests.

(2) If any advance is made to a council pursuant to section 5 for the establishment or management of any forest, the Conservator of Forests shall from time to time give all necessary directions to the council for the purpose of the establishment and management of the forest, the employment of persons necessary for the establishment or management of the forest, the expenditure by the council of the advance made to the council, the disposal of the timber and other products from the forest, the replanting of the forest, and generally respecting the use of the local government forestry reserve. The council shall carry out all such directions.

8. (1) The Governor, on the recommendation of the Conservator of Forests, may make regulations—

Regulations.

- (a) prescribing measures to be taken by councils for the management and protection of forests established pursuant to this Act and the disposal of timber or other products derived from such forests;
- (b) prescribing the manner of use of local government forestry reserves;
- (c) prescribing the manner in which directions may be given by the Conservator of Forests pursuant to section 5 or section 7 and any measures necessary to secure that such directions are carried out by councils;
- (d) for preventing the spread of fires to or in forests established pursuant to this Act;
- (e) prescribing penalties not exceeding fifty pounds for the breach of any regulation.

(2) Any such regulations may be made to apply generally throughout the State or may be limited to specified parts of the State.

Money for
purpose of
Act.

9. The moneys required for the purpose of making advances pursuant to this Act or for the purpose of enabling the Conservator of Forests to execute the provisions of this Act shall be provided out of moneys voted by Parliament for the purpose.

Summary
proceedings for
offences.

10. Any proceedings for any offence against this Act shall be disposed of summarily.

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

J. M. NAPIER, Lieutenant-Governor.



ANNO OCTAVO
GEORGII VI REGIS.
A.D. 1944.

No. 28 of 1944.

An Act to alter the titles of certain Ministers of the Crown.

[Assented to 14th December, 1944.]

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 “ Ministers’ Titles Act, 1944 ”.

Short title.

2. (1) The existing titles of Ministers of the Crown set out in the left hand column of the table in this section are hereby respectively changed to the new titles set out in the right hand column of that table :—

Change of Ministerial titles.

Existing Title.	New Title.
Commissioner of Crown Lands	Minister of Lands
Commissioner of Crown Lands and Immigration	
Commissioner of Public Works	Minister of Works
Commissioner of Waterworks	Minister of Works
Commissioner of Water Conservation ..	Minister of Works
Commissioner of Sewers	Minister of Works
Commissioner of Forest Lands	Minister of Forests
Minister of Afforestation	

(2) The body corporate created by the Commissioner of Public Works Incorporation Act, 1917, under the name of "Commissioner of Public Works" shall after the passing of this Act bear the name of "Minister of Works."

(3) The body corporate created by The Woods and Forests Act, 1882-1935, under the name of "The Commissioner of Forest Lands" shall after the passing of the Act bear the name of "Minister of Forests".

(4) Every enactment, regulation, rule, by-law, instrument, agreement or other document of any kind which contains a reference to any title changed by this section shall be read as if the changed title corresponding to the existing title were substituted for it.

Abolition of
certain bodies
corporate.

3. (1) The bodies corporate known as The Commissioner of Waterworks, The Commissioner of Water Conservation and The Commissioner of Sewers are hereby abolished.

(2) All property, rights, powers, functions, duties and liabilities of the said bodies corporate are hereby transferred to the body corporate named by this Act "Minister of Works".

(3) In any proceeding or transaction of any kind to which any of the said bodies corporate is a party, the body corporate named by this Act "Minister of Works" shall be substituted for that body corporate.

(4) The Waterworks Act, 1932-1936, the Water Conservation Act, 1936 and the Sewerage Act, 1929-1936, shall, subject to The Administration of Acts Act, 1910, be administered by the Minister of Works.

(5) Every enactment, regulation, rule, by-law, instrument, agreement or other document of any kind which contains a reference to The Commissioner of Waterworks, The Commissioner of Water Conservation, or The Commissioner of Sewers shall be read as if the title "Minister of Works" were substituted for the first mentioned names.

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

J. M. NAPIER, Lieutenant-Governor,



ANNO OCTAVO

GEORGII VI REGIS.

A.D. 1944.

No. 29 of 1944.

An Act to amend the Pastoral Act, 1936-1939.

[Assented to 14th December, 1944.]

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 "Pastoral Act Amendment Act, 1944". Short titles.

(2) The Pastoral Act, 1936-1939, as amended by this Act, may be cited as the "Pastoral Act, 1936-1944".

(3) The Pastoral Act, 1936-1939, is hereinafter called "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 34 of the principal Act is amended by striking out the word "application" in the second line and inserting in lieu thereof the word "publication". Amendment of s. 34 (1) of principal Act—Execution of leases.

4. Section 39 of the principal Act is amended by adding after the word "additions" in the fourth line thereof the words "required or permitted by any other provision of this Act or". Amendment of s. 39 of principal Act—Form and conditions of lease.

5. Section 42a of the principal Act is amended by inserting after the words "Pastoral Act, 1904" in the fifth line the words "or any Act relating to Crown lands". Amendment of s. 42a of the principal Act—Term of leases of previously unoccupied land.

6. The following sections are enacted and inserted in the principal Act after section 42a thereof :— Enactment of ss. 42b and 42c of principal Act—

Leases on
special terms
and conditions.

42b. If—

- (a) upon the expiry of a lease the Commissioner has permitted the land comprised therein to remain unoccupied for a period with the object of restoring or improving the vegetation thereon; and
- (b) the board recommends that it is expedient, in order to conserve the vegetation on the land that it should be leased for a term or on covenants and conditions different from those prescribed by the other provisions of this Act,

the Governor may, on the recommendation of the board, grant a lease of the land for such term not exceeding forty-two years and containing such covenants and conditions, whether complying with the other provisions of this Act or not, as the Commissioner approves on the recommendation of the board.

Power to add
small areas to
leases.

42c. (1) Where any parcel of land the area of which does not exceed that prescribed in subsection (7) of this section, is adjacent to land comprised in any lease the Commissioner, on the recommendation of the board, may—

- (a) allot the said parcel of land to the lessee of the land comprised in the lease on such terms as are recommended by the board and accepted by the lessee; and
- (b) by a certificate of alteration alter the lease so as to include the said parcel of land therein and make any consequential alteration of or addition to the covenants and conditions of the lease.

(2) It shall not be necessary by notice in the *Gazette* or otherwise to invite applications for any such parcel of land.

(3) Every certificate of alteration under this section shall be signed by the Commissioner.

(4) The Commissioner shall forward the certificate of alteration, together with the Land Office copy of the lease and the lessee's copy (if produced to the Commissioner) to the Registrar-General. The Registrar-General shall register the certificate of alteration in the Lands Titles Office and assign a number thereto and shall enter a memorial thereof on the copy of the lease in the Register of Crown Leases and on the other copies forwarded to him and shall return those other copies to the Commissioner.

(5) The land included in a lease pursuant to a certificate of alteration shall be subject to the mortgages, encum-

branches, sub-leases, or other interests to which the other land comprised in the lease is subject, unless the certificate otherwise provides. The Commissioner shall on the request of the lessee include in the certificate of alteration a statement that the land to which it relates is not subject to any mortgage, encumbrance, sub-lease or other interest specified in the certificate.

(6) For the purpose of this section land shall be deemed to be adjacent to any other land if it abuts on that other land or is separated therefrom only by a road or travelling-stock reserve.

(7) This section shall apply only to—

- (a) any parcel of land which does not exceed two square miles in area and which is within district A as defined in the second schedule to this Act ;
- (b) any parcel of land which does not exceed ten square miles in area and which is within district B as defined in the second schedule to this Act ;
- (c) any parcel of land which does not exceed fifty square miles in area and which is south of the twenty-sixth parallel of south latitude and is not included in district A or district B above-mentioned.

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

Enactment of
s. 48a of the
principal Act—

48a. The Commissioner may on the recommendation of the Board—

Power to waive
conditions and
covenants.

- (a) exempt any lessee from the obligation to comply in whole or part with any condition or covenant of his lease or any provision of any such condition or covenant :
- (b) waive any right or remedy arising from the breach of any such condition, covenant or provision :
- (c) impose conditions on any exemption or waiver granted under this section :
- (d) revoke any exemption or waiver upon breach of any condition imposed on the grant thereof.

8. Section 51 of the principal Act is repealed and the following section is enacted and substituted in lieu thereof :—

Repeal and
re-enactment
of s. 51 of the
principal Act—

Re-letting
of lands.

51. (1) Before re-offering land previously held under lease the Commissioner shall obtain reports on the following questions :—

- (a) whether the land or any part of it is suitable for subdivision into smaller holdings for grazing or cultivation ;
- (b) whether it is desirable that the land or any part of it should remain unoccupied for a period so as to restore or improve the vegetation thereon ;
- (c) whether it is desirable that the land or any part thereof should be allotted under any other Act.

(2) If after considering the reports so obtained, with respect to any land, the Commissioner, on the recommendation of the board, decides that the land is not suitable for subdivision and that it is not desirable to leave it unoccupied or to allot it under any other Act, the land shall be re-let under this Act.

Repeal and
re-enactment of
s. 57 of
principal Act—

9. Section 57 of the principal Act is repealed and the following section is enacted and inserted in lieu thereof :—

Appeal.

57. (1) Any lessee may within three months after service upon him of a notice of revaluation as provided in section 53 or 56, by notice in writing, request that the rent fixed on that revaluation be reconsidered ; and thereupon the Commissioner and the board shall reconsider the matter and the board, subject to the approval of the Commissioner, shall fix the rent, and give the lessee notice in writing of its decision.

(2) If the lessee is dissatisfied with the rent as so fixed, he may within three months after receiving notice of the board's decision give the Commissioner notice that he requires the rent to be fixed by arbitrators and thereupon the matter shall be decided by arbitrators under the Arbitration Act, 1891-1934, one arbitrator being appointed by the Commissioner and one by the lessee.

Amendment of
s. 62 of
principal Act—
Valuation of
improvements.

10. Section 62 of the principal Act is amended by striking out the words " Within twelve months " in the first line and inserting in lieu thereof " During the period of fifteen months ending on the last day of the tenth month ".

Amendment of
s. 64 of
principal Act—
Valuation by
arbitration.

11. Section 64 of the principal Act is amended by striking out the words " within nine months " in the second line and inserting in lieu thereof the words " before the commencement of the ninth month ".

12. Section 66 of the principal Act is amended by striking out the word “within” after the word “lease” in the first line of subsection (2) and inserting in lieu thereof the words “either under this Act or the Crown Lands Act, 1929-1941, before the end of”.

Amendment of
s. 66 of
principal Act—
Payment for
improvements.

13. Section 70 of the principal Act is amended by adding at the end thereof the following subsection :—

Amendment of
s. 70 of the
principal Act—
Payment for
Crown
improvements.

(3) Where the improvements belong to the Crown, and the Commissioner, on the recommendation of the board, decides that the purchase-money payable by the lessee for those improvements is too high, having regard to any restrictions on the number of stock which may be depastured on the land comprised in the lease or to any other relevant circumstances, the Commissioner may—

- (a) reduce the amount of the purchase-money ;
- (b) postpone the time for the payment of any instalments ;
- (c) make any other concessions in relation to the purchase-money which he thinks proper.

14. Section 81 of the principal Act is amended by striking out subsection (5) thereof and inserting in lieu thereof the following subsection :—

Amendment of
s. 81 (5) of
principal Act—
Resumption.

(5) If any land resumed under this section is at any time not required for a purpose specified in this section, the lessee or his successor in title to the lease from which the land was resumed shall have the first right to a lease thereof upon the same covenants and conditions as those on which the land was held at the time of resumption, for the balance of the term named in the lease first mentioned, upon repayment by the lessee of the compensation received by him for the resumption, or such part thereof (if any) as the Commissioner on the recommendation of the board deems just.

15. Section 86 of the principal Act is repealed.

Repeal of
s. 86 of
principal Act—
Consequential
repeal.

16. Section 95 of the principal Act is amended by adding at the end of subsection (1) thereof the following passage :—

Amendment of
s. 95 of
principal Act—
Leases of
contiguous
blocks.

In this subsection the average date of expiry of any leases shall be the date fixed by the board ; and in fixing

such average date the board shall take into account the areas comprised in the respective leases, as well as the unexpired periods of the terms of the leases.

Amendment of
s. 96 of
principal Act—
Occupation by
outgoing
lessee.

17. Section 96 of the principal Act is amended—

- (a) by inserting after the word “thereof” in the fourth line the words “and the Commissioner has determined that it is not necessary that the land should remain unoccupied as mentioned in section 51 of this Act”;
- (b) by striking out the words “the rental at which the land was last offered for lease” at the end of subsection (1) and inserting in lieu thereof the words “a rent at the same annual rate as that payable during the last year of the term of the expired lease”.

Amendment of
s. 137 of
the principal
Act—

18. (1) Subsection (1) of section 137 of the principal Act is repealed and the following subsections are enacted and substituted in lieu thereof :—

Power of
Commissioner
to alter
boundaries.

137. (1) In this section “boundary” includes any part of a boundary.

(1a) If the Commissioner is of opinion that the boundary of the land comprised in any lease cannot conveniently be fenced, or is otherwise inconvenient, he may, on the recommendation of the board, and with the consents prescribed by this section, alter that boundary.

(1b) A boundary shall not be altered under this section except with the consent of—

- (a) every lessee (whether of land under this Act or the Crown Lands Act, 1929-1941), the area of whose holding will be altered ;
- (b) every other person who has an interest in any land, the area of which will be diminished by the proposed alteration.

(1c) This section shall not authorize the Commissioner to alter the boundary of any land which abuts on land held for an estate of freehold by any person other than the Crown.

(2) Subsection (4) of section 137 is amended by adding at the end thereof the following provision :—

Where the boundary of one lease only is altered the lessee shall be liable to pay to the Commissioner half of the said fees.

19. Section 139 of the principal Act is repealed.

Amendment of
s. 139 of
principal Act—
Gates.

20. (1) Section 141 of the principal Act is amended by striking out the figures “ 100 ” at the end and inserting in lieu thereof “ 99 ”.

Amendment of
ss. 141, 142,
and 146 of
principal Act—
Drafting and
consequential
amendments.

(2) Section 142 of the principal Act is amended by striking out the word “ third ” in the last line of subsection (1) and inserting in lieu thereof the word “ first ”.

(3) Section 146 of the principal Act is amended by striking out in paragraph III. thereof the words “ Secretary for Lands, the Assistant Secretary for Lands ” and inserting in lieu thereof “ Director of Lands ” and by inserting after the words “ Surveyor-General ” the words “ or Deputy Surveyor-General ”.

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

J. M. NAPIER, Lieutenant-Governor.



ANNO OCTAVO

GEORGII VI REGIS.

A.D. 1944.

No. 30 of 1944.

An Act to amend the Stamp Duties Act, 1923-1942.

[Assented to 14th December, 1944.]

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, 1944".

(2) The Stamp Duties Act, 1923-1942, as amended by this Act, may be cited as the "Stamp Duties Act, 1923-1944".

(3) The Stamp Duties Act, 1923-1942, is hereinafter referred to as "the principal Act".

Incorporation.

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

Amendment of second schedule of principal Act—
Exemption of certain conveyances.

3. The second schedule to the principal Act is amended by inserting at the end of the paragraph commencing "Conveyance operating as a voluntary disposition *inter vivos* of any property" the following passage :—

"*Exemption.*—Conveyance operating as a voluntary disposition *inter vivos* by an employer of any property for the purpose of providing individual personal benefits, pensions or retiring allowances for his employees".

Amendment to second schedule of principal Act—
General exemptions.

4. The second schedule to the principal Act is further amended by adding at the end of the list of general exemptions from all stamp duties the following paragraph :—

23. Any conveyance, transfer, or mortgage to which a person who has been a member of a fighting

force or who is the widow of a deceased member of a fighting force is a party and which is entered into for the purpose of purchasing any land (including land used for agriculture, horticulture, viticulture, pastoral or other like pursuits) on which a dwelling-house is situated, shall be exempt from stamp duty on so much of the value of the land, or of the money secured by the mortgage, as does not exceed twelve hundred pounds: Provided that an instrument shall not be exempt under this paragraph unless the Commissioner is satisfied by such evidence as he requires—

- (a) that such member or widow will personally occupy the dwelling-house; and
- (b) that an instrument executed for the purpose of purchasing land for such member or widow has not previously been exempt from stamp duty under this paragraph.

In this paragraph “member of a fighting force” means—

- (a) a person who has been a member of a naval, military, or air force of the Commonwealth or of the United Kingdom or of any part of His Majesty's Dominions, during any war in which the Commonwealth is or has been engaged; and
- (b) a person who during any such war was employed in seagoing service on a ship registered in any territory under the dominion of His Majesty the King:

“land” includes the fee simple of any land and the estate and interest of a lessee of land held under a Crown lease, and of a purchaser of land held under an agreement for sale and purchase granted by the Crown.

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

J. M. NAPIER, Lieutenant-Governor.



ANNO OCTAVO

GEORGII VI REGIS.

A.D. 1944.

No. 31 of 1944.

An Act to amend the Vermin Act, 1931-1943.

[Assented to 14th December, 1944.]

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 "Vermin Act Amendment Act, 1944".

(2) The Vermin Act, 1931-1943, as amended by this Act, may be cited as the "Vermin Act, 1931-1944".

(3) The Vermin Act, 1931-1943, is hereinafter referred to as "the principal Act".

Amendment of principal Act, s. 56—

2. (1) Section 56 of the principal Act is amended so as to read as follows :—

Vesting of property of board on abolition of board.

56. (1) The following provisions shall apply when a vermin-fenced district ceases to be a vermin-fenced district :—

I. The board of the district shall be deemed to be abolished :

II. So much of any fence erected or purchased by the board as is on the land of a landholder or as separates the land of any landholder from any road, shall become the property of the landholder upon payment to the Crown by the landholder of the then value of the portion or portions of the fence on his land or separating his land as afore-said, less any amount paid by the landholder or

any preceding owner or occupier of the land to the board on account of the cost thereof (but not including any amount paid pursuant to section 116). If any such fence or any portion thereof separates the land of two landholders, that fence or portion thereof shall become the joint property of those landholders upon payment to the Crown by each of the landholders of one-half the then value of the fence or portion thereof, less any amount paid by that landholder or any preceding owner or occupier of the land of that landholder to the board on account of the cost thereof (but not including any amount paid pursuant to section 116):

- III. So much of any fence erected or purchased by the board as is on any land of the Crown (other than land subject to any lease granted by the Crown or comprised in any agreement with the Crown for the sale and purchase thereof) or as separates any such land of the Crown from any road shall become the property of the Crown and an amount representing the then value of the portion or portions of the fence on such land of the Crown or separating any such land of the Crown as aforesaid, less any amount paid to the board by the Director of Lands or any owner or occupier of the land on account of the cost thereof (but not including any amount paid pursuant to section 116), shall be provided out of moneys voted by Parliament for the purpose and divided in manner provided by subdivision iv. hereof. If any such fence or any portion thereof separates any such land of the Crown and the land of any landholder, that fence or portion thereof shall become the joint property of the Crown and that landholder upon payment to the Crown by the landholder of one-half the then value of the fence or portion thereof, less any amount paid by the landholder or any preceding owner or occupier of the land of that landholder to the board on account of the cost thereof (but not including any amount paid pursuant to section 116), and an amount representing one-half of the then value of the fence or portion thereof, less any amount paid to the board by the Director of Lands or any owner or occupier of such land of the Crown on account of the cost thereof (but not including any amount paid pursuant to section 116) shall be

provided out of moneys voted by Parliament for the purpose and divided in manner provided by subdivision IV. hereof :

IV. The total of the amounts paid pursuant to subdivision II. hereof or provided pursuant to subdivision III. hereof shall, after deducting proper expenses of collection and any amounts required to be paid by the Commissioner pursuant to section 55, be divided amongst the persons who were landholders of land within the district at the time of the abolition of the district *pro rata* according to the number of square miles of land held by them respectively within the district and which was ratable property at the time of the abolition of the board.

(2) If all the landholders to whom payment is required to be made pursuant to subdivision IV. of subsection (1) by notice in writing waive their claims to such payment, payment shall not be required as provided in subdivision II. or III. of subsection (1) and any amount required to be provided pursuant to subdivision III. of subsection (1) need not be so provided.

(3) If, pursuant to this section, any fence becomes the sole property of any landholder, then, for the purposes of Part V. of this Act, the fence shall be deemed to have been erected by the landholder, and the landholder shall be deemed to be an occupier within the meaning of the said Part V. Section 204 shall not apply with respect to any such fence.

(4) In this section "landholder" means—

(a) with reference to any land of the Crown (other than land subject to any lease granted by the Crown or comprised in an agreement with the Crown for the sale and purchase thereof), the Director of Lands :

(b) with respect to any other land—

(i) any proprietor of an estate in freehold in the land ;

(ii) any person who has agreed to purchase the land from the Crown ;

(iii) any person who is in possession of the land under any lease granted by the Crown ;

- (iv) any mortgagee in possession who is by himself or his tenant in occupation of the land and is entitled to receive the rents and profits thereof.

(2) The amendments made by this section shall be deemed to have effect as from the first day of January, nineteen hundred and forty-three.

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

J. M. NAPIER, Lieutenant-Governor.



ANNO OCTAVO

GEORGII VI REGIS.

A.D. 1944.

No. 32 of 1944.

An Act to provide for the establishment of a representative local governing body for the Town of Whyalla, and for purposes incidental thereto.

[Assented to 14th December, 1944.]

WHEREAS at the time of the passing of this Act there is no local governing body for the town of Whyalla, but municipal works and services have been and are being executed and provided by The Broken Hill Proprietary Company Limited : AND WHEREAS owing to the growth of the town of Whyalla and the likelihood of further growth it is desirable that a representative local governing body should be established for that town : AND WHEREAS The Broken Hill Proprietary Company Limited, in order to assist in the establishment of such a local governing body and to promote the development of the town, is willing to pay as rates the sum of £30,000 during the first five years of the existence of the local governing body, and to contribute an additional sum towards meeting expenditure incurred in completing and improving roads and streets in the town of Whyalla including those marked in green on the plan No. 1663 filed in the office of the Commissioner of Highways, and the footpaths, kerbing, and drainage of those roads and streets : AND WHEREAS the citizens of Whyalla, through the trade unions and other representative organizations and The Broken Hill Proprietary Company Limited, have expressed approval of the principles set out in the Bill for this Act : 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 “ Whyalla Town Commission Act, 1944 ”.

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

“ the Commission ” means The Whyalla Town Commission constituted by this Act :

“ Commissioner ” means Commissioner holding office under this Act :

“ the Chairman ” means the Chairman of the Commission :

“ the Company ” means The Broken Hill Proprietary Company Limited :

“ the Local Government Act ” means the Local Government Act, 1934-1941, as amended from time to time :

“ the Minister ” means the Minister of Local Government of the State of South Australia, or any Minister of the Crown for the time being acting as that Minister :

“ the town of Whyalla ” means the area which, pursuant to this Act, for the time being constitutes the town of Whyalla.

The Area of the Town of Whyalla and Wards.

3. (1) For the purposes of this Act the town of Whyalla shall consist of the area described in the first schedule to this Act, subject to any alterations of that area made pursuant to this Act.

Area of town of Whyalla and wards.

(2) The town of Whyalla shall be divided into three wards which shall respectively bear the names indicated in the second schedule to this Act, and shall, until altered pursuant to this Act, comprise the areas indicated in that schedule.

4. (1) The area of the town of Whyalla may be altered—

Alteration of area and wards.

(a) by including therein any adjoining lands being the whole or any part of any lands which, by proclamation for the time being in force under the Crown Lands Act, 1929-1941, have been constituted a town, or set apart as town or suburban lands ;

(b) by excluding any lands therefrom.

(2) Subject to subsection (1) of this section, the provisions of the Local Government Act which relate to the alteration of the area of a municipality shall apply to the alteration of the area of the town of Whyalla.

(3) The boundaries of any ward in the town of Whyalla may be altered in accordance with those provisions of the Local Government Act which relate to the alteration of boundaries of wards in a municipality.

Town of
Whyalla to be
a municipality.

5. The area of the town of Whyalla shall as from the day of the establishment of the Commission be deemed to be a municipality under the Local Government Act.

Establishment
of Commission.

The Whyalla Town Commission.

6. (1) For the purposes of this Act there shall be established a Commission, to be known as "The Whyalla Town Commission", and to be constituted as hereinafter provided.

(2) The Commission shall be a body corporate and shall have perpetual succession and shall by its corporate name be capable in law of suing and being sued and of purchasing, holding, and alienating land and other property, and of doing and suffering subject to this Act all such other acts and things as bodies corporate may by law do and suffer.

(3) The Commission shall have and use a common seal which shall have thereon the corporate name of the Commission and shall be kept at the office of the Commission.

Membership of
Commission.

7. (1) The Commission shall consist of seven Commissioners.

(2) One Commissioner shall be appointed by the Governor and shall be the Chairman and principal executive officer of the Commission.

(3) Three of the Commissioners shall be elected Commissioners, and shall represent respectively the wards of the town of Whyalla.

(4) The first three elected Commissioners shall be elected, as provided in this Act, by Legislative Council electors resident in the respective wards of the town of Whyalla.

(5) All subsequent elected Commissioners shall be elected by ratepayers of the town of Whyalla in the respective wards, in accordance with the Local Government Act.

(6) Three Commissioners shall be appointed by the Company as provided in this Act.

Qualifications
of
Commissioners.

8. (1) Any person who is entitled to vote in any ward at the first election of Commissioners under this Act shall be qualified to be a candidate at that election and to hold office as a Commissioner for any ward until the first Saturday in July next after the establishment of the Commission.

(2) Thereafter the qualification for holding office as an elected Commissioner shall, subject to this Act, be that prescribed by the Local Government Act for councillors.

(3) The Chairman and the Commissioners appointed by the company need not be ratepayers.

9. (1) As soon as possible after the passing of this Act the returning officer for the State shall hold an election in each ward of the town of Whyalla to elect a Commissioner for that ward. Election of first elected Commissioners.

(2) The election shall, subject to this Act, be conducted as nearly as possible in the manner prescribed by Part VII. of the Local Government Act.

(3) At the election the returning officer for the State shall discharge personally or by a person authorized by him the functions of a municipal council and of the clerk of a municipal council.

(4) A person who is enrolled on the Legislative Council roll for the subdivision of Whyalla as an elector of the Legislative Council, and who resides in a ward shall be entitled to one vote in the ward in which he resides.

(5) Parts VII. and XLIV. of the Local Government Act, so far as applicable, shall apply to the election held under this section; but the returning officer for the State may, if he considers that any provision of either of those parts would, if applied, cause difficulty or inconvenience, direct that that provision shall not apply or shall apply with variations or modifications.

(6) For the purposes of the election held under this section, the Legislative Council roll for the subdivision of Whyalla shall be closed at 6 p.m. on the eleventh day before the last day for receiving nominations of candidates at the election.

(7) The returning officer for the State shall prepare a roll for each ward of the electors who are entitled to vote in that ward: Provided that if the returning officer for the State is satisfied that the name of any elector has been wrongly omitted from the roll for any ward he may add that name to the roll before the close of the poll and allow that elector to vote.

10. As soon as is convenient after the first Commissioners have been elected and appointed, the Minister shall publish a notice in the *Gazette* setting out the names of the Commissioners and declaring that as from a day mentioned in the notice the Commission shall be deemed to be established and that as from that day the town of Whyalla shall constitute a municipality; and such notice shall have effect in accordance with its terms. Gazetted establishment of Commission.

Term of
office and
conditions of
appointment
of Chairman.

11. (1) Subject to this Act, the Chairman shall hold office for a term of five years calculated as from the first day of July nearest to the day of his appointment and may be re-appointed from time to time for a term of five years.

(2) Section 69 of the Local Government Act shall not apply to the Chairman.

(3) If an officer of the public service of the State is appointed to be Chairman—

(a) he may while holding office as Chairman continue to contribute to the South Australian Superannuation Fund ;

(b) his service as Chairman shall, for the purposes of the Superannuation Act, 1926-1943, be deemed to be service in the Public Service of the State ;

(c) the number of units of pension for which he is entitled to contribute shall be based on his salary as Chairman.

(4) If an officer of the public service is appointed as Chairman, and is subsequently re-appointed to the public service of the State, his service as Chairman shall be deemed to be service as an officer of the public service for the purpose of determining any leave to which he is entitled under section 74 of the Public Service Act, 1936-1942.

(5) The salary of the Chairman shall be fixed from time to time by the Governor on the recommendation of the Minister, and shall be paid out of the funds of the Commission.

(6) The Chairman shall also be entitled to receive, out of the funds of the Commission, an entertainment allowance. For the period between the establishment of the Commission and the next following thirtieth day of June the allowance shall be at the rate of one hundred and fifty pounds a year and thereafter at such annual rate as the Commission fixes.

Leave of
absence.

12. (1) The Commission may grant the Chairman such leave of absence for the purpose of recreation or on account of ill-health or for other adequate cause, as the Commission deems reasonable.

(2) Any such leave of absence may be granted on full pay or otherwise and on such conditions as the Commission determines.

Removal of
Chairman
from office.

13. The Governor may remove the Chairman from his office if—

(a) the Governor is satisfied that by reason of misconduct, neglect of duty or incapacity the Chairman is not a fit and proper person to hold office as Chairman ;
or

- (b) the members of the Commission other than the Chairman unanimously resolve that the Chairman be removed from his office on the ground that he is not a fit and proper person to hold office as Chairman.

14. (1) If by reason of death, resignation, absence from the town of Whyalla or any other lawful impediment, the Chairman is prevented from performing his duties as Chairman, or if his office becomes vacant, the Governor may appoint a person to act as acting Chairman during any such absence or for the period during which the Chairman suffers any such lawful impediment or during which the office is vacant.

Appointment
of acting
Chairman.

(2) While any such person acts as acting Chairman he shall be deemed to have all the powers, rights, privileges, and functions of the Chairman and shall be entitled to such salary and allowances as the Governor fixes on the recommendation of the Minister.

15. (1) Each of the first three elected Commissioners shall hold office until the first Saturday in July next after the establishment of the Commission.

Term of
office of elected
Commissioners.

(2) On the first Saturday in July next after the establishment of the Commission an election shall be held in each ward to elect a Commissioner to represent that ward.

(3) Every Commissioner elected by ratepayers shall hold office for two years: Provided that on the first Saturday in July in the year following the year in which the first election of Commissioners by ratepayers is held, one elected Commissioner shall retire. The Commissioner so to retire shall be determined by agreement between the three elected Commissioners and in default of agreement, by lot.

16. (1) If an elected Commissioner is for any reason unable to attend any meeting, he may by notice in writing given to the Chairman authorize any other elected Commissioner to vote on his behalf at that meeting on all matters arising at that meeting, or on such of those matters as are specified in the notice.

Proxies of
elected
Commissioners.

(2) When any such notice has been given a vote by the person thereby authorized to vote shall be of the same effect as if given by the Commissioner giving the notice.

(3) Any such notice may relate to one or more meetings.

17. (1) Subject to this Act, every Commissioner appointed by the Company shall hold office until the first Saturday in July next after his appointment takes effect but may be re-appointed from time to time.

Commissioners
appointed by
the Company.

(2) The Company shall as early as convenient fill every casual vacancy occurring in the office of a Commissioner appointed by it.

(3) The Company shall—

(a) on the request of the Minister notify him of the persons appointed by the Company to be Commissioners between the time of the establishment of the Commission and the next following first Saturday in July; and

(b) in the month of June in each subsequent year notify the Chairman in writing of the names of the Commissioners appointed by it to hold office as from the first Saturday in July in that year; and

(c) forthwith after filling any casual vacancy, notify the Chairman in writing of the name of the person appointed to the vacancy.

Deputies of
Commissioner
appointed by
the Company.

18. (1) The Company may in writing appoint a person to be the deputy of any Commissioner appointed by the Company, for such period as is specified in the writing, but not extending beyond the end of the term for which the Commissioner was appointed, and may at any time revoke any such appointment.

(2) The deputy of a Commissioner may while his appointment remains in force exercise and perform any of the rights, powers, privileges, and functions of that Commissioner.

Authentication
of appoint-
ments by
Company.

19. (1) Any appointment of a Commissioner by the Company shall be sufficiently authenticated if, pursuant to a direction of the Board of Directors of the Company, it is signed by the Secretary of the Company or the Superintendent of the Company at Whyalla.

(2) Any appointment of a deputy of a Commissioner shall be sufficiently authenticated if it is signed on behalf of the Company by an officer of the Company at Whyalla authorized by the Company to appoint deputies of Commissioners.

(3) An apparently genuine document purporting to be an appointment of a Commissioner or deputy and purporting to comply with this section shall without further proof and for all purposes be *prima facie* evidence of that appointment.

Powers of the Commission.

General
powers of
Commission.

20. Subject to this Act, the Commission shall be deemed to be the corporation and the council of the town of Whyalla and in and for that town shall have—

- (a) all the rights, powers, authorities, duties, liabilities, obligations, and functions which are conferred or imposed upon the corporation and council of a municipality under the Local Government Act ; and
- (b) such other rights, powers, authorities, duties, liabilities, obligations, and functions as are conferred or imposed on the Commission by this Act.

21. (1) Subject to section 23 of this Act the Commission may—

Powers of
Commission
and Company
as to
electricity.

- (a) purchase electricity in bulk from the Company on terms and conditions agreed upon between itself and the Company ; and
- (b) on terms and conditions so agreed resell and distribute such electricity to retail consumers within the town of Whyalla.

(2) The Company may generate electricity and sell and distribute it to the Commission, and to other consumers within the town of Whyalla or who can conveniently be supplied with electricity from the Company's mains: Provided that if any agreement is made under subsection (1) of this section the powers granted by this subsection shall be exercised subject to the terms of that agreement.

(3) For the purpose of enabling the Company to exercise the powers granted to it by this section, sections 496, 497, 498, 500, 501, 502, 503, 504, subsection (1) of section 504a, section 505, subsection (1) of section 507, sections 508, 509, 510, 511 and 512 of the Local Government Act shall apply to the Company in the same way as they apply to a Council and shall be read as if every reference to a council therein included a reference to the Company.

(4) The mention of the specific powers of the Company in subsection (3) of this section shall not be taken to imply any limitation of the powers of the Commission under this Act or the Local Government Act.

22. Subject to section 23 of this Act the Commission may purchase or take on lease and maintain and operate any dairy farm, dairy, or abattoirs, whether within or outside the town of Whyalla and may sell or otherwise dispose of any products or by-products produced at any such dairy farm, dairy, or abattoirs.

Power of
Commission
as to dairies
and abattoirs.

23. (1) The Commission shall not—

- (a) purchase, resell and distribute electricity ; or

Mode of
obtaining
consent of
ratepayers.

- (b) purchase or take on lease any dairy farm, dairy, or abattoirs,

unless the consent of the ratepayers has been first obtained as required by this section.

(2) The consent of the ratepayers shall be obtained by submitting to them the proposition that "the Commission shall have power to purchase, resell and distribute electricity [*or as circumstances may require, to purchase or lease a dairy farm, dairy, or abattoirs*"].

(3) Sections 226 and 227 and Part XLIII. of the Local Government Act shall apply in relation to obtaining the consent of ratepayers under this section in the same way as they apply to obtaining the consent of ratepayers to a special rate.

Rating by the Commission.

Rates payable
by Company.

24. (1) The Commission may in the period between the establishment of the Commission and the first day of July, 1949, assess and levy against the Company rates to the following amounts :—

(a) In the financial year ending on the thirtieth of June, 1945—seven thousand pounds :

(b) In each of the financial years between the thirtieth of June, 1945, and the first of July, 1949—five thousand seven hundred and fifty pounds.

(2) If in any financial year before the first of July, 1949, the amount of rates which would be payable by the Company if it were assessed in the same way as other ratepayers on its property in the town of Whyalla, is more than that payable under subsection (1) of this section, the Company shall be liable to pay the excess.

(3) After the thirtieth day of June, 1949, the Company shall be liable to pay rates assessed against it by the Commission in accordance with the Local Government Act.

Rates payable
by other
ratepayers.

25. The Commission may assess and levy rates against ratepayers other than the Company in accordance with the Local Government Act.

Basis of
rating.

26. All rates in the town of Whyalla shall be assessed and levied on land value as defined in the Local Government Act and Division III. of Part X. of that Act shall be deemed to have been brought into force in that town.

Application of Local Government Act and other Acts to Whyalla.

27. (1) Subject to the exceptions mentioned in this subsection, the Local Government Act shall apply in and in relation to the Commission and the town of Whyalla. The provisions of the Local Government Act which shall not so apply are Part IV., Division IV. of Part X., section 55, and all provisions which are inconsistent with this Act.

Application of
Local
Government
and other
Acts.

(2) Subject to this Act, the Commission shall be deemed to be a municipal council, and the town of Whyalla shall be deemed to be a municipality, within the meaning of the Local Government Act, the Road Traffic Act, 1934-1943, the Impounding Act, 1920-1935, the Registration of Dogs Act, 1924-1929, the Health Act, 1935-1943, the Food and Drugs Act, 1908-1943, the Building Act, 1923-1940, and the Weights and Measures Act, 1934-1941.

(3) Subject to this Act—

(a) the Chairman shall be deemed to be the mayor and the town clerk of the town of Whyalla, within the meaning of and for all purposes of the said Acts ; and

(b) the Commissioners shall be deemed to be councillors within the meaning of and for all purposes of the said Acts.

Miscellaneous.

28. If the Commission is of opinion that the Chairman, by reason of his duties as Chairman, cannot conveniently exercise or perform any power or duty conferred or imposed on him as town clerk, it may appoint some other person to exercise or perform that power or duty.

Provision for
performance of
powers and
duties of
town clerk.

29. A Commissioner shall not be precluded from taking part in any discussion before the Commission or from voting on any question before the Commission by reason only of the fact that he is a member, director, manager or servant of the Company and that the Company is directly or indirectly interested in the contract or dealing which is under discussion or is the subject of the question voted upon.

Right of
Commissioners
to discuss and
vote on
certain
matters.

30. If at a meeting of the Commission at which the Chairman is not present the votes for and against any question are equal, that question shall be adjourned to a meeting at which the Chairman is present.

Provision for
equality of
votes.

Provision for contingencies.

31. If in connection with the establishment of the Commission or the appointment or election of the first Chairman or Commissioners—

(a) any circumstances arise not provided for by this or any other Act; or

(b) there is any doubt or dispute as to what should be done,

the Governor may by proclamation order what shall be done, or declare that what has been done shall be deemed proper; and any such proclamation shall be sufficient authority for the action therein referred to.

Provision for petition to alter the system of local government.

32. (1) A majority of the ratepayers of the town of Whyalla may at any time after the expiration of five years from the first day of July, nineteen hundred and forty-five, present a petition to the President of the Legislative Council or to the Speaker of the House of Assembly, praying that Parliament will make legislative provision for dissolving the Commission and establishing in Whyalla a local governing body in accordance with the provisions of the Local Government Act. Any such petition may specify any transitional or incidental provisions which the ratepayers desire to be included in the legislation.

(2) If, upon receipt of such a petition, either House of Parliament carries a resolution that the petition be granted, the Minister of Local Government shall prepare and introduce into Parliament a Bill in accordance with the prayer contained in the petition.

(3) This section shall not be deemed to restrict the right of any person to introduce any Bill into Parliament.

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

J. M. NAPIER, Lieutenant-Governor.

THE FIRST SCHEDULE.

BOUNDARIES OF THE MUNICIPALITY OF WHYALLA.

Comprising that portion of the hundred of Randell, bounded as follows :—Commencing at the south-western corner of section 70 ; thence easterly along the southern boundary of the said section and production to the south-western boundary of section 35 ; south-easterly along said boundary of section 35 and portion of the north-eastern boundary of McBryde Terrace, town of Whyalla, to the south-eastern boundary of Jamieson Street ; south-westerly along said boundary of Jamieson Street to the north-eastern boundary of Gay Street ; south-easterly along said boundary of Gay Street ; south-westerly and south-easterly along the north-western and south-western boundaries of section 2 and production of latter boundary to the sea coast ; generally west-south-westerly along said sea coast to intersect the production southerly of western boundary of Rudall Avenue, town of Whyalla ; northerly along said production and boundary of Rudall Avenue to the south-western boundary of Bradford Street ; north-westerly along said boundary of Bradford Street, to the southern boundary of Nicolson Avenue ; westerly along said boundary of Nicolson Avenue and production to the north-western corner of section 37 ; north-north-westerly across road closed 25th September, 1941, to the south-western corner of section 39 and along the western boundary of said section and the production of that boundary to the point of commencement.

THE SECOND SCHEDULE.

BOUNDARIES OF THE WARDS OF WHYALLA.

Centre Ward.—Comprising that portion of the hundred of Randell, bounded as follows :—Commencing at the north-eastern corner of section 40 ; thence south-south-easterly along the eastern boundary of said section 40 and production to the sea coast ; generally west-south-westerly along said sea coast to intersect the production southerly of the western boundary of Rudall Avenue, town of Whyalla ; northerly along said production and portion of said boundary of Rudall Avenue, to intersect (near the north-eastern corner of section 24) the production south-westerly of centre of said Rudall Avenue ; north-easterly along latter production and centre of Rudall Avenue and production to the southern boundary of section 35 ; south-easterly along said boundary of section 35 and portion of the north-eastern boundary of McBryde Terrace to intersect the production north-easterly of the centre of Essington Lewis Avenue ; south-westerly along said production and centre of Essington Lewis Avenue and production to the southern boundary of Broadbent Terrace ; easterly along said boundary of Broadbent Terrace to the point of commencement.

East Ward.—Comprising that portion of the hundred of Randell bounded as follows :—Commencing at the northern corner of section 2 ; thence south-westerly and south-easterly along the north-western and south-western boundaries of said section and production of latter boundary to the sea coast ; generally west-south-westerly along said sea coast to intersect the production south-south-easterly of the eastern boundary of section 40 ; north-north-westerly along said production and boundary ; westerly along portion of southern boundary of Broadbent Terrace, Town of Whyalla, to intersect the production south-westerly of the centre of Essington Lewis Avenue ; north-easterly along said production and centre of Essington Lewis Avenue and production to the north-eastern boundary of McBryde Terrace ; south-easterly along said boundary of McBryde Terrace to the south-eastern boundary of Jamieson Street ; south-westerly along said boundary of Jamieson Street to the north-eastern boundary of Gay Street ; south-easterly along said boundary of Gay Street to the point of commencement.

West Ward.—Comprising that portion of the hundred of Randell, bounded as follows :—Commencing at the south-western corner of section 70 ; thence easterly along the southern boundary of said section and production to the south-western boundary of section 35 ; south-easterly along said boundary of section 35, to intersect the production north-easterly of the centre of Rudall Avenue ; south-westerly along said production and centre of portion of Rudall Avenue and production to its western boundary ; northerly along latter boundary to the south-western boundary of Bradford Street ; north-westerly along said boundary of Bradford Street, to the southern boundary of Nicolson Avenue ; westerly along said boundary of Nicolson Avenue and production to the north-western corner of section 37 ; north-north-westerly across road closed 25th September, 1941, to the south-western corner of section 39 and along the western boundary of said section and the production of that boundary to the point of commencement.

C. M. HAMBIDGE, Surveyor-General.



ANNO OCTAVO

GEORGII VI REGIS.

A.D. 1944.

No. 33 of 1944.

An Act to amend the Workmen's Compensation Act, 1932-1943.

[Assented to 14th December, 1944.]

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, 1944".

(2) The Workmen's Compensation Act, 1932-1943, as amended by this Act may be cited as the "Workmen's Compensation Act, 1932-1944".

(3) The Workmen's Compensation Act, 1932-1943, 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. 17 of
principal Act—
Compensation
when workman
leaves no
dependants.

3. Section 17 of the principal Act is amended by striking out the words "the reasonable expenses of his medical attendance and burial, not exceeding twenty pounds" and inserting in lieu thereof the following passage :—

- "(a) the expenses specified in section 18a of this Act, and
(b) the reasonable expenses of his burial not exceeding twenty pounds."

Amendment
s. 18 of the
principal Act—
Compensation
for incapacity.

4. Section 18 of the principal Act is amended by striking out the word "fourteen" wherever appearing in subsections (4) and (5) thereof and inserting in lieu thereof the word "sixteen".

5. The following section is enacted and inserted in the principal Act after section 18 :—

Enactment of
s. 18a of the
principal Act—

18a. (1) Where a workman is entitled to compensation under this Act, the employer shall also be liable to pay to the workman a sum, not exceeding twenty-five pounds, in respect of all or any of the following expenses which are incurred by the workman as the result of his injury :—

Additional
compensation
in respect of
medical
expenses.

- (a) The cost, not exceeding two pounds, of transporting the workman by ambulance to hospital :
- (b) Any fees, not exceeding ten pounds, payable to any legally qualified medical practitioner :
- (c) Any fees, not exceeding three pounds, payable to any registered nurse :
- (d) Any charges not exceeding ten pounds, payable to any hospital.

(2) If in respect of a matter specified in any paragraph of subsection (1) of this section a workman incurs expense (in this subsection called "the additional expense") in excess of the maximum amount specified in that paragraph, and if the sum paid by the employer under this section within six months after the accident causing the injury is less than twenty-five pounds, the employer shall pay to the workman the amount of the additional expense or the balance of the sum of twenty-five pounds, whichever is less.

(3) If the total of the sums paid under subsections (1) and (2) of this section is less than twenty-five pounds, and the workman has incurred expense not less than five shillings for medicines prescribed by a medical practitioner, the employer shall, upon production of a certificate by a medical practitioner certifying that such expense was incurred as a result of the injury, pay to the workman the amount of such expense, or the balance of the sum of twenty-five pounds, whichever is less.

(4) The Governor may by regulation prescribe a scale of expenses, fees and charges which may be charged for transport by ambulance, medical attention, nursing, and maintenance and treatment in hospital, of workmen entitled to compensation under this Act.

(5) The Minister may, by writing, exempt from this section any employer who proves to the satisfaction of the Minister that he has made adequate arrangements to provide gratuitous ambulance transport and medical and surgical treatment for any workman in his employment who becomes entitled to compensation under this Act.

Any such exemption shall be subject to such conditions and remain in force for such period as the Minister specifies, and may be revoked by the Minister if in his opinion just cause exists for doing so.

Amendment of
s. 19 of
principal Act—
Aged and infirm
workers.

6. Section 19 of the principal Act is amended by inserting after the word “shillings” in the eighteenth line the words “plus seven shillings and sixpence for each child of the workman under the age of sixteen years and totally or mainly dependent on his earnings”.

Repeal and
re-enactment of
s. 97a of
the principal
Act—
Reference of
decision of
board to
referees.

7. Section 97a of the principal Act is repealed and the following section is enacted and substituted in lieu thereof:—

97a. (1) If a workman or the Smelting Company is aggrieved by a decision of the board to give or refuse to give a certificate, or by any other decision of the board, the workman or Company may request the Minister to refer the matter to a board of review under this section.

(2) Every such request shall be made within fourteen days after the giving of the decision by the board.

(3) The Minister shall upon receipt of such a request forthwith constitute a board of review consisting of three medical practitioners selected from the panel provided for in this section and shall refer the case to that board.

(4) The board of review shall inquire into the case and may either affirm, vary, or reverse the decision of the board. The inquiry shall be commenced not later than fourteen days after the case is referred to the board of review.

(5) The decision of the board of review on any such reference shall be final.

(6) The decision of any two members of a board of review shall be deemed to be the decision of the whole board.

(7) For the purposes of this section the Governor, on the nomination of the Council of the South Australian Branch of the British Medical Association, shall appoint not less than six legally qualified medical practitioners to

be a panel of medical referees from whom boards of review under this section shall be constituted as required from time to time.

The persons so nominated shall be persons who, in the opinion of the said Council, are qualified to diagnose industrial diseases.

(8) Every person so appointed shall hold office as a medical referee for three years, unless during that period the Governor decides that just cause exists for removing that person's name from the panel, and directs accordingly.

The Governor shall from time to time make appointments to fill casual vacancies on the panel. A person appointed to a casual vacancy on the panel shall hold office for the balance only of the term of the person in whose place he was appointed.

(9) If on a reference to a board of review under this section the decision is in favor of the workman, the workman shall be entitled to be paid by the Smelting Company the amount of any fares and travelling expenses, not exceeding ten pounds, reasonably incurred by the workman for the purpose of appearing before the board of review.

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

J. M. NAPIER, Lieutenant-Governor.



ANNO OCTAVO

GEORGII VI REGIS.

A.D. 1944.

No. 34 of 1944.

An Act to ratify and approve an Agreement made between the Commonwealth of Australia and the respective States of Australia, and for other purposes.

[Assented to 14th December, 1944.]

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 "Amending Financial Agreement Act, 1944".

Ratification
and approval
of Agreement.

2. The Agreement, a copy of which is set forth in the Appendix to this Act, is ratified and approved.

THE APPENDIX.

AGREEMENT made the fifteenth day of November, One thousand nine hundred and forty-four BETWEEN THE COMMONWEALTH OF AUSTRALIA (in this Agreement called "the Commonwealth") of the first part, THE STATE OF NEW SOUTH WALES of the second part, THE STATE OF VICTORIA of the third part, THE STATE OF QUEENSLAND of the fourth part, THE STATE OF SOUTH AUSTRALIA of the fifth part, THE STATE OF WESTERN AUSTRALIA of the sixth part, and THE STATE OF TASMANIA of the seventh part (each of the parties of the second, third, fourth, fifth, sixth and seventh

parts being in this Agreement referred to as a "State" and the expression "the States" hereinafter used meaning where the context so permits or requires all of such parties):

WHEREAS an Agreement (hereinafter referred to as "the Financial Agreement") was made on the twelfth day of December One thousand nine hundred and twenty-seven between the parties hereto with respect to the public debts of the States:

AND WHEREAS the Financial Agreement has been approved by the Parliaments of the Commonwealth and of the States:

AND WHEREAS the Financial Agreement has been varied by the following agreements made pursuant to Section 105A of the Constitution of the Commonwealth between the parties hereto, namely, an Agreement made the twenty-first day of July One thousand nine hundred and thirty-one a copy of which Agreement is set forth in the Schedule to the *Debt Conversion Agreement Act* 1931 of the Commonwealth, an Agreement made the twenty-second day of October One thousand nine hundred and thirty-one a copy of which Agreement is set forth in the Schedule to the *Debt Conversion Agreement Act* (No. 2) 1931 of the Commonwealth, and an Agreement made the third day of July One thousand nine hundred and thirty-four a copy of which Agreement is set forth in the Schedule to the *Soldier Settlement Loans (Financial Agreement) Act* 1935 of the Commonwealth (each of such Agreements being hereinafter referred to as an "Amending Agreement" and the expression "The Amending Agreements" hereinafter used meaning all of such Agreements):

AND WHEREAS the Amending Agreements have been severally approved by the Parliaments of the Commonwealth and of the States:

AND WHEREAS the Commonwealth and the States have agreed pursuant to Section 105A of the Constitution of the Commonwealth that the Financial Agreement as varied by the Amending Agreements shall be further varied as hereinafter provided:

NOW IT IS HEREBY AGREED as follows:—

1. This Agreement shall come into force upon being authorized or approved by the Parliaments of the Commonwealth and of the States but not otherwise.

2. Clause 3 of Part I. of the Financial Agreement is varied—

(a) by inserting after subclause (b) the following subclause:—

- “(ba) The member representing the Commonwealth shall be the Chairman of the Loan Council.”;
- (b) by omitting from subclauses (g), (i), (j), (k) and (l) the phrases “for each financial year”, “for the year”, “for any year” and “for that year” (wherever occurring) and inserting in their stead the phrases “during each financial year”, “during the year”, “during any year” and “during that year” respectively;
 - (c) by omitting from subclause (h) the words “for the year” (second occurring) and inserting in their stead the words “during the year”;
 - (d) by inserting in paragraph (ii.) of subclause (i) after the words “redemption of loans,” the words “or for the funding of revenue deficits or to meet revenue deficits, or any specified amount or class of expenditure which the Loan Council by unanimous decision declares shall not be included,” and
 - (e) by omitting from subclause (m) the words “other than the matters referred to in subclauses (h) and (j) of clause 3” and inserting in their stead the words “other than the matters in respect of which unanimous decision is required by subclauses (h), (i) and (j) of this clause”.
3. Clause 5 of Part I. of the Financial Agreement is varied—
- (a) by omitting from the fifth paragraph the words “for the financial year” and inserting in their stead the words “during the financial year”; and
 - (b) by adding at the end of the seventh paragraph the words “This paragraph shall not apply to or in respect of any of the loans referred to in subclause (ja) of Clause 3 of Part III. of this Agreement.”.
4. Clause 6 of Part I. of the Financial Agreement is varied by omitting from the fifth paragraph the words “for the financial year” and inserting in their stead the words “during the financial year”.
5. Clause 3 of Part III. of the Financial Agreement is varied—
- (a) by omitting from subclause (e) the word and letter “and (j)” and inserting in their stead the letters and word “(j) and (ja)”;
 - (b) by omitting from subclause (f) the word and letter “and (j)” and inserting in their stead the letters and word “(j) and (ja)”;

- (c) by inserting in subclause (j) after the words “In respect of any loan” the words “(except any of the loans referred to in subclause (ja) of this clause)”;
- (d) by inserting after subclause (j) the following subclause:—

“(ja) (1) In respect of loans raised by a State or by the Commonwealth for and on behalf of a State on the security of Commonwealth Treasury Bills to meet a revenue deficit accruing after 30th June, 1927, and before 1st July, 1935 (such loans being referred to in this subclause as ‘special deficit loans’), the Commonwealth and the State shall respectively in each year during the period commencing on 1st July next succeeding the date on which the loans are raised and ending on 30th June, 1944, pay from revenue a sinking fund contribution at the rate of 5s. for each £100 of the total amount of the face values of the Commonwealth Treasury Bills which have been issued in respect of special deficit loans of that State and which are current on 30th June next preceding the commencement of the year in which the sinking fund contribution is payable.

- (2) (i.) The amount set out hereunder opposite the name of a State shall be applied by the National Debt Commission to the repurchase or redemption of securities issued in respect of special deficit loans of that State:—

	£
New South Wales	1,970,000
Victoria	260,000
Queensland	125,000
South Australia	300,000
Western Australia	335,000
Tasmania	10,000
	£3,000,000

- (ii.) The amount set out in subparagraph (i.) of this paragraph opposite the name of a State represents the approximate aggregate as on 1st July, 1944, of the sinking fund contributions paid by the Commonwealth and that State under paragraph

(1) of this subclause together with accumulations on those contributions at the rate of $4\frac{1}{2}$ per centum per annum compounded.

(iii.) The provisions of subclause (g) of this clause, which require the State to make further sinking fund contributions at the rate of $4\frac{1}{2}$ per centum per annum of the face value of a cancelled security, shall not apply to or in respect of any security repurchased or redeemed under this paragraph.

(3) In each year during the period of 39 years commencing on 1st July, 1944, the Commonwealth and the State concerned shall each pay from revenue a sinking fund contribution which, in the case of the Commonwealth, shall be at the rate of 5s. for each £100 of the amount of the special deficit loans of that State, and, in the case of the State, shall be at the rate of 15s. for each £100 of that amount. In this paragraph and paragraphs (4) and (5) of this subclause the amount of the special deficit loans of a State shall be taken to be the amount set out hereunder opposite the name of that State, viz.:—

	£
New South Wales	26,120,000
Victoria	3,995,000
Queensland	2,148,000
South Australia	4,920,000
Western Australia	5,390,000
Tasmania	445,000
	<u>£43,018,000</u>

The sum which is to be taken as the amount of the special deficit loans of a State as set out in this paragraph opposite the name of that State represents the gross total of the special deficit loans of that State as on 1st July, 1944, less—

(i.) the amount which the National Debt Commission is required under paragraph (2) of this subclause to apply to the repurchase or redemption of securities issued in respect of special deficit loans of that State; and

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(ii.) the amount which that State has undertaken to apply to the redemption or repurchase of such securities.

(4) All sinking fund contributions payable under paragraph (3) of this subclause in respect of the amount of special deficit loans of a State, and all further sinking fund contributions required to be made under subclause (q) of this clause upon the cancellation of a security issued in respect of that amount, shall be applied to the repurchase or redemption of securities issued in respect of that amount.

(5) When a loan is raised for the conversion, renewal or redemption of the whole or any portion of the amount of the special deficit loans of a State, the only sinking fund contributions to be made by the Commonwealth and the State in respect of the amount or portion so converted, renewed or redeemed shall be sinking fund contributions at the same rate and for the same period and upon the same amount as if such amount or portion had not been converted, renewed or redeemed.”; and

(e) by inserting after subclause (q) the following subclauses:—

“(r) (1) Subject to paragraph (2) of this subclause, a State may, from time to time, pay to the National Debt Commission a sum in addition to sinking fund contributions for the purpose of being applied to the repurchase or redemption of securities issued in respect of a public debt of the State or a loan raised by the Commonwealth for and on behalf of the State. The provisions of subclause (q) of this clause shall apply with respect to any security so repurchased or redeemed (including any security repurchased or redeemed in accordance with paragraph (2) of this subclause) provided that the State shall not be required to make any further sinking fund contribution under subclause (q) of this clause upon the cancellation of the security.

(2) If any such sum is tendered by the State to the National Debt Commission, and is accepted by the National Debt Commission, for the purpose mentioned in paragraph (1) of this subclause but subject to either or both of the following conditions, namely,

(i.) that the sum shall be applied to the repurchase or redemption of particular securities specified by the State;

(ii.) that sinking fund contributions of the Commonwealth and the State payable under subclause (b), (f), (h), (j) or (ja) of this clause in respect of the amount represented by the repurchased or redeemed securities shall cease as from the date of cancellation of those securities,

that sum shall be applied, and the condition or conditions shall take effect, accordingly.

(s) (1) Where, upon the conversion or partial conversion at a discount of a loan raised by or on behalf of a State, sinking fund moneys are applied to the redemption of any amount of the converted loan, the State shall repay to the National Debt Commission from State revenue so much of the sinking fund moneys so applied as does not exceed the aggregate amount of the discounts allowed to subscribers to the loan raised to effect the conversion or partial conversion.

(2) Repayment by the State shall, unless otherwise approved by the National Debt Commission, be by equal annual instalments extending over the period of the loan raised to effect the conversion or partial conversion. For the purpose of calculating the amount of the annual instalments any broken portion of a year shall be disregarded.

(3) Where, by the terms of the loan raised to effect the conversion or partial conversion, the borrower has an option as to the date

upon which the borrower shall be entitled to redeem the loan, the period of the loan shall, for the purposes of this subclause, be deemed to be the period terminating upon the earliest date of redemption provided for by the terms of the loan.

(4) All repayment instalments payable to the National Debt Commission in pursuance of this subclause shall be payable at such times as shall be fixed by the National Debt Commission, and shall be applied as if they were sinking fund contributions made by the State under this clause, provided that the State shall not be required to make any further sinking fund contribution under subclause (g) of this clause upon the cancellation of any security to the repurchase or redemption of which any repayment instalment has been applied.

(t) All sinking fund contributions payable under this Agreement in respect of overseas debt, and all further sinking fund contributions so payable upon the cancellation of securities in respect of overseas debt, shall be calculated at the mint par of exchange prevailing on 1st July, 1927."

6. (1) The variations made by paragraphs (a), (b) and (c) of clause 2, by paragraph (a) of clause 3, and by clause 4, of this Agreement shall come into force on the date on which this Agreement comes into force.

(2) The variations made by paragraphs (d) and (e) of clause 2, by paragraph (b) of clause 3, and by paragraphs (a), (b) and (c) of clause 5 of this Agreement shall be deemed to have come into force on 1st July, 1927.

(3) Paragraph (1) of subclause (ja) of clause 3 of Part III. of the Financial Agreement, inserted by clause 5 of this Agreement, shall be deemed to have come into force on 1st July, 1927.

(4) Paragraphs (2), (3), (4) and (5) of subclause (ja) of clause 3 of Part III. of the Financial Agreement, inserted by clause 5 of this Agreement, shall be deemed to have come into force on 1st July, 1944.

(5) Subclause (r) of clause 3 of Part III. of the Financial Agreement, inserted by clause 5 of this Agreement, shall come

into force on the date on which this Agreement comes into force.

(6) Subclause (s) of clause 3 of Part III. of the Financial Agreement, inserted by clause 5 of this Agreement, shall be deemed to have come into force on 1st July, 1937.

(7) Subclause (t) of clause 3 of Part III. of the Financial Agreement, inserted by clause 5 of this Agreement, shall be deemed to have come into force on 1st July, 1927.

7. (1) The Financial Agreement as varied by clause 18 of the Amending Agreement made the third day of July, One thousand nine hundred and thirty-four and by clauses 2, 3, 4 and 5 of this Agreement is further varied—

(a) by the deletion of clause 7 of Part I. and the whole of Part II. (other than the heading “Part II.”) therefrom;

(b) by renumbering and relettering the provisions thereof in accordance with the numbering and lettering of the Agreement set out in the Schedule to this Agreement; and

(c) by such variations of the provisions thereof as are consequential upon the variations effected by paragraphs (a) and (b) of this clause.

(2) The Agreement set out in the Schedule to this Agreement shall be taken to be the Financial Agreement as varied by clause 18 of the Amending Agreement made the third day of July One thousand nine hundred and thirty-four and by clauses 2, 3, 4 and 5 of this Agreement and subclause (1) of this clause.

IN WITNESS whereof the Prime Minister of the Commonwealth of Australia and the Premiers of each of the States of New South Wales, Victoria, Queensland, South Australia, Western Australia, and Tasmania have signed this Agreement respectively for and on behalf of the Commonwealth of Australia and of the said States.

Signed by the Prime Minister of the Commonwealth of Australia for and on behalf of the said Commonwealth in the presence of— F. A. McLAUGHLIN.	}	JOHN CURTIN.

Signed by the Premier of the
State of New South Wales
for and on behalf of the said
State in the presence of—

M. K. WEIR.

W. J. McKELL.

Signed by the Premier of the
State of Victoria for and on
behalf of the said State in
the presence of—

A. T. SMITHERS.

A. A. DUNSTAN.

Signed by the Premier of the
State of Queensland for and
on behalf of the said State
in the presence of—

E. A. CROSSER.

FRANK A.
COOPER.

Signed by the Premier of the
State of South Australia for
and on behalf of the said
State in the presence of—

R. R. STUCKEY.

T. PLAYFORD.

Signed by the Premier of the
State of Western Australia
for and on behalf of the said
State in the presence of—

A. J. REID.

J. WILLCOCK.

Signed by the Premier of the
State of Tasmania for and on
behalf of the said State in the
presence of—

E. PARKES.

ROBERT
COSGROVE.

THE SCHEDULE.

THE FINANCIAL AGREEMENT.*

AGREEMENT made the twelfth day of December One thousand nine hundred and twenty-seven BETWEEN THE COMMONWEALTH OF AUSTRALIA (in this Agreement called the Commonwealth) of the first part, THE STATE OF NEW SOUTH WALES of the second part, THE STATE OF VICTORIA of the third part, THE STATE OF QUEENSLAND of the fourth part, THE STATE OF SOUTH AUSTRALIA of the fifth part, THE STATE OF WESTERN AUSTRALIA of the sixth part, and THE STATE OF TASMANIA of the seventh part (each of the parties of the second, third, fourth, fifth, sixth, and seventh parts being in this Agreement referred to as a State and the expression "the States" hereinafter used meaning where the context so permits or requires all of such parties).

WHEREAS with a view to making provision for the adjustment of Commonwealth and State financial relations the general principle of a draft scheme was affirmed by a Conference of Commonwealth and State Ministers in Melbourne which commenced on the sixteenth day of June One thousand nine hundred and twenty-seven;

AND WHEREAS permanent effect cannot be given to the proposals contained in the said scheme unless the Constitution of the Commonwealth is altered so as to confer on the Parliament of the Commonwealth power to make laws for carrying out or giving permanent effect to such proposals;

AND WHEREAS pending the submission to the electors of a proposed law for the alteration of the said Constitution as aforesaid and in order to obtain immediately some of the advantages which would result from united action by adoption of the said scheme the Commonwealth and the States have agreed that for the period commencing on the first day of July One thousand nine hundred and twenty-seven

*This Agreement is a reprint of the Financial Agreement made the 12th December, 1927, between the Commonwealth and the States, as varied by provisions of other Agreements made between the same parties, namely, by clause 18 of an Agreement made the 3rd July, 1934, and by clauses 2, 3, 4 and 5 and subclause (1) of clause 7 of an Agreement made the 15th November, 1944.

The Financial Agreement is also affected by the following Agreements made between the Commonwealth and the States, namely, an Agreement made the 21st July, 1931, and an Agreement made the 22nd October, 1931, and by provisions, other than clause 18, of the aforesaid Agreement made the 3rd July, 1934, and by an Agreement made the 11th September, 1928, between the Commonwealth and the State of Tasmania.

The variations made by the Agreement of the 15th November, 1944 (other than those which are noted in the margin of this reprint as being effective from specified dates), came into force on the date on which that Agreement came into force.

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and ending on the thirtieth day of June One thousand nine hundred and twenty-nine certain of the proposed provisions of the said scheme shall be temporarily adopted:

NOW THIS AGREEMENT WITNESSETH:

PART I.

1. This Agreement shall have no force or effect and shall not be binding on any party unless and until it is approved by the Parliaments of the Commonwealth and of the States.

DEFINITIONS.

2. In this Agreement—

“Net Public debt of a State existing on 30th June, 1927,” means in respect of each State the amount of debt set forth hereunder opposite to the name of that State, viz.:—

	£
New South Wales	234,088,501*
Victoria	136,949,942*
Queensland	101,977,855*
South Australia	84,834,364*
Western Australia	61,060,675
Tasmania	22,434,060*
	£641,345,397*

The said amount of the net public debt of each State includes the debts of that State secured by—

- (i.) Inscribed Stock, including Local Inscribed Stock and Government Inscribed Stock;
- (ii.) Instalment Stock;
- (iii.) Registered Stock;
- (iv.) Funded Stock;

* The amounts of the “Net Public Debt” of the States and “Gross Public Debt” of the States as set out in clause 2, have been varied as from 1st July, 1927, by the provisions of the Agreement made 3rd July, 1934. The amounts as so varied are as follows:—

	Net Public Debt. £	Gross Public Debt, £
New South Wales	233,153,779	238,506,641
Victoria	136,348,982	144,243,570
Queensland	101,840,622	105,122,683
South Australia	84,029,376	86,809,017
Western Australia	61,060,675	70,705,913
Tasmania	22,314,180	24,134,808
	638,747,614	669,522,632

- (v.) Stock payable to bearer;
- (vi.) Bonds, including registered bonds;
- (vii.) Debentures, including registered debentures and instalment debentures;
- (viii.) Treasury Bills not repayable within twelve months from the date of issue; or
- (ix.) Fixed deposit receipts or special deposit receipts for moneys borrowed for other than temporary purposes;

issued or created by the State or by or on behalf of a Colony the predecessor of the State in respect of moneys borrowed by the Colony or State together with debts of the State to the Commonwealth of the amount set out respectively hereunder opposite to the name of the State so far as those last mentioned debts are not included by being secured in manner aforesaid:—

	£
New South Wales	12,553,698
Victoria	23,688,269
Queensland	16,082,583
South Australia	18,446,197
Western Australia	16,739,872
Tasmania	3,948,613
	£91,459,232

after deducting therefrom the amount for which the Commonwealth by this Agreement assumes liability under clause 13 of this Agreement and the amount of any moneys or securities standing to the credit of a sinking fund, redemption fund, or a fund of a like nature of the State as on 30th June, 1927, and does not include any moneys raised by the State by way of overdraft, fixed deposit, or special deposit for temporary purposes only.

The said sum of £234,088,501 (being the amount of the debt of New South Wales abovementioned) comprises the debts referred to in, and has been computed in the manner shown in, the statement signed by representatives of the Commonwealth and of New South Wales.

“Gross Public Debt of a State existing on 30th June, 1927,” means in respect of each State the amount of debt set forth hereunder opposite to the name of that State, viz.:—

	£
New South Wales	239,441,363†
Victoria	144,844,530†
Queensland	105,259,916†
South Australia	87,614,005†
Western Australia	70,705,913
Tasmania	24,254,688†
	£672,120,415†

The said amount of the gross public debt of each State includes the net public debt of that State together with the amount for which the Commonwealth by this Agreement assumes liability under clause 13 of this Agreement and the amount of any moneys or securities standing to the credit of any sinking fund, redemption fund or fund of a like nature of the State as on 30th June, 1927.

“Transferred Properties” means the properties mentioned or specified in the Schedule of Transferred Properties signed by representatives of the Commonwealth and the States as revised to the 30th June, 1927, being properties which became vested in the Commonwealth pursuant to Section 85 (i.) of the Constitution of the Commonwealth.

“The Loan Council” means the Australian Loan Council created in pursuance of this Agreement.

“Bondholder” means an owner of any—

- (i.) Inscribed Stock, including Local Inscribed Stock and Government Inscribed Stock;
- (ii.) Instalment Stock;
- (iii.) Registered Stock;
- (iv.) Funded Stock;
- (v.) Stock payable to bearer;
- (vi.) Bonds, including registered bonds;
- (vii.) Debentures including registered debentures and instalment debentures;

† See footnote to definition of “Net public debt of a State existing on 30th June, 1927,” in this clause.

(viii.) Treasury Bills not repayable within twelve months from the date of issue; or

(ix.) Fixed deposit receipts or special deposit receipts for moneys borrowed for other than temporary purposes;

issued or created by a State or by or on behalf of a Colony the predecessor of the State in respect of borrowed moneys but does not include the Commonwealth.

AUSTRALIAN LOAN COUNCIL.

Subclause (i.)
substituted by
Agreement of
3rd July, 1934,
clause 18.

3. (1) (a) There shall be an Australian Loan Council which shall consist of one representative of the Commonwealth who shall be—

(i.) the Prime Minister of the Commonwealth; or

(ii.) in the absence of the Prime Minister at any time from a meeting of the Council—a Minister nominated in writing by the Prime Minister,

and one representative of each State who shall be—

(iii.) the Premier of that State; or

(iv.) in the absence of the Premier at any time from a meeting of the Council—a Minister nominated in writing by the Premier of that State.

Provided that if, in the opinion of the Prime Minister or of any Premier of a State, special circumstances exist at any time which make it desirable so to do, the Prime Minister or the Premier, as the case may be, may nominate some other person to represent the Commonwealth or the State (as the case may be) as a member of the Loan Council.

(b) Any nomination of a representative of a State shall be notified in writing by the Premier of the State to the Prime Minister.

(2) The member representing the Commonwealth on the Loan Council shall hold office during the pleasure of the Prime Minister of the Commonwealth and a member representing a State shall hold office during the pleasure of the Premier of the State which the member was appointed to represent.

(3) The member representing the Commonwealth shall be the Chairman of the Loan Council.

(4) A decision in which all the members for the time being of the Loan Council concur shall be a unanimous decision of the Loan Council notwithstanding any vacancy then existing in its membership.

Inserted by
Agreement of
15th November,
1944,
clause 2.

1944.

(5) A meeting of the Loan Council may at any time be convened by the member representing the Commonwealth, and shall be so convened upon the request of at least three members representing States.

(6) A majority of the members of the Loan Council shall constitute a quorum of the Loan Council for the exercise of its powers at any meeting. Provided that—

(a) a member may at any time appoint in writing a deputy to act in his absence; and any deputy so appointed may in the absence of the member exercise all the powers and functions of the member and his presence shall be deemed the presence of the member; and

(b) an absent member who has not appointed a deputy may vote by letter or by telegram, and in such case that member shall be counted as being present in relation only to the questions on which he has voted.

(7) The Loan Council may make rules of procedure including rules relating to places, times, and notices of meetings, and conduct of business at meetings, and from time to time may alter such rules.

(8) The Commonwealth and each State will from time to time, while Part III. of this Agreement is in force, submit to the Loan Council a programme setting forth the amount it desires to raise by loans during each financial year for purposes other than the conversion, renewal or redemption of existing loans or temporary purposes. Each programme shall state the estimated total amount of such loan expenditure during the year, and the estimated amount of repayments which will be available towards meeting that expenditure. Any revenue deficit to be funded shall be included in such loan programme, and the amount of such deficit shall be set out. Loans for Defence purposes approved by the Parliament of the Commonwealth shall not be included in the Commonwealth's loan programme or be otherwise subject to this Agreement.

Varied by
Agreement of
15th Novem-
ber, 1944,
clause 2.

(9) If the Loan Council decides that the total amount of the loan programme for the year cannot be borrowed at reasonable rates and conditions it shall decide the amount to be borrowed during the year, and may by unanimous decision allocate such amount between the Commonwealth and the States.

Varied by
Agreement of
15th Novem-
ber, 1944,
clause 2.

Varied by
Agreement of
15th Novem-
ber, 1944,
clause 2 (b)
and (d).

The variation
made by
clause 2 (d)
became
effective from
1st July,
1927—
Agreement of
15th Novem-
ber, 1944,
clause 6 (2).

(10) If the members of the Loan Council fail to arrive at a unanimous decision under the last preceding subclause allocating the amount to be borrowed during any year, the amount to be borrowed during that year shall be allocated as follows:—

(a) The Commonwealth shall, if it so desires, be entitled to have one-fifth or any less proportion of such amount allocated to the Commonwealth; and

(b) Each State shall be entitled to have allocated to it a sum (being a portion of the balance of such amount) bearing to the balance of such amount the same proportion which the net loan expenditure of that State in the preceding five years bears to the net loan expenditure of all the States during the same period. Provided that any State may, if it so desires, have allocated to it a sum less than the sum to which it is entitled under this subclause or no sum, and that when a less sum or no sum has been allocated to any State or States in manner aforesaid the amount then remaining available for allocation shall be allocated to the other States in the proportion which the net loan expenditure of each of such other States in the preceding five years bears to the net loan expenditure of all such other States during the same period. For the purposes of this subclause net loan expenditure does not include expenditure for the conversion, renewal, or redemption of loans, or for the funding of revenue deficits or to meet revenue deficits, or any specified amount or class of expenditure which the Loan Council by unanimous decision declares shall not be included, but means the gross other loan expenditure of a State less any amounts of such expenditure repaid to the State other than moneys repaid to the State in manner stated in subclause (9) of Clause 12 of this Agreement.

Varied by
Agreement of
15th Novem-
ber, 1944,
clause 2.

(11) If the total amount to be borrowed as aforesaid during any year is to be borrowed by means of more than one loan the Loan Council may by unanimous decision apportion between the Commonwealth and the States the amount to be borrowed by each such loan other than the loan by means of which the balance of the total amount to be borrowed as aforesaid during the year is borrowed.

Varied by
Agreement of
15th Novem-
ber, 1944,
clause 2.

(12) If the members of the Loan Council fail to arrive at a unanimous decision under the last preceding subclause apportioning the amount to be borrowed as aforesaid by any

loan the amount to be borrowed by that loan shall be apportioned between the Commonwealth and the States in proportion to the amount then to be borrowed as aforesaid for the Commonwealth and for each State during the year.

(13) The Commonwealth and each State will also from time to time, while Part III. of this Agreement is in force, submit to the Loan Council a statement setting out the amount it requires during each financial year for the conversion, renewal or redemption of existing loans.

Varied by Agreement of 15th November, 1944, clause 2.

(14) (a) If the members of the Loan Council fail to arrive at a unanimous decision on any matter other than the matters in respect of which unanimous decision is required by subclauses (9), (10) and (11) of this clause and subclause (2) of Clause 4 of this Agreement, the matter shall be determined by a majority of votes of the members.

Varied by Agreement of 15th November, 1944, clause 2.

Variation became effective from 1st July, 1927— Agreement of 15th November, 1944, clause 6 (2).

(b) On every question for decision by the Loan Council the member representing the Commonwealth shall have two votes and a casting vote, and each member representing a State shall have one vote.

(15) A decision of the Loan Council in respect of a matter which the Loan Council is by this Agreement empowered to decide shall be final and binding on all parties to this Agreement.

(16) In this clause the expressions "Prime Minister" and "Premier" include the persons for the time being respectively acting as such.

FUTURE BORROWINGS OF COMMONWEALTH AND STATES.

4. (1) Except in cases where the Loan Council has decided under subclause (2) of this clause that moneys shall be borrowed by a State, the Commonwealth, while Part III. of this Agreement is in force, shall, subject to the decisions of the Loan Council and subject also to Clauses 5 and 6 of this Agreement, arrange for all borrowings for or on behalf of the Commonwealth or any State, and for all conversions, renewals, redemptions, and consolidations of the Public Debts of the Commonwealth and of the States.

(2) If at any time the Loan Council by unanimous decision so decides, a State may in accordance with the terms of the decision borrow moneys outside Australia in the name of the State, and issue securities for the moneys so borrowed. The Commonwealth shall guarantee that the State will perform all its obligations to bond holders in respect of the moneys so borrowed. For all the purposes of this Agreement, including the making of sinking fund contributions, the

moneys so borrowed shall be deemed to be moneys borrowed by the Commonwealth for and on behalf of that State.

(3) If any State after the 30th June, 1927, and before this Agreement has been approved by the Parliaments of the Commonwealth and of the States, has borrowed moneys in the name of the State and issued securities for the moneys so borrowed, such moneys shall for all the purposes of this Agreement, including the making of sinking fund contributions, be deemed to be moneys borrowed by the Commonwealth for and on behalf of that State.

(4) While Part III. of this Agreement is in force, moneys shall not be borrowed by the Commonwealth or any State otherwise than in accordance with this Agreement.

BORROWING BY STATES.

5. (1) For any purpose (including the redemption of securities given or issued at any time for moneys previously borrowed or used in manner stated in this clause) a State may, while Part III. of this Agreement is in force:—

(a) Subject to any maximum limits decided upon by the Loan Council from time to time for interest, brokerage, discount and other charges, borrow moneys within the State from authorities, bodies, funds or institutions (including Savings Banks) constituted or established under Commonwealth or State law or practice and from the public by counter sales of securities, and

(b) use any public moneys of the State which are available under the laws of the State.

(2) Any securities that are issued for moneys so borrowed or used shall be Commonwealth securities, to be provided by the Commonwealth upon terms approved by the Loan Council.

(3) Where any such borrowing or use is solely for temporary purposes, the provisions of this Agreement, other than this clause, shall not apply.

(4) Where any such borrowing or use is not solely for temporary purposes, and Commonwealth securities are issued in respect thereof, the moneys borrowed or used shall be deemed to be moneys borrowed by the Commonwealth for and on behalf of the State, and may be retained by the State. A State may convert securities given or issued at any time by that State for moneys previously borrowed or used in manner stated in this clause. New securities issued on any

such conversion shall be Commonwealth securities to be provided by the Commonwealth upon terms approved by the Loan Council. The amount for which such new securities are issued shall be deemed to be moneys borrowed by the Commonwealth for and on behalf of the State.

(5) If the moneys deemed under this clause to be moneys borrowed by the Commonwealth on behalf of a State, together with the amounts raised by the Commonwealth for and on behalf of the State exceed the total amount of loan moneys decided upon by the Loan Council as the moneys to be raised for and on behalf of the State during the financial year in which the money is deemed to be borrowed, the excess shall, unless the Loan Council otherwise decides, be deemed to be moneys received by the State in the following year on account of its loan programme for that year.

Varied by Agreement of 15th November, 1944, clause 3.

(6) For the purposes of this clause counter sales of securities shall be deemed to mean sales of securities made at the offices of the State Treasury, and at such other places as may be decided upon by the Loan Council.

(7) The Commonwealth shall not be under any obligation to make sinking fund contributions in respect of moneys borrowed or used pursuant to this clause to meet a revenue deficit of a State, but the provisions of subclause (10) of Clause 12 of this Agreement shall apply respectively to all moneys borrowed or used for that purpose. This subclause shall not apply to or in respect of any of the loans referred to in subclause (11) of Clause 12 of this Agreement.

Varied by Agreement of 15th November, 1944, clause 3.
Variation became effective from 1st July, 1927— Agreement of 15th November, 1944, clause 6 (2).

(8) Except in cases where the Loan Council has otherwise decided under subclause (2) of Clause 4 of this Agreement a State shall not have the right to invite loan subscriptions by the issue of a public prospectus.

(9) Notwithstanding anything contained in this Agreement, any State may use for temporary purposes any public moneys of the State which are available under the laws of the State, or may, subject to maximum limits (if any) decided upon by the Loan Council from time to time for interest, brokerage, discount and other charges, borrow money for temporary purposes by way of overdraft or fixed, special or other deposit, and the provisions of this Agreement other than this subclause shall not apply to such moneys.

BORROWING BY COMMONWEALTH.

6. (1) For any purpose (including the redemption of securities given or issued at any time for moneys previously borrowed or used in manner stated in this clause) the

Commonwealth may, while Part III. of this Agreement is in force—

(a) Subject to any maximum limits decided upon by the Loan Council from time to time for interest, brokerage, discount and other charges, borrow moneys within the Commonwealth from authorities, bodies, funds or institutions (including Savings Banks) constituted or established under Commonwealth or State law or practice and from the public by counter sales of securities, and

(b) use any public moneys of the Commonwealth which are available under the laws of the Commonwealth.

(2) Any securities that are issued for moneys so borrowed or used shall be Commonwealth securities, to be provided by the Commonwealth upon terms approved by the Loan Council.

(3) Where any such borrowing or use is solely for temporary purposes, the provisions of this Agreement, other than this clause, shall not apply.

(4) Where any such borrowing or use is not solely for temporary purposes, and Commonwealth securities are issued in respect thereof, the moneys borrowed or used may be retained by the Commonwealth. The Commonwealth may convert securities given or issued at any time by the Commonwealth for moneys previously borrowed or used in manner stated in this clause. New securities issued on any such conversion shall be Commonwealth securities to be provided by the Commonwealth upon terms approved by the Loan Council.

(5) If the moneys so borrowed or used are not borrowed or used solely for temporary purposes and Commonwealth securities are issued in respect thereof, and such moneys, together with other moneys borrowed by the Commonwealth for and on behalf of the Commonwealth as part of the total amount of loan moneys decided upon by the Loan Council as the moneys to be raised for and on behalf of the Commonwealth during the financial year in which the securities are issued, exceed such total amount the excess shall unless the Loan Council otherwise decides be deemed to be moneys received by the Commonwealth in the following year on account of its loan programme for that year.

(6) For the purposes of this clause counter sales of securities shall be deemed to mean sales of securities made at the offices of the Commonwealth Treasury, and at such other places as may be decided upon by the Loan Council.

(7) Notwithstanding anything contained in this Agreement, the Commonwealth may use for temporary purposes any public moneys of the Commonwealth which are available under the laws of the Commonwealth or may, subject to maximum limits (if any) decided upon by the Loan Council from time to time for interest, brokerage, discount and other charges, borrow money for temporary purposes by way of overdraft or fixed, special or other deposit, and the provisions of this Agreement other than this subclause shall not apply to such moneys.

7. * * * * *

PART II.

* * * * *

PART III.

8. This Part of this Agreement shall not come into force or be binding upon any party hereto unless before the 1st July, 1929, the Constitution of the Commonwealth has been altered in accordance with the proposals referred to in Part IV. of this Agreement and a law of the Parliament of the Commonwealth has been made thereunder validating this Agreement, but shall come into full force and effect if and when before the said date the Constitution is so altered and this Agreement is so validated.

9. When this Part of this Agreement comes into force every matter or thing done and payment made under or in pursuance of Part II. of this Agreement shall be deemed, so far as is practicable, to have been done or made under this Part of this Agreement to the same extent as if this Part had then in fact been in force, and all necessary adjustments shall be made in respect of moneys so paid in order to ensure that no party hereto shall be liable for or make double payments in respect of the same matter.

PERMANENT PROVISIONS.

TAKING OVER STATES' PUBLIC DEBTS.

10. Subject to the provisions of this Part of this Agreement the Commonwealth will take over on the 1st July, 1929:—

- (i.) the balance then unpaid of the gross public debt of each State existing on 30th June, 1927; and
- (ii) all other debts of each State existing on the 1st July, 1929, for moneys borrowed by that State which by this Agreement are deemed to be moneys borrowed

Inoperative provision—deleted by Agreement of 15th November, 1944, clause 7.

Part II.—Temporary provisions—deleted by Agreement of 15th November, 1944, clause 7.

by the Commonwealth for and on behalf of that State—

and will in respect of the debts so taken over assume as between the Commonwealth and the States the liabilities of the States to bondholders.

PAYMENT OF INTEREST.

11. (1) Subject to this clause the Commonwealth will pay to bondholders from time to time interest payable on the Public Debts of the States taken over by the Commonwealth as aforesaid other than debts due by the States to the Commonwealth.

(2) The Commonwealth will in each year during the period of 58 years, commencing on 1st July, 1927, provide by equal monthly instalments the following amounts in respect of each State as shown hereunder towards the interest payable by that State:—

	£
New South Wales	2,917,411
Victoria	2,127,159
Queensland	1,096,235
South Australia	703,816
Western Australia	473,432
Tasmania	266,859
	£7,584,912

(3) Each State shall in each year during the same period of 58 years pay to the Commonwealth the excess over the amounts to be provided by the Commonwealth under the last preceding subclause necessary to make up as they fall due the interest charges falling due in that year on the public debt of that State taken over by the Commonwealth as aforesaid and then unpaid, and on any moneys borrowed by the Commonwealth on behalf of that State and then unpaid, and after the expiration of the said period each State shall in each year pay to the Commonwealth, as they fall due, the whole of the interest charges on any debt then unpaid and included in the public debt of that State taken over by the Commonwealth as aforesaid, and on any moneys borrowed by the Commonwealth on behalf of that State and then unpaid.

(4) The method by which payments shall be made by a State under subclause (3) of this clause shall be arranged from time to time between the Commonwealth and that State.

(5) The rate of interest payable under subclause (3) of this clause in respect of moneys borrowed by the Common-

1944.

wealth on behalf of a State shall be the full rate of interest payable by the Commonwealth in respect of the loan by which such moneys were borrowed or such other rate of interest as may be payable by the State to the Commonwealth under any Agreement made or to be made between the Commonwealth and that State in respect of such moneys and such interest shall be payable by the State for the full term of that loan.

SINKING FUNDS.

12. (1) A sinking fund at the rate of 7s. 6d. per annum for each £100 of the net public debts of the States existing on 30th June, 1927, shall be established in the manner hereinafter set forth.

(2) During the period of fifty-eight years commencing on 1st July, 1927, the Commonwealth shall pay from revenue annually a sinking fund contribution at the rate of 2s. 6d. for each £100 of the net public debts of the States existing on 30th June, 1927, and each State (other than the State of New South Wales) shall in each year during the said period pay from revenue a sinking fund contribution at the rate of 5s. for each £100 of the net public debt of such State existing on 30th June, 1927. The State of New South Wales during the period of fifty-eight years commencing on the 1st July, 1928, shall in each year pay from revenue a sinking fund contribution at the rate of 5s. for each £100 of the net public debt of that State existing on 30th June, 1927.

(3) Where in respect of any debt included in the gross Public Debt of a State existing at the 30th June, 1927, there is under laws or contracts existing at that date an obligation to provide a sinking fund at a rate in excess of 7s. 6d. per annum for each £100, any amount to be so provided in excess of 7s. 6d. per annum for each £100 shall be provided out of the National Debt Sinking Fund, established under the laws of the Commonwealth. Provided that if any law imposing such an obligation is repealed or is amended so as to reduce the rate of sinking fund to be provided the only amount (if any) to be provided out of the National Debt Sinking Fund pursuant to this subclause in respect of that debt shall as from the date of such repeal or amendment be the amount (if any) by which the reduced rate of sinking fund for the time being exceeds 7s. 6d. per annum for each £100.

(4) When a loan is issued for the conversion, renewal, or redemption of any debt of a State included in the gross Public Debt of that State existing on 30th June, 1927, the only sinking fund contributions to be made by the Commonwealth and that State in respect of the debt so converted, renewed, or redeemed shall be sinking fund contributions at

the same rate and for the same period and upon the same amount as if such debt had not been converted, renewed, or redeemed.

Subclauses
(5) and (6)
varied by
Agreement of
15th Novem-
ber, 1944,
clause 5.

Variations
became
effective from
1st July,
1927—
Agreement of
15th Novem-
ber, 1944,
clause 6 (2).

(5) Subject to subclauses (8), (10) and (11) of this clause a sinking fund at the rate of 10s. per annum for each £100 of the amount of each new loan raised by a State or by the Commonwealth for and on behalf of a State after 30th June, 1927, shall be established.

(6) Subject to subclauses (8), (10) and (11) of this clause, in each year during the period of fifty-three years from the date of the raising after 30th June, 1927, of any new loan by a State or by the Commonwealth for and on behalf of a State the Commonwealth and that State shall each pay from revenue a sinking fund contribution of a sum equal to 5s. for each £100 of the amount of the new loan.

Provided that the period of fifty-three years during which the State of New South Wales shall make sinking fund contributions in respect of new loans raised in the financial year beginning on the 1st July, 1927, shall commence on the 1st July, 1928.

(7) For the purpose of the last two preceding subclauses a loan issued after the 30th June, 1927, to meet a revenue deficit which accrued on or before that date shall be deemed to be a new loan, but a loan issued for the conversion, renewal or redemption of a debt shall not be deemed to be a new loan, and where a loan is issued partly for the conversion, renewal, or redemption of a debt and partly for other purposes so much only of the loan as has been issued for other purposes shall be deemed to be a new loan.

(8) Where it is agreed between the Commonwealth and a State that a loan or any portion of a loan raised after 30th June, 1927, and expended or to be expended upon wasting assets should be redeemed within a shorter period than fifty-three years, the annual sinking fund contributions of the State in respect of that loan or the portion thereof shall be increased to an amount which with the sinking fund contributions of the Commonwealth in respect of that loan or the portion thereof will provide for the redemption of that loan or the portion thereof within such shorter period. All sinking fund contributions of the State in respect of that loan or the portion thereof shall cease on the expiration of the shorter period, but the Commonwealth contributions in respect of that loan shall continue for the remainder of the period of fifty-three years from the date of the raising of that loan, and during such remainder of the period the State contributions to the sinking fund in respect of other loans of that State shall be reduced by the amount of the Common-

wealth contributions during that remainder of the period in respect of such redeemed loan or the portion thereof. For the purposes of this subclause the sinking fund contributions of the Commonwealth and the State shall be deemed to accumulate at the rate of $4\frac{1}{2}$ per centum per annum compounded.

(9) Where loan moneys have been advanced by a State under terms providing for the repayment of such moneys the State shall as and when such moneys are repaid pay such moneys either to the State Loan Fund or to the account or fund from which such moneys were advanced, or to the sinking fund and shall in addition make from revenue its sinking fund contributions in respect of the loan or loans from which the moneys so advanced were provided. Provided that when loan moneys have been advanced by a State to a Public or Local Authority or body constituted by the State or under the laws of the State and the Authority or body repays such moneys out of its revenue the State may out of moneys so repaid make its sinking fund contributions in respect of the loan moneys so advanced.

(10) In respect of any loan (except any of the loans referred to in subclause (11) of this clause) raised after the 30th June, 1927, by a State or by the Commonwealth for and on behalf of a State to meet a revenue deficit accruing after that date no sinking fund contribution shall be payable by the Commonwealth, but that State shall for a period sufficient to provide for the redemption of that loan pay from revenue in each year during such period a sinking fund contribution at the rate of not less than 4 per centum per annum of the amount of that loan. For the purposes of this subclause the sinking fund contributions of the State shall be deemed to accumulate at the rate of $4\frac{1}{2}$ per centum per annum compounded.

Varied by Agreement of 15th November, 1944, clause 5.

Variation became effective from 1st July, 1927—Agreement of 15th November, 1944, clause 6 (2).

(11) (a) In respect of loans raised by a State or by the Commonwealth for and on behalf of a State on the security of Commonwealth Treasury Bills to meet a revenue deficit accruing after 30th June, 1927, and before 1st July, 1935 (such loans being referred to in this subclause as "special deficit loans"), the Commonwealth and the State shall respectively in each year during the period commencing on 1st July next succeeding the date on which the loans are raised and ending on 30th June, 1944, pay from revenue a sinking fund contribution at the rate of 5s. for each £100 of the total amount of the face values of the Commonwealth Treasury Bills which have been issued in respect of special deficit loans of that State and which are current on 30th June next preceding the commencement of the year in which the sinking fund contribution is payable.

Inserted by Agreement of 15th November, 1944, clause 5.

Paragraph (a) became effective from 1st July, 1927—Agreement of 15th November, 1944, clause 6 (3).

Effective
from 1st
July, 1944—
Agreement of
15th Novem-
ber, 1944,
clause 6 (4).

(b) (i.) The amount set out hereunder opposite the name of a State shall be applied by the National Debt Commission to the repurchase or redemption of securities issued in respect of special deficit loans of that State:—

	£
New South Wales	1,970,000
Victoria	260,000
Queensland	125,000
South Australia	300,000
Western Australia	335,000
Tasmania	10,000
	£3,000,000

(ii.) The amount set out in sub-paragraph (i.) of this paragraph opposite the name of a State represents the approximate aggregate as on 1st July, 1944, of the sinking fund contributions paid by the Commonwealth and that State under paragraph (a) of this subclause together with accumulations on those contributions at the rate of 4½ per centum per annum compounded.

(iii.) The provisions of subclause (18) of this clause, which require the State to make further sinking fund contributions at the rate of 4½ per centum per annum of the face value of a cancelled security, shall not apply to or in respect of any security repurchased or redeemed under this paragraph.

Effective
from 1st
July, 1944—
Agreement of
15th Novem-
ber, 1944,
clause 6 (4).

(c) In each year during the period of 39 years commencing on 1st July, 1944, the Commonwealth and the State concerned shall each pay from revenue a sinking fund contribution which, in the case of the Commonwealth, shall be at the rate of 5s. for each £100 of the amount of the special deficit loans of that State, and, in the case of the State, shall be at the rate of 15s. for each £100 of that amount. In this paragraph and paragraphs (d) and (e) of this subclause the amount of the special deficit loans of a State shall be taken to be the amount set out hereunder opposite the name of that State, viz.:—

	£
New South Wales	26,120,000
Victoria	3,995,000
Queensland	2,148,000
South Australia	4,920,000
Western Australia	5,390,000
Tasmania	445,000
	£43,018,000

The sum which is to be taken as the amount of the special deficit loans of a State as set out in this paragraph opposite the name of that State represents the gross total of the special deficit loans of that State as on 1st July, 1944, less:—

(i.) the amount which the National Debt Commission is required under paragraph (b) of this subclause to apply to the repurchase or redemption of securities issued in respect of special deficit loans of that State; and

(ii.) the amount which that State has undertaken to apply to the redemption or repurchase of such securities.

(d) All sinking fund contributions payable under paragraph (c) of this subclause in respect of the amount of special deficit loans of a State, and all further sinking fund contributions required to be made under subclause (18) of this clause upon the cancellation of a security issued in respect of that amount, shall be applied to the repurchase or redemption of securities issued in respect of that amount.

Effective from 1st July, 1944—Agreement of 15th November, 1944, clause 6 (4).

(e) When a loan is raised for the conversion, renewal or redemption of the whole or any portion of the amount of the special deficit loans of a State, the only sinking fund contributions to be made by the Commonwealth and the State in respect of the amount or portion so converted, renewed or redeemed shall be sinking fund contributions at the same rate and for the same period and upon the same amount as if such amount or portion had not been converted, renewed or redeemed.

Effective from 1st July, 1944—Agreement of 15th November, 1944, clause 6 (4).

(12) All sinking fund contributions to be made in pursuance of this Part of this Agreement shall be debts payable to the National Debt Commission as follows:—

(a) As regards the net public debt of a State existing on 30th June, 1927—by half-yearly instalments on 30th September and 31st March in each financial year or on such other dates as may be agreed between the Commonwealth and that State.

(b) As regards loans raised after 30th June, 1927—by equal instalments on the dates on which interest on such loans is payable or on such other dates as may be agreed upon between the Commonwealth and the State concerned.

(13) Subject to the next succeeding subclause all moneys and securities standing to the credit of sinking funds, redemption funds and funds of a like nature of a State existing on 30th June, 1929, shall forthwith be transferred

by the States to the National Debt Commission. Nothing in this subclause contained shall be deemed to limit the power of a State to cancel before 30th June, 1929, any such securities.

(14) Where the conditions relating to sinking funds, redemption funds, and funds of a like nature as aforesaid held by a State on trust or by trustees under statutory or contractual obligations preclude the transfer of those funds to the National Debt Commission, such funds shall remain under the control of the State or those trustees, and the National Debt Commission will either directly or through the State concerned make all future payments to the State or to those trustees from the sinking fund.

(15) The sinking funds to be established under this Agreement shall be controlled by the National Debt Commission. The National Debt Commission may arrange with any State to act as its agent in connexion with payments due to bondholders.

(16) Sinking fund contributions made under this Agreement in respect of the debts of a State and funds of that State transferred to the National Debt Commission under subclause (13) of this clause will not be accumulated, but (subject to subclauses (14) and (17) of this clause) will be applied to the redemption of the public debts of that State and of loans raised by the Commonwealth for and on behalf of that State, or to the purchase of securities issued in respect thereof.

(17) If at any time it is deemed inexpedient by the National Debt Commission to apply sinking funds in the manner set forth in subclause (16) of this clause, such funds may be temporarily invested in any securities in which the National Debt Commission is from time to time by law authorized to invest moneys.

(18) (a) When a security issued in respect of a public debt of a State or of a loan raised by the Commonwealth for and on behalf of a State is repurchased or redeemed by the National Debt Commission such security shall be cancelled—

(i.) if a repurchased security—on the last day of September, December, March, or June next ensuing after the date of repurchase, or on the date of maturity of the security whichever shall first occur; and

(ii.) if a redeemed security—on the date of redemption.

1944.

(b) In addition to the sinking fund contributions otherwise payable in respect of that debt or loan the State concerned shall—

- (i.) as from the date of cancellation of each security and for the full period during which the said sinking fund contributions are payable make from revenue a further sinking fund contribution at the rate of $4\frac{1}{2}$ per centum per annum of the face value of the cancelled security; and
- (ii.) also pay to the National Debt Commission interest on the face value of each repurchased security at the rate provided by the security from the last date preceding the repurchase upon which interest was payable under the terms of the security up to the date of cancellation of the security.

(19) (a) Subject to paragraph (b) of this subclause, a State may, from time to time, pay to the National Debt Commission a sum in addition to sinking fund contributions for the purpose of being applied to the repurchase or redemption of securities issued in respect of a public debt of the State or a loan raised by the Commonwealth for and on behalf of the State. The provisions of subclause (18) of this clause shall apply with respect to any security so repurchased or redeemed (including any security repurchased or redeemed in accordance with paragraph (b) of this subclause) provided that the State shall not be required to make any further sinking fund contribution under subclause (18) of this clause upon the cancellation of the security.

Inserted by
Agreement of
15th Novem-
ber, 1944,
clause 5.

(b) If any such sum is tendered by the State to the National Debt Commission, and is accepted by the National Debt Commission, for the purpose mentioned in paragraph (a) of this subclause but subject to either or both of the following conditions, namely,

- (i.) that the sum shall be applied to the repurchase or redemption of particular securities specified by the State;
- (ii.) that sinking fund contributions of the Commonwealth and the State payable under subclause (2), (6), (8), (10) or (11) of this clause in respect of the amount represented by the repurchased or redeemed securities shall cease as from the date of cancellation of those securities,

that sum shall be applied, and the condition or conditions shall take effect, accordingly.

Inserted by
Agreement of
15th Novem-
ber, 1944,
clause 5.

Effective
from 1st
July, 1937—
Agreement of
15th Novem-
ber, 1944,
clause 6 (6).

(20) (a) Where, upon the conversion or partial conversion at a discount of a loan raised by or on behalf of a State, Sinking Fund moneys are applied to the redemption of any amount of the converted loan, the State shall repay to the National Debt Commission from State revenue so much of the Sinking Fund moneys so applied as does not exceed the aggregate amount of the discounts allowed to subscribers to the loan raised to effect the conversion or partial conversion.

(b) Repayment by the State shall, unless otherwise approved by the National Debt Commission, be by equal annual instalments extending over the period of the loan raised to effect the conversion or partial conversion. For the purpose of calculating the amount of the annual instalments any broken portion of a year shall be disregarded.

(c) Where, by the terms of the loan raised to effect the conversion or partial conversion, the borrower has an option as to the date upon which the borrower shall be entitled to redeem the loan, the period of the loan shall, for the purposes of this subclause, be deemed to be the period terminating upon the earliest date of redemption provided for by the terms of the loan.

(d) All repayment instalments payable to the National Debt Commission in pursuance of this subclause shall be payable at such times as shall be fixed by the National Debt Commission, and shall be applied as if they were sinking fund contributions made by the State under this clause, provided that the State shall not be required to make any further sinking fund contribution under subclause (18) of this clause upon the cancellation of any security to the repurchase or redemption of which any repayment instalment has been applied.

Inserted by
Agreement of
15th Novem-
ber, 1944,
clause 5.

Effective
from 1st
July, 1927—
Agreement of
15th Novem-
ber, 1944,
clause 6 (7).

(21) All sinking fund contributions payable under this Agreement in respect of overseas debt, and all further sinking fund contributions so payable upon the cancellation of securities in respect of overseas debt, shall be calculated at the mint par of exchange prevailing on 1st July, 1927.

TRANSFERRED PROPERTIES.

13. It is agreed that all questions between the Commonwealth and the States relating to State properties transferred to the Commonwealth or acquired by the Commonwealth under section 85 of the Constitution shall be settled as follows:—

(a) The States will as from 1st July, 1929, and as between the Commonwealth and the States be completely free and

discharged from all liability whether in respect of principal, interest or sinking fund, or otherwise, which liability shall be assumed by the Commonwealth in respect of so much of the public debts of the States bearing interest at the rate of 5 per centum per annum, taken over by the Commonwealth as aforesaid as amounts to the agreed value of transferred properties, namely, £10,924,323, apportioned to the several States as follows:—

	£
New South Wales	4,788,005
Victoria	2,302,862
Queensland	1,560,639
South Australia	1,035,631
Western Australia	736,432
Tasmania	500,754
Total	£10,924,323

(b) The particular portion of the public debt of each State in respect of which the States shall become free and discharged from liability shall be determined by the Commonwealth.

(c) Each State will issue to the Commonwealth freehold titles (or, if the laws of any State do not permit of the issue of freehold titles, then titles as near to freehold as the laws of that State will permit) for transferred properties consisting of land or interests in land in that State, and all liability of the Commonwealth to the State in respect of transferred properties shall as from the 1st July, 1929, be extinguished.

(d) The provisions of Clauses (11) and (12) of this Agreement shall not apply to the said amount of £10,924,323.

PART IV.—MISCELLANEOUS.

EXPENSES OF LOAN FLOTATION.

14. (1) Each State shall repay to the Commonwealth all expenses incurred or payments made by the Commonwealth in the performance of this Agreement in relation to the State, including the following expenses and payments:—

- (a) Loan flotation charges;
- (b) Management charges;
- (c) Stamp duties on transfer of securities;

- (d) Commission on payment of interest;
- (e) Expenses incurred in the conversion, renewal, redemption or consolidation of loans;
- (f) Exchange on transference of moneys.

(2) Unless it is otherwise agreed between the Commonwealth and a State, the Commonwealth will not do anything in connection with a loan of that State existing on the 30th June, 1927, or raised thereafter pursuant to this Agreement, which, if done by that State, would be a breach of any now existing agreement by that State with any Bank.

(3) A certificate by the Auditor-General of the Commonwealth stating the amount to be repaid by a State to the Commonwealth and the matter in respect of which the repayment is to be made shall, in the event of a dispute, be conclusive as to the amount and matter stated.

ALTERATION OF THE CONSTITUTION.*

15. The Commonwealth will take the necessary action to submit to the Parliament of the Commonwealth and to the electors proposals for the alteration of the Constitution of the Commonwealth in the following form:—

“105A (1) The Commonwealth may make agreements with the States with respect to the public debts of the States, including—

- (a) the taking over of such debts by the Commonwealth;
- (b) the management of such debts;
- (c) the payment of interest and the provision and management of sinking funds in respect of such debts;
- (d) the consolidation, renewal, conversion, and redemption of such debts;
- (e) the indemnification of the Commonwealth by the States in respect of debts taken over by the Commonwealth; and
- (f) the borrowing of money by the States or by the Commonwealth or by the Commonwealth for the States.

* The proposals contained in Clause 15 were submitted to the Parliament of the Commonwealth and to the electors and were approved in accordance with the Constitution of the Commonwealth. The law embodying the proposals became operative on 13th February, 1929 (Constitution Alteration (State Debts), No. 1 of 1929).

(2) The Parliament may make laws for validating any such agreement made before the commencement of this section.

(3) The Parliament may make laws for the carrying out by the parties thereto of any such agreement.

(4) Any such agreement may be varied or rescinded by the parties thereto.

(5) Every such agreement and any such variation thereof shall be binding upon the Commonwealth and the States parties thereto, notwithstanding anything contained in this Constitution or the constitution of the several States or in any law of the Parliament of the Commonwealth or of any State.

(6) The powers conferred by this section shall not be construed as being limited in any way by the provisions of section 105 of this Constitution."

INDEMNITY.

16. Each State agrees with the Commonwealth that it will by the faithful performance of its obligations under this Agreement indemnify the Commonwealth against all liabilities whatsoever in respect of the public debt of that State taken over by the Commonwealth as aforesaid (other than the liabilities of the Commonwealth under this Agreement to pay interest and to make sinking fund contributions and under Clause 13 of this Agreement), and in respect of all loans of that State in respect of which this Agreement provides that sinking fund contributions shall be made.

ACCOUNTS.

17. Separate accounts shall be kept by the Commonwealth for each State in respect of Debt, Interest, and Sinking Funds.

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

J. M. NAPIER, Lieutenant-Governor.



ANNO OCTAVO

GEORGI VI REGIS.

A.D. 1944.

No. 35 of 1944.

An Act to establish a public cemetery at Enfield, and for incidental purposes.

[Assented to 14th December, 1944.]

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 “ Enfield General Cemetery Act, 1944 ”.

Arrangement
of Act.

2. The provisions of this Act are arranged as follows :—

PART I.—Preliminary.

PART II.—Constitution and general powers of the trust.

PART III.—Establishment and management of the cemetery.

PART IV.—Miscellaneous.

Interpretation.

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

“ chairman ” means the chairman of the trust :

“ extraordinary vacancy ” means a vacancy in an office arising otherwise than by effluxion of time :

“ financial year ” means the period of twelve months ending on the thirtieth day of June :

“ member ” means member of the trust, and includes the chairman :

“ Minister ” means the Minister of the Crown to whom for the time being the administration of this Act is committed by the Governor :

“ secretary ” means the secretary of the trust :

“ the cemetery ” means The Enfield General Cemetery :

“ trust ” means The Enfield General Cemetery Trust.

PART II.

PART II.

CONSTITUTION AND GENERAL POWERS OF THE TRUST.

4. (1) A trust to be called “ The Enfield General Cemetery Trust ” is hereby constituted. Constitution of trust.

(2) The trust shall be a body corporate, and shall have perpetual succession and a common seal.

(3) All courts, judges, and persons acting judicially shall take judicial notice of the seal of the trust when affixed to any instrument and shall, in the absence of proof to the contrary, presume that the same was properly affixed thereto.

5. The trust shall consist of—

Membership of trust.

(a) a chairman appointed by the Governor on the nomination of the Minister ;

(b) one member appointed by the Governor on the nomination of the Minister ;

(c) two members appointed by the Governor on the nomination of the Municipal Corporation of the Town of Enfield ;

(d) one member appointed by the Governor upon the nomination of the person for the time being administering the Diocese of Adelaide of the Church of England ;

(e) one member appointed by the Governor upon the nomination of the person for the time being administering the Archdiocese of Adelaide of the Roman Catholic Church ;

(f) one member appointed by the Governor on the nomination of the Minister and who, in the opinion of the Minister, is representative of other religious denominations in South Australia.

6. (1) The members first appointed pursuant to paragraphs (b) and (e) of section 5 and one of the members first appointed Term of office.

pursuant to paragraph (c) of section 5 and to be designated by the Minister, shall hold office until the first day of July, nineteen hundred and forty-seven. The other members first appointed shall hold office until the first day of July, nineteen hundred and forty-nine.

(2) All other members shall, subject to this Act, hold office for four years.

(3) A member appointed to fill an extraordinary vacancy shall, subject to this Act, hold office only for the unexpired portion of the term of the member in whose place he is appointed.

(4) Any retiring member shall hold office until his successor is appointed.

(5) Any person ceasing to be a member by reason of the expiration of his term of office shall be eligible for reappointment if otherwise eligible under this Act.

Power of
Minister in
case of default
in nomination.

7. (1) In any case where there has, in the opinion of the Minister, been unreasonable delay in the nomination of a member by any person entitled to nominate a member, the Minister may, on behalf of that person, nominate a member for appointment by the Governor.

(2) The member so appointed shall be deemed to have been duly nominated by that person.

(3) The Minister shall give notice of the appointment in the *Government Gazette*, stating on whose behalf the member was nominated, and the notice in the *Government Gazette* of the appointment shall be conclusive evidence of the appointment and that the same was duly made.

Method of
filling up
vacancies.

8. When any vacancy occurs on the trust, whether by expiration of a member's term of office or otherwise, it shall be filled up in manner provided by this Act by appointment on nomination by the person who nominated the member whose place it is desired to fill.

Disqualification
of member.

9. No person shall be appointed a member or continue to be a member who—

(a) holds any office or place of profit in the gift or disposal of the trust ;

(b) by himself, his partner, or otherwise, has any interest in any contract (except for advertisements or printing) with or employment under the trust: Provided that no person shall be disqualified from being a member of the trust by being a member or shareholder of or in any company incorporated under any Act or registered under any Act for registering joint stock companies and limiting the liabilities of the members thereof and consisting of twenty or more members or shareholders, by reason of any contract entered into by the company with the trust; but no such member interested by himself, his partner, or otherwise, in any contract with the trust, or being a member or shareholder of or in any such company, shall vote at any meeting of the trust on any question relating to any contract in which such person or company is interested;

(c) is an undischarged bankrupt.

10. In addition to the retirement of members by the expiration of their terms of office, the office of a member shall be vacated on—

Casual
vacancies.

- (a) the death, lunacy, or bankruptcy of the member, or the execution by the member of a statutory deed of assignment for the benefit of his creditors, or his compounding with his creditors for less than twenty shillings in the pound, or the conviction of the member of an indictable offence;
- (b) the absence of the member from three consecutive ordinary meetings of the trust, without leave of the trust, followed by a resolution of the trust declaring the office vacant (which resolution the trust may pass if it thinks fit but shall not pass at any time later than six weeks after the last of the three consecutive meetings);
- (c) the absence of the member from the State for three consecutive months without leave of the trust;
- (d) disqualification of the member as hereinbefore in this Act provided;
- (e) the resignation of the member by notice in writing, posted or delivered to the Minister; or
- (f) the judgment or order of any competent court declaring the office of the member vacant.

PART II.

Chairman.

11. (1) The chairman, when present, shall preside at all meetings of the trust. In the absence of the chairman from any meeting, another member, chosen for the purpose by the majority of the members present and voting, shall preside.

(2) The person presiding for the time being shall have a casting vote as well as a deliberative vote.

Quorum.

12. Four members present at a meeting shall constitute a quorum of the trust.

Defects in
appointment
not to
invalidate
proceedings of
trust.

13. (1) No act or proceeding of the trust shall be invalid or illegal in consequence only of the number of the members of the trust not being complete at the time of the act or proceeding.

(2) All acts and proceedings of the trust shall, notwithstanding the subsequent discovery of any defect in the appointment of any member thereof, or that any member was disqualified or disentitled to act, be as valid as if the member had been duly appointed and was qualified and entitled to act and had acted as a member of the trust, and as if the trust had been properly and fully constituted.

Ancillary
powers of
trust.

14. (1) The trust may—

- (a) in its corporate name purchase, take, receive, accept, hold, acquire, and possess lands, tenements, and hereditaments in fee simple, or for any less estate or for any term of years or otherwise, and goods and chattels, and may grant, sell, convey, transfer, demise, assign, or otherwise dispose of the same ;
- (b) in its corporate name arbitrate or sue, implead, and answer and be sued, impleaded, and answered in all courts and before all judges, magistrates, justices, and arbitrators whomsoever, in all actions, pleas, suits, disputes, causes, and matters whatsoever ; and
- (c) do and exercise all such further acts and powers as it is by this Act authorized to do and exercise, or as may be necessary for the doing or exercising of any of such acts or powers.

(2) The trust may accept any gift, devise or bequest for any purpose of the cemetery and may give effect to any trusts, conditions or stipulations relating thereto which are in accordance with law.

Power of trust
to make, vary,
and discharge
contracts.

15. (1) The trust may enter into, vary, and discharge contracts for any of the purposes of this Act.

(2) The trust may for the purposes of this Act, enter into any contract with any person.

(3) Every contract entered into by the trust may be made, varied, or discharged by the trust as follows :—

- I. A contract which, if made between private persons, would by law be required to be in writing and under seal, or to be proved by writing under seal, may be made in writing and under the common seal of the trust, and may be varied or discharged in the same manner :
- II. A contract which, if made between private persons, would by law be required to be in writing, signed by or on behalf of the parties thereto, or to be proved by writing so signed, may be in writing under the common seal of the trust, or in writing signed by the chairman or two members and countersigned by the secretary acting by the direction and on behalf of the trust, and may be varied or discharged in the same way as it was or might have been made :
- III. A contract which, if made by private persons, would be valid in law although not reduced into writing, or might be proved without writing, may be made in either of the two ways aforesaid, or by either of the chairman or secretary when acting by the direction (whether general or specific) and on behalf of the trust with or without writing, and may be varied or discharged in the same manner as it was or might have been made.

(4) Every deed, conveyance, agreement, contract under seal, or instrument which it is necessary for the trust to execute or sign and is not otherwise provided for by this section, shall have the common seal of the trust affixed thereto, and be signed by the chairman or two members and countersigned by the secretary.

(5) Every deed, conveyance, agreement, contract, or instrument made in writing under the common seal of the trust shall be signed by the chairman or two members and countersigned by the secretary.

16. (1) The trust shall appoint a secretary for the purposes of this Act.

Appointment
of secretary
and other
officers.

(2) The trust may appoint and employ such other officers and servants as it deems necessary to enable it to carry into execution the various powers and duties vested in or imposed on it by this Act.

(3) The secretary and all other persons appointed by the trust shall act under the control of the trust.

Payment of
salaries, etc.

1944.

Enfield General Cemetery Act, 1944. No. 35.

17. (1) The trust may pay to every person appointed or employed by it such salary, allowances, fees, wages, pensions, or retiring allowances as it deems reasonable or proper, and may pay the premiums in respect of the fidelity guarantee or workmen's compensation insurance policies of its officers and servants.

(2) The trust may contribute to any sick, accident, or pension fund for its officers and servants or to any fund for the purpose of providing retiring benefits for its officers and servants.

Committee.

18. The trust may from time to time appoint a committee or committees of its members, and may delegate to any such committee such of its powers and duties as it thinks fit, and may at any time alter, vary, or revoke any such delegation.

Minute-book.

19. (1) The trust shall keep a minute-book in which the proceedings of each meeting and the business performed thereat shall be entered.

(2) The minutes of each meeting shall be submitted for confirmation at a subsequent meeting of the trust, and, if confirmed, shall be signed by the chairman or other person presiding at the subsequent meeting. All entries in the minutes so signed shall be received in all courts and tribunals and by all persons as sufficient evidence of the accuracy of the matters therein recorded until the contrary is proved.

PART III.

PART III.

ESTABLISHMENT AND MANAGEMENT OF THE CEMETERY.

Transfer of
land to trust.

20. Upon payment by the trust of an amount calculated as provided in the first schedule The Synod of the Church of England in the Diocese of Adelaide Incorporated shall transfer to the trust an estate of fee simple in the land described in the second schedule.

Constitution of
cemetery.

21. (1) Upon transfer to the trust of the land referred to in section 20, that part of the said land shown in the plan in the third schedule and therein hachured in black shall be a public cemetery and shall be held by the trust for the purposes of a public cemetery and shall be known as "The Enfield General Cemetery".

(2) The provisions of section 586 of the Local Government Act, 1934-1941, shall not apply to the cemetery.

22. (1) The portion of the land transferred as provided by section 20 and not included in the cemetery shall be sold by the trust at such times and in such manner and upon such terms and conditions as the trust thinks fit.

Provision as to
balance of land
transferred.

(2) The proceeds of the sale of the said land or any portion thereof shall be applied in manner provided in the fourth schedule.

(3) No part of the said land shall be used by the trust as a cemetery.

23. (1) From moneys provided by Parliament for the purpose the Minister may advance to the trust—

Advance to
trust.

(a) the moneys required to be paid by the trust pursuant to section 20 ; and

(b) a sum of six thousand pounds to be advanced in such instalments as the Minister thinks fit but no part of such sum shall be advanced after the thirtieth day of June, nineteen hundred and fifty-one.

(2) All moneys advanced pursuant to this section shall, until repaid to the Minister, bear interest at the rate of four pounds per centum per annum which shall be payable to the Minister by the trust in the manner provided by the fourth schedule.

(3) The moneys advanced pursuant to this section shall be repaid to the Minister by the trust in the manner provided by the fourth schedule.

24. (1) After the thirtieth day of June, nineteen hundred and fifty-one, the trust may borrow from any bank by way of overdraft any moneys necessary for the payment of any working expenses or maintenance costs of the cemetery.

Power of trust
to borrow on
overdraft.

(2) Any money so borrowed shall be a charge on the revenue of the trust.

25. The trust shall apply all moneys received as revenue in the order following :—

Application
of revenue.

I. In the payment of the working expenses and maintenance costs of the cemetery and the repayment of any overdraft incurred for the payment of any such working expenses or maintenance costs :

II. In payment in manner provided by the fourth schedule of the interest payable on the moneys advanced to the trust by the Minister :

III. In the repayment in manner provided by the fourth schedule of the moneys advanced to the trust by the Minister.

Reserve fund

26. (1) The trust may in any financial year, after providing for the matters referred to in section 25, set aside out of its revenue such amount as the trust thinks fit to form a reserve fund to provide for the payment of future working expenses and maintenance costs of the cemetery. The trust may expend the reserve fund or any part thereof for any such purpose.

(2) The reserve fund, and any interest thereon or income therefrom shall, until expended as aforesaid, be invested in any securities of the Government of the State or the Commonwealth, or shall be deposited at interest with the Treasurer of the State or a bank in the State. The said interest and income shall form part of the reserve fund.

Books and accounts.

27. (1) The trust shall keep proper books of account for the purpose of recording its income and expenditure.

(2) The financial year of the trust shall end on the thirtieth day of June in every year.

(3) The books shall be balanced in respect of every financial year on or before the first day of October after the close of the financial year.

Statement of accounts and balance-sheet.

28. (1) On or before the first day of October in every year the trust shall cause to be prepared a statement and balance-sheet of the accounts of the trust for the financial year then last past.

(2) A copy of the statement and balance-sheet shall, on or before the first day of October—

(a) be published by the trust in the *Government Gazette*; and

(b) be forwarded by the trust to the Minister.

Auditor.

29. (1) The Auditor-General shall make an annual audit of the trust's accounts and for the purpose of the audit may exercise any of the powers which he could exercise for the purpose of auditing the accounts of a Government department.

(2) The trust shall for every audit pay to the Treasurer of the State a reasonable fee of an amount approved by the Treasurer.

Banking account.

30. (1) All moneys received by the trust shall be paid to the credit of the trust with some bank in Adelaide or with the Treasurer of the State.

(2) No money shall be withdrawn from any such bank or the Treasurer of the State except by cheque signed by a member and the secretary.

31. (1) Members of the trust shall be paid by the trust such fees as are from time to time fixed by the Minister but not exceeding in the case of the chairman fifty pounds a year or in the case of other members twenty-five pounds a year.

Payment of members.

(2) The trust may pay to any member any travelling or other expenses necessarily incurred by the member on the business of the trust.

32. (1) The trust shall have the care, control, and management of the cemetery and may do all things necessary to conduct the cemetery as a public cemetery.

Management of the cemetery.

(2) The trust may erect any buildings and make any improvements which the trust considers necessary for the conduct of the cemetery.

(3) Subject to the Cremation Act, 1891, the trust may erect and maintain a crematorium within the cemetery.

33. (1) The trust may set apart any portion of the cemetery for the burial of persons of any particular religious denomination. If a request in writing is made to the trust by any religious denomination requesting that a portion of the cemetery be set apart for the burial of persons of that denomination, the trust shall set apart a portion of the cemetery for that purpose.

Power to set apart portion of cemetery for religious denominations and deceased members of the armed forces.

(2) The trust shall set apart a portion of the cemetery for the burial of persons who are or who have been members of any naval, military, or air force of the Commonwealth or any other part of His Majesty's Dominions.

34. The minister of any religious denomination for which any portion of the cemetery is specially set apart shall have free access and admission to that portion of the cemetery at all times as he thinks fit, and may freely exercise his spiritual functions therein without any hindrance or disturbance.

Ministers of religion to have free access.

35. If any portion of the cemetery is set apart for the burial of persons of any particular religious denomination the trust may, after approving the plans thereof, permit the members of that religious denomination to erect in the said portion of the cemetery a suitable mortuary church or chapel for the performance of the rites and ceremonies in the burial of the

Erection of mortuary chapels by religious denominations

dead according to the usages of that denomination. Any such permission may be granted subject to any conditions thought fit by the trust.

Right to
performance of
religious
ceremony.

36. The trust shall not by any regulation or any act, matter, or thing at any time interfere directly or indirectly with the performance of any religious ceremony in the burial of the dead according to the usage of the communion to which the deceased has belonged.

Power to
grant burial
rights.

37. (1) The trust may grant rights for burial purposes over any part of the cemetery.

(2) No such burial right shall be granted for any longer term than ninety-nine years but may be renewed from time to time for any period not exceeding ninety-nine years.

(3) Any such burial right may grant the exclusive right of burial in the land therein comprised.

Power to
make and
publish scale
of fees.

38. (1) The trust may from time to time fix a scale of fees and charges which shall be payable for the grant of burial rights and in respect of other rights and services granted or given in respect of the cemetery.

(2) Different fees may be fixed with respect to different parts of the cemetery, with respect to different classes of burial rights, and with respect to different kinds of other rights and services.

(3) Any such scale of fees and charges shall be published in the *Government Gazette*.

General power
of
maintenance,
etc.

39. The trust may do anything necessary for the upkeep, maintenance, improvement, and management of the cemetery and may expend its moneys for any such purpose.

Plan of
cemetery.

40. (1) The trust shall cause a plan to be made of the cemetery.

(2) The plan shall be made on a scale large enough to show the situation and distinctive number of every grave and burial place, and to show the information required to be placed thereon pursuant to section 41.

Register of
burials.

41. (1) All burials within the cemetery shall be registered in a book to be provided and kept by the trust for that purpose, and shall be noted on the plan required to be made pursuant to section 40.

(2) In the register-book shall be distinguished in what parts of the cemetery the several bodies are buried.

(3) The register-book shall be indexed so as to facilitate searches for entries therein.

(4) Every book and document purporting to be any such register-book or a copy or an extract therefrom shall be received in all courts as evidence of the burials entered therein.

42. (1) All cremations effected within any crematorium of the trust shall be registered in a register-book to be provided and kept by the trust.

Register of cremations.

(2) The register-book shall be indexed so as to facilitate searches for entries therein.

(3) Every book and document purporting to be any such register-book or a copy or extract therefrom shall be received in all courts as evidence of the cremations entered therein.

PART IV.

PART IV.

MISCELLANEOUS.

43. (1) The trust may make regulations not inconsistent with any regulation made pursuant to section 595 of the Local Government Act, 1934-1941, for all or any of the following matters :—

Regulations.

- I. For the general management of the cemetery :
- II. For regulating and controlling the digging, making, and maintenance of graves and vaults in the cemetery and fixing the position thereof :
- III. For regulating and controlling the erection and maintenance in the cemetery of monuments, tombstones, railings, fences and other structures :
- IV. For protecting the buildings, monuments, tombstones, railings, fences, other structures, shrubberies, plantations, and enclosures in the cemetery and generally for maintaining good order and proper conduct in the cemetery and for the protection of any property therein :
- V. For regulating the duties of the officers and servants of the trust :
- VI. For regulating the proceedings of the trust :
- VII. For any other matters necessary or desirable for carrying this Act into effect :
- VIII. For imposing penalties not exceeding fifty pounds for the breach of any regulation.

(2) No such regulation shall be made except with the approval of the Governor.

Liability of
trust for local
government
rates, etc.

44. (1) Except as provided by subsection (2), the trust shall, for the purposes of the Local Government Act, 1934-1941, and in respect of any land of which the trust is the owner or occupier, be subject to the duties and liabilities imposed by that Act upon owners or occupiers of ratable property.

(2) The trust shall pay to the Corporation of the Town of Enfield by way of all rates which may be imposed by the said corporation upon the land comprised in the cemetery the amounts specified in the fifth schedule and, notwithstanding the provisions of the Local Government Act, 1934-1941, no other amount shall be payable by the trust to the said corporation by way of rates in respect of the said land. The said corporation shall not make an assessment of the land comprised in the cemetery.

Summary
proceedings.

45. All proceedings in respect of any offence against this Act shall be disposed of summarily.

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

J. M. NAPIER, Lieutenant-Governor.

SCHEDULES.

THE FIRST SCHEDULE.

AMOUNT TO BE PAID FOR LAND TO BE TRANSFERRED.

The amount to be paid pursuant to section 20 by the trust to The Synod of the Church of England in the Diocese of Adelaide Incorporated shall be the total of the following amounts, namely:—

- (a) The sum of £7,069 4s. 4d. (being the amount of the purchase price paid by the said Synod for the land described in the second schedule) together with any amount paid by the said Synod in respect of stamp duties and other charges payable upon the transfer to the said Synod of the said land:
- (b) Interest on the total amount referred to in paragraph (a) calculated at the rate of $3\frac{1}{2}$ per centum from 12th December, 1942, until the date of payment to the said Synod pursuant to section 20:
- (c) Any amount paid by the said Synod since 12th December, 1942, by way of rates or taxes payable in respect of the said land:

Provided that from the said total amount there shall be deducted any amounts received or payable to the said Synod pursuant to any agreement for the leasing or letting of the said land.

THE SECOND SCHEDULE.

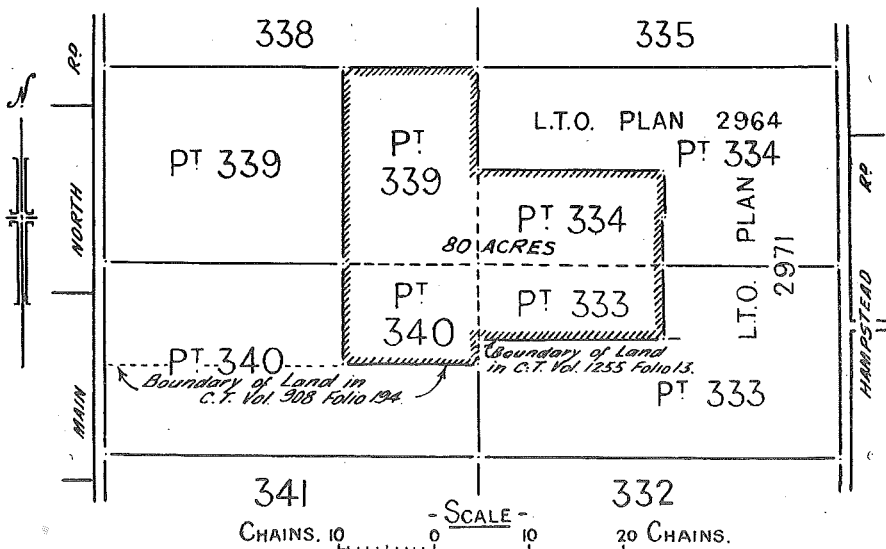
LAND TO BE TRANSFERRED.

(a) That piece of land situated in the Hundred of Yatala, County of Adelaide, being portion of section 339 containing 16 acres 2 roods and 20 perches or thereabouts, and portion of section 340 containing 40 acres 2 roods and 20 perches or thereabouts and being the whole of the land comprised in certificate of title register book volume 908 folio 194.

(b) That piece of land situated in the Hundred of Yatala, County of Adelaide, being portion of section 333 containing 15 acres and 5 perches or thereabouts, portion of section 334 containing 20 acres 1 rood and 30 perches or thereabouts, and portion of section 339 containing 64 acres 1 rood and 20 perches or thereabouts, and being the whole of the land comprised in certificate of title register book volume 1255 folio 13.

THE THIRD SCHEDULE.

LAND TO BE HELD FOR THE PURPOSE OF A PUBLIC CEMETERY.



THE FOURTH SCHEDULE.

FINANCIAL PROVISIONS.

1. Until 30th June, 1950, simple interest upon all amounts advanced to the trust pursuant to section 23 shall accrue, but, except as provided by paragraph 6 of this schedule, shall not be payable. Upon 30th June, 1950, all such interest then unpaid shall be capitalized and added to the amount so advanced, and shall for the purposes of this Act be deemed to be part of the amount advanced.

2. Thereafter interest shall be payable upon the total of the amount advanced which for the time being is unrepaid. Interest shall be payable annually on 30th June in every year, the first payment to become due and payable on 30th June, 1951.

3. The amount advanced to the trust shall be repaid by the trust as follows :—

(a) During the ten financial years commencing 1st July, 1952, the trust shall annually repay on the 30th June in every year the sum of £400, the first payment to be made on 30th June, 1953 :

(b) During the next ten financial years the trust shall annually repay on the 30th June in every year, the sum of £525 :

(c) Thereafter the trust shall annually repay on the 30th June in every year the sum of £675 until the amount advanced is repaid.

4. The Minister may upon such terms and conditions as he thinks fit extend the time for payment of any sum required by this schedule to be paid by the trust.

5. The trust may at any time pay off the whole or any part of the amount advanced to the trust.

6. Any amounts received by the trust as the proceeds of the sale of land pursuant to section 22 shall be applied as follows :—

(a) If the proceeds are received before 1st July, 1950, two-thirds of the proceeds shall be applied firstly, in payment of any interest accruing on the amount advanced to the trust, and secondly, in repayment of the amount advanced to the trust, and one-third of the proceeds shall be paid into the reserve fund of the trust :

(b) If the proceeds are received after 30th June, 1950, two-thirds of the proceeds shall be applied in repayment of the amount advanced to the trust and one-third of the proceeds shall be paid into the reserve fund of the trust.

Payments made pursuant to this paragraph in repayment of the amount advanced to the trust shall be in addition to repayments required to be made pursuant to paragraph 3 of this schedule.

THE FIFTH SCHEDULE.

AMOUNTS PAYABLE AS LOCAL GOVERNMENT RATES IN RESPECT OF THE CEMETERY.

The following amounts shall be payable by the trust as local government rates in respect of the land comprised in the cemetery :—

(a) During the financial year commencing on 1st July, 1945, and each of the next subsequent four financial years—£20 :

(b) During each of the next succeeding ten financial years—£30 :

(c) During each of the next succeeding ten financial years—£50 :

(d) During each of the next succeeding ten financial years—£75 :

(e) During each subsequent financial year—£100.



ANNO OCTAVO

GEORGII VI REGIS.

A.D. 1944.

No. 36 of 1944.

An Act to amend the Highways Act, 1926-1938.

[Assented to 14th December, 1944.]

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 "Highways Act Amendment Act, 1944". Short titles.

(2) The Highways Act, 1926-1938, as amended by this Act, may be cited as the "Highways Act, 1926-1944".

(3) The Highways Act, 1926-1938, is hereinafter referred to as "the principal Act".

2. The following section is enacted and inserted in the principal Act after section 20b thereof :— Amendment of principal Act—

20c. The Commissioner shall have and may exercise all the powers of a council under sections 416 to 420 (both inclusive) of the Local Government Act, 1934-1941, and the provisions of those sections shall, *mutatis mutandis*; apply to the Commissioner in the exercise of the said powers as if the words "Commissioner of Highways" were substituted for the word "council" wherever it appears in those sections : Provided that those provisions of paragraph (a) of section 416 of the said Act which relate to the distances from any works or undertakings within which the powers conferred by that section may be exercised shall not apply to the Commissioner when exercising any power conferred by or pursuant to this section. Power of Commissioner to take materials from land.

Amendment of
principal Act—

3. The following section is enacted and inserted in the principal Act after section 26b thereof:—

Lighting of the
Port Road and
other roads.

26c. (1) The Commissioner may cause the main road known as the Port Road or any part thereof, or any other road or part of a road approved by the Governor on the recommendation of the Commissioner, to be lighted as the Commissioner deems requisite. For that purpose the Commissioner shall have and may exercise all the powers of a council conferred by sections 483 and 484 of the Local Government Act, 1934-1941, and may enter into any contract with any person for the supply of electricity or other illuminant and for any requisite apparatus. Any person with whom the Commissioner contracts for lighting any such road or any part thereof shall, in respect of that road or part, have and may exercise the powers conferred by section 483 of the Local Government Act, 1934-1941.

(2) Every council within the district of which is situated any part of any such road which is lighted as aforesaid shall pay to the Commissioner one-third of the cost of lighting that part, but the council shall not be required to pay annually any amount in excess of eighteen per centum of the rates payable pursuant to the Local Government Act, 1934-1941, to the council in respect of ratable property abutting that part of the road which is lighted as aforesaid.

(3) Any amount payable as aforesaid to the Commissioner by a council shall be paid at such times as are from time to time determined by the Commissioner.

(4) The total amount (exclusive of any amounts payable as aforesaid to the Commissioner by any council) which in any financial year may be expended by the Commissioner for the purposes of this section shall not exceed five thousand pounds.

Amendment of
principal Act—

4. The following section is enacted and inserted in the principal Act after section 26c thereof:—

Power of
Commissioner
to destroy grass,
etc., on roads.

26d. The Commissioner may burn or otherwise destroy any grass, weeds, or other similar growth upon any road which is constructed, reconstructed, repaired, or maintained by the Commissioner or which is under the care, control and management of the Commissioner and for that purpose shall have the powers and immunities of a district council under subsection (3) of section 4 and section 5a of the Bush Fires Act, 1933-1942.

Amendment of
principal Act,
s. 27d—
Fences, etc.,
cross roads.

5. Section 27d of the principal Act is amended—

(a) by striking out the word "main" in the fifth line thereof;

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

(2) If any fence, gate, ramp, or petrol pump is erected (whether before or after the passing of the Highways Act Amendment Act, 1944) on or across any road not within the boundaries of any district and a permit is not granted in respect thereof pursuant to this section or section 9 of the Crown Lands Act, 1929-1944, or any such permit granted in respect thereof is cancelled or ceases to have effect, the Commissioner may remove the fence, gate, ramp, or petrol pump and recover the cost of removal from the owner thereof in any court of competent jurisdiction.

(3) The Commissioner may erect and keep erected any ramp on any road not within the boundaries of any district and may remove any such ramp.

6. (1) Section 32 of the principal Act is amended by adding at the end of subsection (1) thereof the following paragraphs :—

Amendment of
principal Act,
ss. 31 and 32—
Power to carry
out certain
works.

(g) in defraying the cost of any operations in connection with any roads and works appertaining to any roads in any case where the said cost or any part thereof is undertaken to be repaid by any council or statutory or public body on such terms and conditions for the payment thereof as may be agreed between the Commissioner and the council or statutory or public body, including the payment of interest :

(h) with the approval of the Minister, in making advances to any council, on such terms and conditions as may be agreed between the Commissioner and the council for the repayment thereof and the payment of interest thereon, for the purpose of enabling the council to purchase any plant for road making purposes and, notwithstanding the provisions of the Local Government Act, 1934-1941, any council is hereby authorized to receive any such advance and to enter into any agreement as aforesaid.

(2) Subsection (2) of section 31 of the principal Act (as enacted by section 3 of the Highways Act Amendment Act, 1938) is amended by adding at the end thereof the following paragraphs :—

(d) any moneys paid to defray the cost of any operations carried out pursuant to the powers conferred on the Commissioner under paragraph (g) of subsection (1) of section 32 and any interest paid pursuant to the said paragraph :

- (e) any moneys repaid by a council pursuant to paragraph (h) of subsection (1) of section 32 and any interest paid by a council pursuant to the said paragraph :
- (f) any moneys paid by a council pursuant to section 26c :
- (g) any amount paid by the Municipal Tramways Trust pursuant to section 36a.

Amendment of
principal Act —

7. The following section is enacted and inserted in the principal Act after section 36 thereof :—

Payment by
Municipal
Tramways
Trust.

36a. In the month of February in every year, the Municipal Tramways Trust shall, by way of contribution towards any cost incurred by the Commissioner for the maintenance or lighting of any such roads as are hereinafter mentioned in this section, pay to the Commissioner an amount equal to 0·17 pence for every mile travelled upon any road by every motor omnibus, trolley omnibus, or other omnibus of the Municipal Tramways Trust during the period of twelve months ending on the preceding thirty-first day of January.

Amendment
of principal
Act, s. 39d—
Regulations.

8. Section 39d of the principal Act is amended by adding at the end thereof the following subsection (the preceding portion of the said section being read as subsection (1) thereof) :—

(2) The Governor, on the recommendation of the Commissioner, may make regulations—

- (a) to regulate and control traffic upon the said bridge and the approaches thereto and upon the bridge at Port Adelaide known as Jervois Bridge and the approaches thereto ;
- (b) to regulate or prohibit fishing from the said bridge and the said Jervois Bridge ;
- (c) fixing penalties, recoverable summarily, not exceeding in any case the sum of twenty pounds for the breach of any regulation made under this subsection.

Amendment of
principal Act.

9. The principal Act is amended in the manner shown in the schedule to this Act.

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

J. M. NAPIER, Lieutenant-Governor.

THE SCHEDULE.

AMENDMENTS TO THE HIGHWAYS ACT, 1926-1938.

Provision Amended.	How Amended.
Heading to Part III.....	The heading "Financial Provisions Relating to the Construction and Maintenance of Main Roads" is amended by striking out the word "Main" therein.
Heading to section 31	The heading "The Main Roads Fund" is amended so as to read "The Highways Fund."
Section 39c	The passage "39a" is substituted for the passage "30a" in the fourth line of section 39c.



ANNO OCTAVO

GEORGII VI REGIS.

A.D. 1944.

No. 37 of 1944.

An Act to provide for the establishment of a Parliamentary Committee on Land Settlement and for the acquisition, improvement and closer settlement of under-developed lands, and for purposes incidental thereto.

[Assented to 14th December, 1944.]

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 "Land Settlement Act, 1944".

Interpretation.

2. In this Act, unless the contrary intention appears or some other meaning is clearly intended—

"Chairman" means Chairman of the Committee :

"the Commissioner" means the Minister of the Crown for the time being holding the office of Commissioner of Crown Lands or any Minister for the time being acting in that office :

"the Committee" means The Parliamentary Committee on Land Settlement constituted under this Act :

"improvements" means—

(a) structural improvements such as fences, wells, bores, pumps, and buildings :

(b) the clearing of the surface of the land by removing timber, scrub and other vegetation :

(c) the establishment and improvement of pastures :

(d) measures taken to prevent the erosion of the soil, and to destroy vermin and noxious weeds :

“improve” when used in relation to land, means to erect or carry out improvements :

“The Land Board” means The Land Board provided for in the Crown Lands Act 1929-1941 :

“member” means member of the Committee :

“Registrar-General” means Registrar-General of Deeds, or the Registrar-General under the Real Property Act, 1886-1939 :

“Secretary” means Secretary to the Committee :

“under-developed land” means land which the Commissioner has pursuant to this Act declared to be under-developed land for purposes of this Act.

The Parliamentary Committee on Land Settlement.

3. For the purposes of this Act there shall be a committee to be called The Parliamentary Committee on Land Settlement.

Parliamentary
Committee on
Land Settle-
ment.

4. (1) The Committee shall consist of seven members of Parliament appointed by the Governor.

Members of
Committee.

(2) Two of the members of the Committee shall be members of the Legislative Council and five shall be members of the House of Assembly.

5. (1) Subject to this Act, every member of the Committee shall hold office until the thirty-first day of December nineteen hundred and forty-nine.

Term of
office of
members.

(2) The members of the Committee shall not be subject to the Public Service Act, 1936-1942.

6. (1) The seat of a member of the Committee shall become vacant if—

Extraordinary
vacancies.

(a) he resigns by writing signed by him and addressed to the Governor and delivered to the Secretary ; or

(b) he ceases to be a member of the House of Parliament from which he was appointed to the Committee, unless he so ceases by reason only of the expiration

or dissolution of the Parliament or the expiration of the term for which he holds his seat in Parliament ;

(c) he becomes a Minister of the Crown ;

(d) he is absent, without the consent of the Minister, from more than three consecutive duly summoned meetings of the Committee ;

(e) he is removed from the Committee by the Governor as provided in this section.

(2) For the purposes of this Act a person who has ceased to be a member of a House of Parliament because the House has expired or been dissolved or because his term as such member has come to an end, shall nevertheless be regarded as continuing to be a member of that House for the following period :—

(a) if he is not elected to a seat in that House at the next election, until his successor is appointed as herein-after provided ;

(b) if he is so elected, during the whole of the period between the time when he ceases to be a member of the House and his election.

(3) The Governor shall, as soon as possible after an election, make an appointment to the Committee to fill the seat of each member of the Committee who at that election was not elected to the House from which he was appointed to the Committee.

(4) The Governor may dismiss a member from his seat on the Committee if the Governor is satisfied that by reason of misconduct, negligence, or incapacity the member should no longer remain on the Committee.

Chairman and
acting
chairman.

7. (1) The Governor may, from time to time, appoint one of the members of the Committee to be the Chairman thereof.

(2) The Chairman shall preside at all meetings of the Committee : Provided that if the Chairman is not present at a meeting at which a quorum is present, the members present may appoint a member to be the acting Chairman during the absence of the Chairman.

(3) An acting Chairman, while presiding at a meeting of the Committee shall have all the powers given by this Act to the Chairman, but he shall not have a casting vote.

(4) All questions which arise at a meeting of the Committee shall be decided by a majority of votes of the members present, who, having regard to section 16 of this Act, are entitled to vote : Provided that when the votes are equal, the Chairman, if entitled so to vote, shall have a second or casting vote, and that vote shall decide the question.

(5) In all cases of divisions the names of the members voting on the respective sides shall be stated on the minutes and in the Committee's report on any proposed work.

8. (1) Subject to subsection (2) of this section, any four members shall form a quorum competent to exercise all powers and authorities and to incur all obligations conferred or imposed upon the Committee. Quorum.

(2) When the Committee meets for the consideration of its report or recommendations on any matter, the quorum shall consist of not less than six members.

9. (1) The Committee may constitute one or more sub-committees of itself for all purposes of this Act. Every such sub-committee shall be constituted at a duly convened meeting of the Committee and shall consist of two or more members. Sub-committees.

(2) Every sub-committee shall have, and may exercise, for the purpose of carrying out any business or inquiry delegated to it by the Committee either at or after the time of its appointment, any power by this Act conferred on the Committee.

(3) Every sub-committee shall appoint a chairman or acting chairman, who shall in relation to the sub-committee have the same powers as the Chairman of the Committee has in relation to the Committee.

10. (1) The Chairman shall be entitled to receive a salary at the rate of four hundred pounds per annum, with a proportionate part thereof for every fraction of a year during which he holds office. Salaries.

(2) Every member (other than the Chairman) shall be entitled to receive a salary at the rate of two hundred and fifty pounds per annum, with a proportionate part thereof for every fraction of a year during which he holds office.

11. (1) In addition to his salary every member shall be entitled to a travelling allowance for every day during which he travels in the performance of his duties as a member : Travelling expenses.

Provided that no member shall be entitled to any travelling allowance for a journey which is—

(a) taken wholly within twenty miles from the General Post Office in the City of Adelaide ; or

(b) merely for the purpose of attending or returning from a meeting of the Committee or a sub-committee, except in the case of a member who resides more than twenty miles from the General Post Office in the City of Adelaide in which case the member shall be entitled to an allowance of ten shillings for any journey from his place of residence to attend a meeting in the said city.

(2) The travelling allowance shall be at the rates prescribed by regulation.

(3) Every member shall also be entitled to be reimbursed all fares and hire, and similar expenses, actually incurred when travelling in the performance of his duties as a member for the purpose of attending or returning from meetings.

(4) A member shall not be entitled to receive any travelling allowance or other expenses for any journey outside the State unless the consent of the Governor to such journey was first obtained.

Payments to
be additional
to salary.

12. The amounts payable to a member pursuant to this Act shall be in addition to any payment received by him pursuant to any Act in respect of his services in the discharge of his Parliamentary duties.

Certificate of
payments.

13. The amounts to which a member is entitled pursuant to this Act shall be certified in writing signed by the Chairman and the Secretary, whose certificate shall be sufficient authority for the payment of all amounts so certified out of moneys provided by Parliament for the purposes of this Act.

Payments not
to disqualify.

14. (1) The office of the Chairman or a member of the Committee shall not be deemed to be an office of profit within the meaning of section 45 of the Constitution Act, 1934-1943.

(2) The Chairman or a member of the Committee shall not, by reason of holding office or accepting payment under this Act, be deemed to undertake, execute, hold, enjoy, enter into, or accept, any contract, agreement, or commission made or entered into with, under, or from any person or persons, for or on account of the Government of the State, within the meaning of any provision of the Constitution Act, 1934-1943.

(3) The seat in Parliament of the Chairman or a member, or his election to Parliament, shall not be vacant, null or void, nor shall he be incapable of sitting or voting as a member of Parliament or liable to any forfeiture or penalty for so sitting or voting by reason only of his holding any such office or accepting any such payment.

15. The Governor, on the recommendation of the Committee, Secretary. may appoint a secretary to the Committee and such other officers of the Committee as he deems necessary.

16. A member shall not take any part in the proceedings Disqualifica- when the Committee is taking evidence as to any proposed tion. work in which he has a direct pecuniary interest, nor shall he vote or take any part in the proceedings when the Committee is considering or reporting on any such work.

17. (1) The Committee may sit and transact business Power to sit. during any adjournment or recess of Parliament and during the interval between two Parliaments as well as during any session of Parliament, but shall not sit during any sitting of either House of Parliament except by leave of that House.

(2) The Committee may sit at such times and in such places, and conduct its proceedings in such manner as it deems most convenient.

18. The Committee shall keep full minutes of its proceedings. Minutes.

19. For the purposes of this Act the Committee and any Power to enter person authorized by the Committee to make inquiries on its and inspect behalf, may enter and inspect any land, building, place, land. or material, upon reasonable notice being given to the owners or occupiers of such land, building, place, or material.

20. (1) For the purposes of this Act the Committee may— Powers of Committee to secure evidence.

(a) by summons under the hand of the Chairman or the Secretary, require any person to attend before it:

(b) require any person to give oral or written answers to any questions relating to any matter before the Committee:

(c) by summons under the hand of the Chairman, or of the Secretary, require any person to produce any books, maps, plans, papers, and documents relating to any matters before the Committee:

(d) examine witnesses on oath, affirmation, or declaration, which may be administered by the Chairman or acting Chairman.

(2) If any person—

(a) who has been duly served with a summons to attend before the Committee, and whose expenses, as provided in subsection (3) hereof, have been paid or tendered to him, neglects to attend in obedience to such summons ; or

(b) wilfully insults the Committee, or any member thereof ;
or

(c) misbehaves himself before the Committee ; or

(d) interrupts the proceedings of the Committee ; or

(e) being called or examined as a witness before the Committee, refuses to be sworn or to affirm or declare, or to produce the documents mentioned in the summons served upon him, or any of them ; or

(f) being so called or examined refuses to answer any lawful question, or prevaricates in his evidence,

he shall be guilty of an offence and liable on summary conviction to a fine of not more than one hundred pounds.

(3) Every person who attends before the Committee when so required by the Committee shall be allowed such expenses as would be allowed to a witness attending on subpoena before the Supreme Court, and if a dispute occurs as to the amount to be allowed it shall be referred to the Master of the Supreme Court who, on request under the hand of the Chairman, shall ascertain and certify the proper amount of such expenses.

(4) Any person who, upon oath, affirmation, or declaration taken or made under this Act, wilfully and corruptly gives false evidence before the Committee shall be guilty of perjury and, on conviction, may be imprisoned, with or without hard labour, for any term not exceeding four years.

ASSESSORS.

21. (1) The Committee may from time to time call in the aid of one or more assessors, being persons of technical knowledge or possessing special local knowledge or experience.

(2) There shall be paid to such assessors such remuneration as is approved by the Governor.

22. (1) The duties of the Committee shall be—

Duties and
powers of the
Committee.

- (a) to inquire into and report to the Governor upon any project for land settlement or any question relating to the settlement, development or working of any land, which is referred to the Committee by the Governor ;
- (b) to make recommendations under section 25 of this Act in relation to the acquisition of land ;
- (c) any other duties which relate to the settlement, development or working of land and are conferred on the Committee by the Governor.

(2) Notwithstanding the Public Works Standing Committee Act, 1927-1940, if any project is inquired into and reported upon by the Committee, a Bill authorizing the carrying out of that project or appropriating money for expenditure on that project may be introduced without any inquiry by the Parliamentary Standing Committee on Public Works.

23. (1) It shall not be lawful for any person to introduce into either House of Parliament any Bill—

Duty to submit
proposals for
land settlement
to Committee.

- (a) authorizing the carrying out of any land settlement proposal estimated to cost more than thirty thousand pounds ; or
- (b) appropriating money for expenditure on any land settlement proposal estimated to cost more than thirty thousand pounds,

unless that proposal has first been inquired into by the Committee in the manner provided by this section.

(2) Before introducing any such Bill the Governor shall refer the proposal to the Committee and the Committee shall with all convenient dispatch deal with the matter and report to the Governor and to both Houses of Parliament the result of its inquiries.

(3) Any report presented by the Committee to either House of Parliament may by resolution of that House be remitted to the Committee for further consideration and report in which case the Committee shall consider the matter referred to it and report accordingly.

(4) In this section “land settlement proposal” means a proposal for—

- (a) the purchase or compulsory acquisition of land for settlement ; or

- (b) the improvement of any land so as to promote the closer settlement thereof, or of any land occupied under leases or agreements to purchase made with the Crown.

(5) This section shall not apply to a Bill which confers general powers only and does not appropriate money for the exercise thereof.

Acquisition of Land.

Declaration as to under-developed land.

24. If The Land Board after inquiry reports that—

- (a) any land in the State has not been improved to such an extent as the Board considers reasonable ; and
- (b) it is desirable that that land should be acquired for development and settlement,

and the Committee concurs in the report of the Land Board, the Commissioner may by notice published in the *Gazette* and served on the owner and the occupier of that land declare that that land shall be under-developed land for purposes of this Act.

Power to acquire under-developed land.

25. The Commissioner may on the recommendation of the Committee acquire any under-developed land either by agreement or compulsorily.

Application of Compulsory Acquisition of Land Act.

26. The Compulsory Acquisition of Land Act, 1925, shall apply to the compulsory acquisition of under-developed land subject to the following provisions :—

- (a) No person shall be entitled to compensation for damage caused by the severing of the land taken from other land of the person entitled to compensation :
- (b) The value of the land taken shall be deemed to be the value which it would have had if the construction or carrying out of any improvements on or of the land, additional to those existing at the time of the giving of the notice to treat, were permanently forbidden by law :
- (c) Section 31 of the Compulsory Acquisition of Land Act, 1925, shall be read as if the word “three” were substituted for “six” in the first line thereof.

Power to require whole estate to be taken.

27. (1)—

- (a) A person who has received a notice to treat in relation to any under-developed land may, by his notice of claim, require the Commissioner to take all additional land (to be specified in the

notice of claim) of which he is the owner and which is occupied and worked together with the land for which the notice to treat was given ; and

- (b) if the notice of claim contains such a requirement, it shall also contain the same particulars in relation to the additional land as are required by the Compulsory Acquisition of Land Act, 1925 to be given in relation to land for which a notice to treat is given.

(2) If the notice of claim contains such a requirement—

- (a) the land for which the notice to treat was given shall not be acquired unless the additional land specified in the notice of claim is also acquired ; and

- (b) all subsequent proceedings relating to the acquisition of the land shall proceed and the compensation shall be determined as if the additional land were under-developed land and had originally been included in the notice to treat.

(3) In this section “ owner ” means an owner of an estate of freehold, or a lessee or purchaser of land under a lease or agreement granted by or on behalf of the Crown.

28. The price offered for land under this Act shall in every case be recommended by The Land Board. Approval of price.

29. Any land acquired under this Act shall upon the acquisition thereof become Crown Lands, and may be set apart for allotment, prepared for settlement and allotted under the Crown Lands Development Act, 1943, and all the provisions of that Act shall apply in relation to such land and the persons to whom such land is allotted. Disposal of acquired land.

30. In allotting land acquired under this Act the Land Board and the Commissioner shall give preference to suitable persons who have been members of the naval, military or air forces of the Commonwealth or who while domiciled in a State have during any war been employed in sea-going service on a ship. Preference to discharged members of fighting forces and seamen.

31. (1) When a transfer or conveyance to the Commissioner of any land acquired under this Act, or a deed poll vesting any such land in the Commissioner, is lodged with the Registrar-General, the Registrar-General shall make all entries and take any other action necessary or proper to evidence the vesting of the land in the Commissioner. Cancellation of title to acquired land.

(2) If the land is under the provisions of The Real Property Act, 1886-1939, the Registrar-General shall, when the transfer and the certificate, land grant or other muniment of title to the land is lodged with him, make an entry on the folio relating to the land in the Register Book as follows :—

“ Cancelled, the within land having become vested in the Commissioner of Crown Lands on behalf of His Majesty ”

and shall cancel all certificates, grants and muniments of title to the land by indorsing the said entry thereon and shall sign every such entry and indorsement. Thereafter the land shall for purposes of The Real Property Act, 1886-1939, and until again alienated from the Crown, be dealt with and regarded in all respects as if it had never been alienated from the Crown.

Power of
Commissioner
to obtain
information.

32. (1) For the purposes of this Act the Commissioner or any person authorized by him to make inquiries under this Act may—

(a) enter and inspect any land, building, place, or material upon reasonable notice being given to the owners or occupiers of such land, building, place, or material ;

(b) by written notice require any person to supply him with any information specified in the notice.

(2) Any person who—

(a) refuses or neglects to comply with any such notice ;

(b) being required by any such notice to supply information, supplies any information which is false in any particular,

shall be guilty of an offence and liable on summary conviction to a fine of not more than one hundred pounds.

Service of
notices.

33. (1) A notice required by this Act to be given to any person shall be—

(a) served personally on that person ; or

(b) served by post on that person by letter addressed to him at his last usual place of abode ; or

(c) in the case of a body corporate, left at the principal office of business in the State of that body corporate.

(2) If—

(a) the person to whom a notice is required to be given is absent from the State or cannot be found after diligent inquiry ; or

(b) in the case of a body corporate, the principal place of the business of such body corporate cannot be found after diligent inquiry,

the notice shall be served on the occupier of the land to which it relates, or if there is no such occupier, shall be affixed on some conspicuous part of the land.

Regulations.

34. The Governor may make any regulations necessary or convenient for carrying this Act into effect and may by any such regulation create offences and prescribe fines recoverable summarily and not exceeding fifty pounds for breach of any regulation. Regulations.

35. The moneys required for the purposes of this Act shall be paid out of moneys provided by Parliament for the purposes of this Act. Financial provision.

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

J. M. NAPIER, Lieutenant-Governor.



ANNO OCTAVO

GEORGII VI REGIS.

A.D. 1944.

No. 38 of 1944.

An Act to amend the Supreme Court Act, 1935-1936, so as to prescribe a retiring age and provide for pensions for judges of the Supreme Court.

[Assented to 14th December, 1944.]

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

Short titles.

1. (1) This Act may be cited as the "Supreme Court Act Amendment Act, 1944".

(2) The Supreme Court Act, 1935-1936, as amended by this Act, may be cited as the "Supreme Court Act, 1935-1944".

(3) The Supreme Court Act, 1935-1936, 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.

Amendment of s. 9 of principal Act—Consequential amendment.

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

Provided that a judge appointed after the passing of the Supreme Court Act Amendment Act, 1944, shall hold his office subject to the provisions of this Act as to retirement.

Enactment of ss. 13a-13h of principal Act—

4. The following sections are enacted and inserted in the principal Act after section 13 :—

13a. (1) Every judge appointed after the passing of the Supreme Court Act Amendment Act, 1944, and every judge who holds office at the time of the passing of the Supreme Court Act Amendment Act, 1944, and elects to contribute for pension under this Act, shall retire on reaching the age of seventy years: Provided that a judge who ceases to hold office under this section on reaching the age of seventy years, may nevertheless, after reaching that age, complete the hearing and determination of any proceedings part heard by him before reaching that age, and for the purpose of such hearing and determination he shall be deemed to continue to be a judge.

Retiring age
for judges.

(2) Section 74 of the Constitution Act, 1934, shall be read subject to this section.

13b. A judge who holds office at the time of the passing of the Supreme Court Act Amendment Act, 1944, and has at that time reached the age of seventy years, shall be entitled upon his retirement within twelve months after that time to an annual pension for life at the rate of one-half of his salary.

Pensions for
present judges
over seventy.

13c. (1) Any judge who holds office at the time of the passing of the Supreme Court Act Amendment Act, 1944, but has not at that time reached the age of seventy years, and any judge appointed after that time, may elect to contribute for pension under this Act

Right of
judges to
contribute for
pension.

(2) Every such election shall be made within the following times:—

(a) by a judge who holds office at the time of the passing of the Supreme Court Act Amendment Act, 1944, within three months after that time ;

(b) by a judge appointed after that time, within three months after his appointment.

(3) The Treasurer may accept an election made after the time prescribed by the preceding subsection. If he does so, contributions shall be payable as if the election had been made on the last day on which it could have been made under that subsection, and the contributions for the period prior to the acceptance of the election shall be payable to the Treasurer forthwith or in such instalments as he approves.

13d. (1) Every judge who elects to contribute for a pension shall pay a contribution to the Treasurer in aid of the general revenue of the State at the rate of eighty pounds a year.

Contribution
by judges.

(2) Contributions shall be paid in twelve equal monthly instalments in each year and shall be deducted from the salary of the judge.

(3) Contributions shall be payable in respect of the period commencing on the first day of the month in which the election is made and ending on the last day of the month preceding the month in which the judge reaches the age of seventy years.

Benefits to
contributors.

13e. A judge who has elected to contribute for a pension or his personal representatives, shall be entitled to the following benefits :—

- (a) Where the judge, being disabled by permanent invalidity or infirmity from the performance of the duties of his office, or having reached the age of seventy years, retires after fifteen complete years' service, he shall be entitled to an annual pension for life at the rate of one-half of his salary ;
- (b) Where the judge, being disabled by permanent invalidity or infirmity from the performance of the duties of his office, or having reached the age of seventy years, retires with less than fifteen but not less than five complete years' service, he shall be entitled to an annual pension for life at the rate of three-tenths of his salary with an additional one-fiftieth of his salary for each complete year of service in excess of five ;
- (c) Where the judge retires in any circumstances other than those mentioned in paragraphs (a) and (b) of this section, he shall be entitled to a refund of the contributions paid by him ;
- (d) Where the judge dies before retirement, his personal representatives shall be entitled to a refund of the contributions paid by him.

Payment of
pensions out of
the general
revenue.

13f. (1) Pensions and other sums payable under section 13e of this Act shall be paid by the Treasurer out of the general revenue of the State on the warrant of the Governor, which warrant the Governor is hereby authorized and required to issue from time to time.

(2) Pensions shall accrue due from day to day and be paid monthly.

13g. In computing service as a judge for the purpose of pension, service both before and after the passing of the Supreme Court Act Amendment Act, 1944, and service as an acting judge shall be taken into account.

Service to be
taken into
account.

13h. The rate of pension payable to a judge shall be based on the rate of his salary at the time of his retirement.

Basis of
amount of
pension.

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

J. M. NAPIER, Lieutenant-Governor.



ANNO OCTAVO

GEORGI VI REGIS.

A.D. 1944.

No. 39 of 1944.

An Act to amend the Weights and Measures Act, 1934-1941.

[Assented to 14th December, 1944.]

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 "Weights and Measures Act Amendment Act, 1944".

(2) The Weights and Measures Act, 1934-1941, as amended by this Act, may be cited as the "Weights and Measures Act, 1934-1944".

(3) The Weights and Measures Act, 1934-1941, is hereinafter referred to as "the principal Act".

Amendment of
principal Act.
s. 56—
Licensing of
weighbridges.

2. Section 56 of the principal Act is amended by striking out subsection (5) thereof and by inserting in lieu thereof the following subsection:—

(5) If application is made for the issue of a licence or the renewal of a licence in respect of any weighbridge, and if the Warden of Standards is of opinion that the weighbridge is suitable to be used for the purposes mentioned in subsection (1), the Warden of Standards, upon payment of the prescribed fee, may issue a receipt therefor and thereupon the weighbridge shall be deemed to be licensed until the weighbridge is tested by a Government inspector pursuant to this section or until the expiration of the licensing period for which the receipt is given, whichever first occurs.

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

Enactment
of s. 56a of
principal Act—

56a. (1) Notwithstanding any other provision of this Act, the buyer and the seller of any goods may agree to accept as the weight of the goods (with or without adjustment for error) such weight as is determined by the use of a weighbridge (other than a weighbridge of which either the buyer or the seller is the owner or lessee) which is not licensed by the Warden of Standards but in respect of which the prescribed fee for the licensing thereof was paid for the licensing period ended on the thirtieth day of June, nineteen hundred and forty-two, or for any subsequent licensing period.

Use of
unlicensed
weighbridges
during the
present war.

(2) The owner or lessee of any weighbridge which is not licensed by the Warden of Standards but in respect of which the prescribed fee for the licensing thereof was paid for the licensing period ended on the thirtieth day of June, nineteen hundred and forty-two, or for any subsequent licensing period, may use the weighbridge for the purpose of weighing any goods at the request of both the buyer and the seller of the goods, if there is prominently displayed upon the weighbridge a notice to the effect that the weighbridge is not licensed by the Warden of Standards and that any weight of any goods ascertained by the use of the weighbridge cannot be regarded as the accurate weight thereof, but no such weighbridge shall be used for the purpose of weighing any such goods if the owner or lessee thereof is either the buyer or the seller of the goods.

If any such weighbridge is used for the purpose of trade or for the purpose of any contract, bargain, sale, purchase or dealing contrary to the provisions of this subsection, the owner or lessee of the weighbridge shall be guilty of an offence and liable to a penalty not exceeding twenty pounds.

(3) If any unlicensed weighbridge is used for the purpose of weighing any goods as provided by subsection (2), the owner or lessee of the weighbridge shall give to the buyer and to the seller of the goods a weight note showing the weight of the goods as ascertained by the use of the weighbridge and upon every such weight note there shall be legibly written or printed a statement to the effect that the weighbridge is not licensed by the Warden of Standards and that the weight of the goods as ascertained by the use of the weighbridge cannot be regarded as the accurate weight thereof.

If any owner or lessee of any such weighbridge fails to give to any such buyer or seller a weight note as required

by this subsection, he shall be guilty of an offence and liable to a penalty not exceeding twenty pounds.

(4) The owner or lessee of any unlicensed weighbridge who proposes to use or permit the use of the weighbridge pursuant to this section shall before first using or permitting the use thereof pursuant to this section give to the Warden of Standards notice in writing of his intention to use or permit the use of the weighbridge as aforesaid. If any such owner or lessee fails to give notice as required by this section he shall be guilty of an offence and liable to a penalty not exceeding twenty pounds.

(5) This section shall continue in operation until the day upon which a proclamation is issued by the Governor-General declaring that the present war in which His Majesty is engaged has ceased, and no longer.

Amendment of
principal Act,
s. 57—
Licensing of
petrol pumps.

4. Section 57 of the principal Act is amended by striking out subsection (7) thereof and by inserting in lieu thereof the following subsection :—

(7) If application is made for the issue of a licence or the renewal of a licence in respect of any petrol pump, and if the Warden of Standards is of opinion that the petrol pump is suitable to be used for the purposes mentioned in subsection (1), the Warden of Standards, upon payment of the prescribed fee, may issue a receipt therefor and thereupon the petrol pump shall be deemed to be licensed until the petrol pump is tested by a Government inspector pursuant to this section or until the expiration of the licensing period for which the receipt is given, whichever first occurs.

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

J. M. NAPIER, Lieutenant-Governor.

Acts reprinted pursuant to the Amendments Incorporation Act,
1937

BUSH FIRES ACT, 1933-42

MARRIAGE ACT, 1936-1944

With notes of judicial decisions affecting sections of the reprinted Acts

The Bush Fires Act, 1933-1952, including all amendments passed to the end of 1954 and notes of judicial decisions, is reprinted in the Annual Volume, 1954, at page 241.

The Bush Fires Act, 1933-1957, including all amendments passed to the end of 1957 and notes of judicial decisions, is reprinted in the Annual Volume, 1957, at page 179.

BUSH FIRES ACT, 1933-1957.

BEING

BUSH FIRES ACT, 1933, No. 2139 OF 1933 [ASSENTED TO
7TH DECEMBER, 1933.]

AS AMENDED BY

CRIMINAL LAW CONSOLIDATION ACT, 1935, No. 2252 OF 1935
[ASSENTED TO 21ST DECEMBER, 1935.]

BUSH FIRES ACT AMENDMENT ACT, 1935, No. 2258 OF 1935
[ASSENTED TO 2ND JANUARY, 1936.]

BUSH FIRES ACT AMENDMENT ACT, 1939, No. 27 OF 1939
[ASSENTED TO 14TH DECEMBER, 1939.]

BUSH FIRES ACT AMENDMENT ACT, 1941, No. 24 OF 1941
[ASSENTED TO 13TH NOVEMBER, 1941.]

AND

BUSH FIRES ACT AMENDMENT ACT, 1942, No. 30 OF 1942
[ASSENTED TO 26TH NOVEMBER, 1942.]

An Act to make better provision for the prevention and control of bush fires and other fires, and for other purposes.

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

1. This Act may be cited as the "Bush Fires Act, 1933-1942." Short title.

2. The Acts mentioned in the schedule are hereby repealed. Repealing provision.

3. (1) In this Act, unless a contrary intention clearly appears— Interpretation.

"area" means a municipality or district council district: 1123, 1913, s. 2.

"council" means a municipal council or district council:

"producer gas" means gas which is produced by the incomplete combustion of solid fuel and whose active constituent is chiefly carbon monoxide, but Inserted by 24, 1941, s. 2.

does not include gas produced at a fixed station and distributed through mains for consumption at a distance from the place of production:

Inserted
by 24,
1941, s. 2.

“producer gas equipment” means equipment for the production of producer gas or for conducting producer gas to an engine:

“scrub” includes trees, bushes, plants, and undergrowth of all kinds and sizes, whether alive or dead, and whether standing or not standing, and also includes any parts of any trees, bushes, plants, or underwood, and whether severed therefrom or not so severed, but does not include trees of such kinds or sizes as the Governor, by proclamation, declares not to be scrub within the meaning of this Act:

“stubble” includes stubble, hay, straw, grass, and herbage, whether alive or not alive, and whether standing or not standing.

(2) Wherever in this Act a period between one specified date and another specified date is fixed, such period does not include either of the said specified dates.

Advisory
Committee.
Inserted by
27, 1939,
s. 2.

3a. (1) There shall be a committee to be called the “Bush Fires Advisory Committee”.

(2) There shall be seven members of the committee who shall from time to time be appointed by the Governor on the recommendation of the Minister. One of the said members shall from time to time be appointed by the Governor, on the said recommendation, as the chairman of the committee.

(3) The committee shall—

(a) report to the Minister from time to time as to the best means to be taken for preventing or extinguishing bush fires:

(b) perform and undertake such powers and duties as may be entrusted to it by the Minister:

(c) generally advise the Minister upon the administration of this Act.

(4) The Minister may pay to any member of the committee any travelling or other expenses incurred by the member in the exercise of his office.

4. (1) Subject to subsections (2), (3), and (4), no person shall, during the period between the fifteenth day of October and the first day of the following February, burn any stubble standing on any land, or light or maintain any fire with the intention of burning any stubble standing on any land.

Burning of stubble between 15th October and 1st February.
1123, 1913, s. 6.
1768, 1926, s. 2.
2023, 1931, s. 5.

(2) Where the stubble is burned or the fire is lighted and maintained only for the purpose of clearing strips of land to act as firebreaks for preventing the spread of fire, it shall not be deemed a contravention of this section, provided that all the following conditions are strictly observed, namely:—

I. None of the strips shall be more than two chains in width at any part thereof:

II. Before the fire is lighted, the land immediately adjoining each strip shall, throughout the whole length of each side of such strip, either be ploughed to a width of at least six feet or be cleared of all scrub, stubble, and other inflammable material to a width of at least twelve feet:

Amended by 27, 1939, s. 3 (a).

III. Not less than six hours before the fire is lighted, notice of intention to burn the strips, stating the date and the probable time at which the fire is to be lighted, shall be given to the owner or occupier or person in charge of any land or building immediately adjoining the field or place wherein the strips are situated, who reside within five miles of such field or place. If notice as aforesaid cannot be given to any person to whom notice is required by this paragraph to be given, by reason of the absence of such person from his place of residence or for any other reasonable cause, notice as aforesaid shall in lieu thereof be given to the police constable stationed nearest to the land whereon the burning is to take place. Any land or building shall be deemed to be immediately adjoining a field or place as aforesaid notwithstanding that they are separated by a road:

Amended by 2258, 1935, s. 2 (a).

IV. Notice as aforesaid shall also be given to the clerk of the area in which the land is situated, or to the nearest fire control officer of such area:

s. 4. ROBERTS v. WEBB (1887) 21 S.A.L.R. 96; 9 A.L.T. 59; 9 Austr. Digest 127. Notwithstanding compliance with the section a person lighting a fire does not escape liability for any injury occasioned by the fire.

VERRAN v. ROBERTS (1938) S.A.S.R. 256. Where the defendant omitted to give notice to an adjoining occupier but complied with the other requirements of subsection (2) held that, in the particular circumstances, the complaint was rightly dismissed on the ground of triviality.

Inserted by
27, 1939,
s. 7 (1).

iva. If the land upon which the fire is to be lighted is within one mile of a Government forest, notice as aforesaid shall also be given to the person in charge of the forest:

v. Four men at least shall be present at the fire, from the time it is lighted until it is thoroughly extinguished, to assist in keeping it under control and prevent it from spreading beyond the strips:

Amended by
27, 1939,
s. 3 (b).

vi. No such fire shall be lighted before twelve o'clock noon, and every such fire shall be thoroughly extinguished before nine o'clock in the evening of the same day:

Inserted by
27, 1939,
s. 3 (c).

vii. The fire shall be first lighted from the leeward side of the stubble to be burnt before the fire shall be lighted from the windward side of the stubble.

Amended by
27, 1939,
s. 3 (d) and
(e) and by
30, 1942,
s. 2.

(3) It shall not be deemed a contravention of this section if a council causes stubble to be burnt, or a fire lighted and maintained for the purpose of burning any stubble on any street, road, or reserve vested in or under the control of the council or (with the consent in writing of the Commissioner of Crown Lands) on any travelling stock reserve in any case where all the following conditions are strictly observed, namely:—

At least four men shall be present at the fire, from the time it is lighted until it is thoroughly extinguished, to assist in keeping it under control and prevent it from spreading beyond the land whereon the burning is to take place; and during the said time the council shall provide adequate fire fighting appliances and an adequate supply of water in order to prevent any spread of fire.

(4) It shall not be deemed a contravention of this section if a person burns stubble or lights or maintains a fire for the purpose of burning any stubble in or on any irrigation channel or lucerne field in any case where the consent of the council or body corporate exercising the powers of a council in the part of the State in which the land is situated is obtained to such burning and all the following conditions and all such further conditions as the said council or body corporate may prescribe are strictly observed, namely:—

i. Before the fire is lighted the land immediately adjoining on all sides the whole of the land on which the burning is to take place shall, throughout the whole length of every such side, either be ploughed to a width of at least six feet or be cleared of all scrub, stubble, and other inflammable material to a width of at least twelve feet:

- ii. Not less than six hours before the fire is lighted, notice of intention to burn the stubble shall be given to the owner or occupier or person in charge of any land or building immediately adjoining the land whereon the burning is to take place, who resides within five miles of the last-mentioned land. If notice as aforesaid cannot be given to any person to whom notice is required by this paragraph to be given, by reason of the absence of such person from his place of residence or for any other reasonable cause, notice as aforesaid shall in lieu thereof be given to the police constable stationed nearest to the land whereon the burning is to take place. Any land or building shall be deemed to be immediately adjoining any land as aforesaid notwithstanding that they are separated by a road:

Amended by
2258, 1935,
s. 2 (b).

- ii.a. If the land upon which the fire is to be lighted is within one mile of a Government forest, notice as aforesaid shall also be given to the person in charge of the forest:

Inserted by
27, 1939,
s. 7 (1).

- iii. At least four men shall be present at the fire, from the time it is lighted until it is thoroughly extinguished, to assist in keeping it under control and prevent it from spreading beyond the land whereon the burning is to take place:

- iv. No such fire shall be lighted before twelve o'clock noon, and every such fire shall be thoroughly extinguished before nine o'clock in the evening of the same day:

Amended by
27, 1939,
s. 3 (f).

- v. The fire shall be first lighted from the leeward side of the stubble to be burnt before the fire shall be lighted from the windward side of the stubble.

Inserted by
27, 1939,
s. 3 (g).

(5) Any person who is guilty of any contravention of this section shall be guilty of an offence and liable to a penalty for a first offence of not less than two pounds nor more than twenty pounds, and for every subsequent offence of not less than five pounds nor more than fifty pounds.

5. (1) No person shall during the period between the thirty-first day of January and the fifteenth day of the following May, burn any stubble standing on any land, or light or maintain any fire with the intention of burning any stubble standing on any land, except subject to all the following conditions, namely:—

Burning of
stubble
between 31st
January and
15th May.
1123, 1913,
s. 7.
1768, 1926,
s. 3.

- i. Before the fire is lighted, the land immediately adjoining on all sides the whole of the land on which the

burning is to take place shall, throughout the whole length of every such side, either be ploughed to a width of at least six feet or be cleared of all scrub, stubble, and other inflammable material to a width of at least twelve feet:

Amended by
2258, 1935,
s. 3.

II. Not less than six hours before the fire is lighted, notice of intention to burn the stubble, stating the date and the probable time at which the fire is to be lighted, shall be given to the owner or occupier or person in charge of any land or building immediately adjoining the land whereon the burning is to take place, who resides within five miles of the last-mentioned land. If notice as aforesaid cannot be given to any person to whom notice is required by this paragraph to be given, by reason of the absence of such person from his place of residence or for any other reasonable cause, notice as aforesaid shall in lieu thereof be given to the police constable stationed nearest to the land whereon the burning is to take place. Any land or building shall be deemed to be immediately adjoining any land as aforesaid notwithstanding that they are separated by a road:

III. Notice as aforesaid shall also be given to the clerk of the area in which the land is situated or to the nearest fire control officer of such area:

Inserted by
27, 1939,
s. 7 (2).

IIIA. If the land upon which the fire is to be lighted is within one mile of a Government forest, notice as aforesaid shall also be given to the person in charge of the forest:

IV. Four men at least shall be present at the fire, from the time it is lighted until it is thoroughly extinguished, to assist in keeping it under control and prevent it from spreading beyond the land whereon the burning is to take place:

Amended by
27, 1939,
s. 4 (a).

V. No such fire shall be lighted before twelve o'clock noon, and any such fire shall be thoroughly extinguished before nine o'clock in the evening of the same day:

Inserted by
27, 1939,
s. 4 (b).

VI. The fire shall be first lighted from the leeward side of the stubble to be burnt before the fire shall be lighted from the windward side of the stubble.

(2) Any person who is guilty of any contravention of this section shall be guilty of an offence and liable to a penalty

for a first offence of not less than two pounds nor more than twenty pounds, and for every subsequent offence of not less than five pounds nor more than fifty pounds.

5a. It shall not be deemed a contravention of section 4 or section 5 if any person burns any stubble on any land or lights or maintains any fire with the intention of burning any stubble or if any council causes stubble to be burnt or a fire lighted or maintained for the purpose of burning any stubble on any street, road or reserve vested in or under the control of the council if, prior to the stubble being burnt or the fire lighted or maintained, permission in writing is obtained from the Minister for the purpose, and if all conditions specified by the Minister are fully complied with. The permission of the Minister aforesaid may be given subject to such conditions as the Minister thinks sufficient or proper in the circumstances of the case. If application for permission as aforesaid is made by other than a council and if the land in respect of which the application is made is situated within an area, the Minister shall not give permission as aforesaid except upon the recommendation of the council of the area.

Power of Minister to authorize burning of stubble.
Inserted by 30, 1942, s. 3.

6. In any case where it is necessary to use a fire-rake in order to burn any stubble on any land, the occupier of such land may, with the consent of a fire control officer, burn such stubble during any period to which section 4 or section 5 applies, and in any such case the provisions of sections 4 and 5 shall not apply to any such burning: Provided that before the fire is lighted there is around the land upon which the fire is to be lighted a space cleared of all inflammable material to a width of twelve feet or a space ploughed to a width of six feet.

Burning of stubble without restriction under certain conditions.

7. (1) Any person who, during the period between the fifteenth day of October and the first day of the following February, burns any scrub on any land, or lights or maintains any fire with the intention of burning any scrub on any land, shall be guilty of an offence and liable to a penalty for a first offence of not less than five pounds nor more than twenty-five pounds, and for every subsequent offence, of not less than ten pounds nor more than fifty pounds.

Burning of scrub between 15th October and 1st February.
1123, 1913, s. 8.

(2) It shall not be deemed a contravention of this section if scrub is burnt on any land for the purpose of providing a firebreak if permission in writing is, prior to the burning, obtained from the Minister for the purpose and if all conditions specified by the Minister in the permission in writing are fully complied with.

Inserted by 27, 1939, s. 5.

Burning
of scrub
between end
of January
and 1st May.
1123, 1913,
s. 9.
1768, 1926,
s. 4.
2023, 1931,
s. 4.

Para. I.
amended by
27, 1939,
s. 6.

Amended by
2258, 1935,
s. 4.

Inserted by
27, 1939,
s. 7 (3).

8. (1) No person shall, during the period between the last day of January and the first day of the following May, burn any scrub on any land, or light or maintain any fire with the intention of burning any scrub on any land, except subject to all the following conditions, namely:—

- I. Before the fire is lighted, a space of at least fifteen feet in width immediately adjoining on all sides the whole of the land whereon such burning is to take place, and throughout the whole length of every such side, shall either be ploughed or be cleared of all scrub, stubble, and other inflammable material:
- II. Not less than six hours before the fire is lighted, notice of intention to burn the scrub, stating the date and the probable time at which the fire is to be lighted, shall be given to the owner or occupier or person in charge of any land or building immediately adjoining the land whereon such burning is to take place, who resides within five miles of the last-mentioned land. If notice as aforesaid cannot be given to any person to whom notice is required by this paragraph to be given, by reason of the absence of such person from his place of residence or for any other reasonable cause, notice as aforesaid shall in lieu thereof be given to the police constable stationed nearest to the land whereon the burning is to take place. Any land or building shall be deemed to be immediately adjoining any land as aforesaid notwithstanding that they are separated by a road:
- III. Notice as aforesaid shall also be given to the clerk of the area in which the land is situated, or to the nearest fire control officer of such area:
- IIIA. If the land upon which the fire is to be lighted is within one mile of a Government forest, notice as aforesaid shall also be given to the person in charge of the forest:
- IV. Not less than fourteen days before a fire is lighted for the purpose of burning an area of scrub of more than five hundred acres, notice of intention to burn the scrub shall, if the land is situated within an area, be given to the council thereof:
- V. Four men at least shall be present at the fire, from the time it is lighted until it is thoroughly extin-

guished, to assist in keeping it under control and prevent it from spreading beyond the land whereon the burning is to take place:

In any case where notice is given to a council pursuant to paragraph iv., and the council or mayor or chairman thereof is of opinion that more than four men will be necessary in order to control the fire and prevent it from spreading as aforesaid, the council or mayor or chairman may not later than ten days after the giving of the notice as aforesaid, give notice to the person aforesaid directing him to have present at the fire such number of men (but not exceeding three) additional to those hereinbefore provided for as the council or mayor or chairman thinks fit:

vi. The fire shall be first lighted from the leeward side of the scrub to be burnt before the fire shall be lighted from the windward side of such scrub:

vii. No such fire shall be lighted before twelve o'clock noon.

(2) Any person who is guilty of any contravention of this section shall be guilty of an offence and liable to a penalty for a first offence of not less than five pounds nor more than twenty pounds, and for every subsequent offence of not less than ten pounds nor more than fifty pounds.

(3) It shall not be deemed a contravention of this section if any person burns any scrub on any land or lights or maintains any fire with the intention of burning any scrub if, prior to the scrub being burnt or the fire lighted or maintained, permission in writing is obtained from the Minister for the purpose and if all conditions specified by the Minister in the permission in writing are fully complied with. The permission of the Minister aforesaid may be given subject to such conditions as the Minister thinks sufficient or proper in the circumstances of the case.

Inserted by
30, 1942,
s. 4.

9. Any person who lights, uses, or maintains any fire in the open air for the purpose of making charcoal or lime during the period between the thirty-first day of October and the first day of the following May, unless either—

Fires for
charcoal
burning
between
31st October
and 1st May.
1123, 1913,
s. 11.
1768, 1926,
s. 5.

(a) a space of ground immediately round the pit or place in which the fire is situated, of the width of fifty feet at least in all parts, has before the fire is lighted been cleared, and is until the fire is completely extinguished, kept clear, of all stubble, scrub, and other inflammable material; or

- (b) the fire is enclosed in a kiln of brick, iron, stone, or earth, so constructed as to prevent the escape of fire or any burning material therefrom,

shall be guilty of an offence and liable to a penalty for a first offence of not less than five pounds, nor more than twenty-five pounds; and for every subsequent offence, of not less than ten pounds nor more than fifty pounds.

Occupier of land *prima facie* liable for fire thereon.
1123, 1913, s. 12.

10. (1) Every occupier of any land whereon any offence under sections 4, 5, 7, 8, or 9 is committed shall be deemed guilty of such offence, unless he satisfies the court hearing the charge against him that the offence was not committed by him or by his authority.

(2) Nothing in this section shall be deemed to affect the liability of the actual perpetrator of the offence in respect of such offence.

Power to alter periods and hours for burning.
1123, 1913, s. 13.
1768, 1926, s. 6.
Subsec. (1) amended by 27, 1939, s. 8.

11. (1) With the approval in writing of the Minister the council of any area may, as regards such area or any portion thereof, and the Minister may, as regards any part of the State (defined in a notice under subsection (2) hereof) which is not within any area, alter the periods or the hours, or the distances, or of any of them, mentioned in sections 4, 5, 7, 8, 9, or 20, or any of those sections, and may by any such alteration fix earlier or later and longer or shorter periods or hours, or greater distances, or all or any of such altered periods and hours and distances.

The power conferred by this section shall include power to provide that stubble may be burnt as provided by section 5 during any period either before or after or both before and after any period during which section 4 applies, and to provide that scrub may be burnt as provided by section 8 during any period either before or after or both before and after any period during which section 7 applies.

(2) No such alteration shall have any force until notice thereof has been—

- (a) published once in the *Government Gazette*, and twice in some newspaper circulating in the area or defined part of the State; and
- (b) in the case of an alteration made by a council, affixed for at least thirty days on the front door or the notice board of the council making such alteration.

s. 10. *McINNES v. WARDLE* (1931) 45 C.L.R. 548; 38 A.L.R. 230; 9 Austn. Digest 131, affirming *WARDLE v. McINNES* (1930) S.A.S.R. 450. As to the civil liability of an occupier where an offence is committed by an independent contractor.

(3) Upon such publication and affixing, such alteration shall have the force of law within such area or portion thereof or defined part of the State, and shall therein have the same effect as if the periods and hours and distances fixed thereby were respectively fixed by such of the said sections 4, 5, 7, 8, 9, or 20, as is or are applicable.

Amended by
27, 1939,
s. 8 (d).

(4) In any case in which the Minister by reason of any special circumstances thinks fit, the Minister may in writing authorize any council to make any such alteration as aforesaid, and may direct that the notice required by paragraph (b) of subsection (2) shall be given for seven days only, but in any such case the alterations made by such notice shall continue only until such time as the Minister directs, which shall be stated in the notice.

(5) In the case of an alteration by a council, the clerk of the council shall, after the notices provided for in subsection (2) or (4) have been given, furnish to the Minister a certificate that such notices have been given.

Inserted by
27, 1939,
s. 8 (e).

12. Notwithstanding any provision of this Act, any person who under any conditions lights any fire at any time on any Sunday, for any of the purposes mentioned in sections 4, 5, 7, 8, or 9, shall be guilty of an offence and liable to a penalty for a first offence of not less than five pounds nor more than twenty-five pounds, and for every subsequent offence, of not less than ten pounds nor more than fifty pounds.

Fires not to
be lighted on
Sunday.
1123, 1913,
s. 14.

13. (1) Any person who, during the period between the thirty-first day of October and the first day of the following May—

Fires for
purposes
other than
those
mentioned in
sections
4 to 9.
1123, 1913,
s. 15.
1768, 1926,
s. 7.
2023, 1931,
s. 5.

(a) lights, uses, or maintains any fire in the open air for any purpose whatever, except those mentioned in sections 4, 5, 7, 8, and 9, unless a space of ground immediately around such fire of the width of twelve feet at least in all parts has been previously cleared of all stubble, scrub, and other inflammable material; or

(b) having lighted, used, or maintained any fire in the open air, neglects to completely extinguish such fire before leaving the same,

shall be guilty of an offence and liable to a penalty for a first offence of not less than two pounds, nor more than

s. 13. *OPIE v. MOUNT* (1942) S.A.S.R. 35. A fire lit out of doors in a tank having one open side and a hole in the top is a fire in the open air within the meaning of section 13.

twenty pounds, and for every subsequent offence of not less than five pounds nor more than fifty pounds.

Inserted by
27, 1939,
s. 9 (a).

(1a) The council may by resolution published in the *Government Gazette*, declare that within the part of the area defined in the resolution, the lighting of fires in the open during the period between the thirty-first day of October and the first day of the following May shall be prohibited except in a place or places to be specified in the resolution.

Any person who during the said period and within any such specified part of the area, lights any fire in the open in any place other than in a place specified in the resolution shall (notwithstanding compliance with paragraph (a) of subsection (1) of this section) be guilty of an offence and liable to a penalty for a first offence of not less than two pounds nor more than fifty pounds, and for any subsequent offence of not less than five pounds nor more than one hundred pounds.

(2) Nothing in this section shall be construed as varying any of the provisions of any of the sections mentioned in subsection (1).

Inserted by
27, 1939,
s. 9 (b).

(3) It shall be a defence to any proceedings under paragraph (a) of subsection (1) to show—

(a) that the fire was lighted in any orchard or vineyard for the purpose of smudging for insect pests or the prevention of damage by frost or any other purpose prescribed by regulation; and

(b) that at the time the fire was lighted, a space of ground immediately around the fire of the width of twelve feet was clear of all inflammable material, except fruit trees or vines or both.

Ignitable
wadding
prohibited
from 30th
September
to 1st May.
1123, 1913,
s. 16.
1768, 1926,
s. 8.

14. (1) Any person who, during the period between the thirtieth day of September and the first day of the following May, uses for the wadding of any gun, rifle, pistol, or other firearm used or carried by him, any paper, cotton, linen, or other ignitable substance, shall be guilty of an offence and liable to a penalty of not less than two pounds nor more than ten pounds.

(2) If any person, within the period mentioned in subsection (1) hereof, uses or carries any gun, rifle, pistol, or other firearm upon or over the land of any other person, the owner or occupier of such land, or his servant or agent, or any member of the police force, may examine such gun, rifle, pistol, or other firearm, for the purpose of ascertaining the nature of the wadding used therein; and the person using or carrying such gun, rifle, pistol, or firearm who—

- (a) refuses to allow such examination; or
- (b) upon the occasion of such examination refuses to disclose his name and address, or either, to such owner or occupier, or servant or agent; or
- (c) gives a false name and address, or either,

shall be guilty of an offence and liable to a penalty of not less than two pounds nor more than ten pounds.

15. (1) Every stationary steam engine (other than a steam engine enclosed on four sides with non-inflammable material) shall be placed so that the space of ground around the steam engine to the width of twelve feet at least is cleared of all stubble, scrub, and other inflammable material.

Penalty for using stationary steam engine or internal combustion engine in open.

(2) Every stationary internal combustion engine (other than an internal combustion engine enclosed on four sides with non-inflammable material) shall be placed so that the space of ground around the internal combustion engine to a width of twelve feet at least is cleared of all stubble, scrub, and other inflammable material.

(3) Any person who drives or uses any steam engine or internal combustion engine in any manner contrary to this section shall be guilty of an offence and liable to a penalty of not less than two pounds nor more than twenty pounds.

15a. (1) Any person who, during the period between the thirtieth day of September and the first day of the following May, in the open air—

Use of producer gas equipment. Inserted by 24, 1941, s. 3.

- (a) lights any fire in any producer gas equipment; or
- (b) opens any entrance (other than any entrance used for the insertion of fuel) to any producer gas equipment which contains live coals, hot ashes, or any material from which sparks or fire may be emitted,

shall be guilty of an offence unless the space of ground immediately around the producer gas equipment and to a distance of twelve feet at least in all directions is clear of all stubble, scrub and other inflammable material.

s. 15a. *TOLMER v. DARLING AND ANOTHER* (1943) S.A.S.R. 81. Where a motor car fitted with a gas producer was driven along a public road and over a deep drain at a speed of about ten miles per hour and a bolt and other parts of the hopper of the producer in which the live charcoal was placed came in contact with a stone or other obstacle causing damage to the hopper door and the escape of the charcoal, *quaere* whether an offence against section 15a was committed.

(2) Any person who, during the period between the thirtieth day of September and the first day of the following May, whilst on any road outside of any municipality or township, empties from any gas producer equipment any live coals, hot ashes, or any material from which sparks or fire may be emitted, shall be guilty of an offence unless the live coals, hot ashes, or material is emptied into a receptacle containing water sufficient to extinguish completely the coals, ashes or material.

(3) Any person who, during the period between the thirtieth day of September and the first day of the following May, in the open air opens or empties or carries out any operation with respect to any part of any gas producer equipment so that there is emitted from the gas producer equipment any live coals, hot ashes or any material from which sparks or fire may be emitted, shall be guilty of an offence unless the live coals, hot ashes or other material is immediately and completely extinguished.

(4) Any person who, during the period between the thirtieth day of September and the first day of the following May, in the open air—

(a) operates any producer gas equipment which is not fitted and mounted so as to prevent effectively the escape of fire, sparks, grit, cinders, ashes, coals and burning gas; or

(b) operates any gas producer equipment which is so constructed that during the operation thereof any outside surface thereof is likely to reach a temperature sufficient to ignite any stubble, grass, leaves, wood, or other inflammable material which may come into contact therewith,

shall be guilty of an offence.

(5) Any person guilty of an offence against this section shall be liable to a penalty for a first offence of not less than two pounds nor more than twenty pounds, and for any subsequent offence of not less than five pounds nor more than fifty pounds.

Duty of
beekeepers to
clear space.

16. Any person who during the period between the thirty-first day of October and the following first day of May, lights or maintains any fire in any appliance which is used for the purpose of taking honey from any beehive or lights or maintains any fire in any honey-house shall be guilty of an offence and liable to a penalty of not less than two

pounds nor more than twenty pounds unless around the beehive or honey-house or around the apiary in which the beehive or honey-house is situated there is a space cleared of all inflammable material to a width of twelve feet or a space ploughed to a width of six feet.

17. (1) Any person who uses any internal combustion engine for the purpose of harvesting any inflammable crop shall be guilty of an offence and liable to a penalty of not less than two pounds nor more than twenty pounds unless such internal combustion engine is fitted with an effective spark arrester.

Use of
internal
combustion
engines in
harvesting
operations.
Amended by
27, 1939,
s. 10.

(2) Any person who uses any producer gas equipment for the purpose of reaping or cutting any inflammable crop shall be guilty of an offence and liable to a penalty of not less than two pounds nor more than twenty pounds unless the whole of the area to be so reaped or cut is bounded by one or other of the following, namely:—

Inserted by
30, 1942,
s. 5.

I. A strip of land ploughed to a width of at least twelve feet:

II. A strip of land cleared of all inflammable material to a width of at least twelve feet:

III. An irrigation or drainage channel containing water to the width of at least six feet.

(3) Any person who uses any producer gas equipment for the purpose of removing any inflammable crop from the place where the crop was reaped or cut, shall be guilty of an offence and liable to a penalty of not less than two pounds and not more than twenty pounds unless there is carried with the producer gas equipment a water spray of the knapsack pattern fully charged with water.

Inserted by
30, 1942,
s. 5.

18. Any person who, during the period between the thirty-first day of October and the first day of the following May, smokes in the open air within twenty yards of any stable, or of any rick, stack, or field of hay, corn, straw, stubble, or other inflammable vegetable production, unless—

Smoking in
the open air
near stacks,
etc.,
prohibited.
1123, 1913,
s. 17.
1768, 1926,
s. 9.

(a) within a town; or

(b) with a pipe properly covered,

shall be guilty of an offence and liable to a penalty of not less than two pounds nor more than twenty pounds.

Penalty for throwing lighted cigarettes, etc., from vehicles.
Amended by 30, 1942, s. 6.

19. Any person who, while in any vehicle in any part of the State outside any municipality or town, during the period between the thirty-first day of October and the first day of the following May, throws out of such vehicle any lighted cigarette or cigar, shall be guilty of an offence and liable to a penalty of not less than two pounds nor more than twenty pounds.

Prohibition on using rabbit fumigator during summer.
Of. 2023, 1931, s. 6.

20. Any person who, during the period between the thirtieth day of November and the fourteenth day of the following February lights or maintains any fire in any appliance which is used as a rabbit fumigator, shall be guilty of an offence and liable to a penalty of not less than two pounds nor more than twenty pounds.

Trees not to be blasted between 31st October and 1st May except under conditions.
1123, 1913, s. 18.
1768, 1926, s. 10.

21. Any person who, during the period between the thirty-first day of October and the first day of the following May, employs gunpowder, or any other explosive substance, for the purpose of blasting any tree, wood, or timber, without having at least four persons present to prevent any fire from arising therefrom, shall be guilty of an offence and liable to a penalty of not less than two pounds nor more than twenty pounds.

Prohibition of placing of substances on the ground.
1123, 1913, s. 19.

22. (1) The Governor may, by proclamation, prohibit the placing on the ground of the substance or substances specified in the proclamation—

- (a) either at any time or during the periods of the year or of the day specified in the proclamation;
- (b) either anywhere in the State or within areas so specified;
- (c) either for any purpose or for the purposes so specified; and
- (d) either absolutely or except under conditions so specified.

(2) The Governor may, by proclamation, rescind, amend, or vary any proclamation made under subsection (1) hereof.

(3) Any proclamation made under this section shall be published—

- (a) in the *Government Gazette*; and
- (b) if the proclamation is to have effect throughout the State, twice in a newspaper published in Adelaide, or if the proclamation is to have effect only within specified areas, twice in a newspaper circulating in such areas.

(4) Any person who, after the expiration of the period of fourteen days from the latest of the publications of any proclamation required by subsection (3) hereof, does anything contrary to the provisions of such proclamation, shall be guilty of an offence and liable to a penalty for a first offence of not less than one pound, nor more than five pounds; and for every subsequent offence of not less than two pounds nor more than twenty pounds.

23. (1) The Governor may, by proclamation, prohibit the sale, offering for sale, distribution, and use of any matches other than those made so as to strike only on a preparation affixed to the box containing the matches, or to a box containing matches of the same description—

Prohibition
of sale of
matches of
certain kinds.
1123, 1913,
s. 20.

(a) either anywhere in the State or within the areas specified in the proclamation:

(b) during the periods of the year so specified, being between the thirty-first day of October and the first day of the following May.

(2) The Governor may, by proclamation, rescind, amend, or vary any proclamation made under subsection (1) hereof.

(3) Any proclamation made under this section shall be published—

(a) in the *Government Gazette*; and

(b) if the proclamation is to have effect throughout the State, twice in a newspaper published in Adelaide, or, if the proclamation is to have effect only in specified areas, twice in a newspaper circulating in such areas.

(4) Any person who, after the expiration of the period of fourteen days from the latest of the publications of any proclamation required by subsection (3) hereof, does anything contrary to the provisions of such proclamation, shall be guilty of an offence and liable to a penalty for the first offence of not less than one pound, nor more than five pounds; and for every subsequent offence of not less than two pounds nor more than twenty pounds.

23a. Any member of the police force or any fire control officer, who has reasonable cause to suspect that any person has committed any offence against this Act, may demand that such person disclose his name and address. Any person who upon such demand fails to disclose his name and address or gives a false name or address shall be guilty of an offence and liable to a penalty of not more than five pounds.

Power to
demand name
and address.
Inserted by
27, 1939,
s. 11.

S. 24
repealed by
2252, 1935,
s. 4.

Damage by
fire to
dividing
fence.

1123, 1913,
s. 22.

* * * * *

25. (1) If the owner or occupier of any land clears the same of all inflammable materials for the space of at least twenty feet from any fence dividing such land from the land of any other owner or occupier; and

(a) such other owner or occupier does not clear his land contiguous to the said fence for the space of at least twenty feet; and

(b) any damage from fire happens to such dividing fence through his failing so to do;

such other owner or occupier shall, at his own costs and charges, repair or re-erect such fence within the period of one month from the day when the same is so damaged, or within such extended time as is allowed by a special magistrate, on application made to him in writing, of which application not less than seven days' notice in writing has been served on the owner or occupier who has cleared his land as aforesaid.

(2) If the owner or occupier who has so failed to clear his land fails to repair or re-erect such fence within such month or such extended time (if any), the owner or occupier of the first-mentioned land who has cleared the same as aforesaid may repair or re-erect such fence, and may recover the costs and expenses of so doing as money paid to the use of the owner or occupier so in default.

Power of
occupier to
clear portions
of road.

26. Where any land adjoins any road, the occupier of the land, with the consent of the council of the area in which the road is situated or of the Minister if the road is not situated within an area, may, for the purposes of providing a firebreak for the protection of any fences or other property on the said land, clear all scrub from the whole or any portion of that part of the road to the width of nine feet which adjoins the said land.

Coronial
inquiry into
certain fires.

27. In the event of any fire (other than a fire confined to any building or other premises) an inquest shall be held thereon in any case where a request in writing is made to the member of the police force in charge of the police station nearest to the fire within three days of the outbreak of the fire by—

(a) the council of the area in which the fire occurred:

(b) any owner or occupier of property who suffered loss by reason of the fire.

27a. (1) If the council is of opinion that the presence of the plant known as furze on any land within its area is or may be a source of danger from bush fires, the council may by notice in writing given to the occupier or the owner of the land, require him to destroy and remove all furze plants from the land specified in the notice within the time specified in the notice.

Power to order destruction of furze.
Inserted by 27, 1939, s. 12.

No such notice shall apply to any land distant more than one chain from any road or building.

(2) If any such occupier or owner fails to comply with any such notice within the time specified in the notice, any person authorized by the council may enter upon the land and destroy and remove all furze plants from the land specified in the notice. The costs of so doing may, in any court of competent jurisdiction, be recovered by the council as a debt due to the council by the person to whom the notice was given.

27b. (1) It shall be the duty of every council or other authority to remove from any road any inflammable debris or material which results from the carrying out of any work upon that road by the council or authority and which is likely to be a source of danger from bush fires.

Removal of debris from roads.
Inserted by 27, 1939, s. 12.

(2) If any council or authority fails to remove any such debris or material and the default continues for fourteen days or more, the Minister may cause the debris or material to be removed and may in any court of competent jurisdiction recover from the council or authority in default as a debt due to the Minister an amount equal to twice the amount of the expenses incurred by the Minister.

(3) The provisions of subsection (1) shall not impose on any council or authority any liability for damages which may result from any failure of the council or authority to comply with the provisions of subsection (1).

28. A council may expend any portion of its rates in paying for the clearing of any roads vested in it of stubble, scrub, and other inflammable material for the purpose of preventing the spread of fire or in the purchase of fire-preventing apparatus; and, subject to the provisions of this Act, may light, use, and maintain fires, or cause the same to be lighted, used, and maintained, for the purpose of such clearing; and may prevent the passing of vehicles of any kind, cattle, and beasts of draught or burden along any road whilst fire is being used for the purpose of such clearing.

Power for council to expend rates for prevention of fires.
1123, 1913, s. 23.

Provision of
fire-fighting
appliances
by council.

Enacted by
2258, 1935,
s. 5, but
repealed and
re-enacted by
27, 1939,
s. 13.

28a. (1) Every council shall provide adequate fire-fighting appliances for the purpose of preventing and controlling bush fires within its area.

(2) For the purpose of deciding what fire-fighting appliances are adequate for the said purpose, the council may take into regard any fire-fighting appliances within the area of any person other than the council which are available within the area generally for the purpose of preventing the spread of bush fires.

(3) A council may—

(a) contribute to the costs of any organization which is formed for the purpose of taking measures, and conducting operations for the control and extinguishing of bush fires, or may form such an organization:

(b) contribute to the cost of any fire-fighting appliances owned by any occupier of land within the area which the council is satisfied will be available within the area generally and are suitable for the control or extinguishing of bush fires.

(4) The council may expend any portion of its rates for the purposes of this section.

(5) If the Minister is of opinion that any council is neglecting to provide fire-fighting appliances as required by this section, he may from time to time give notice in writing to the council requiring the council to provide such fire-fighting appliances. If within one month after the giving of notice as aforesaid, the council neglects to provide fire-fighting appliances as required by this section, the council shall be guilty of an offence against this Act and liable to a penalty not exceeding ten pounds.

Appointment
of fire control
officers.

Substituted
by 27, 1939,
s. 14.

29. (1) Any council may, from time to time, appoint such persons (not exceeding fifteen in number) as it thinks proper to be its fire control officers under this Act, and may from time to time appoint as additional officers any persons (but not exceeding fifteen in number) who are officers under this Act appointed in respect of any adjoining area.

(2) If the Minister is satisfied that in order to meet the requirements of any area, it is desirable that the number of fire control officers should be greater than the number authorized to be appointed pursuant to subsection (1), the Minister may, by notice in writing, authorize the council to appoint an additional number of fire control officers fixed by the

Minister, but not exceeding fifteen, and the council may from time to time appoint additional fire control officers, but not exceeding the number so authorized. The authority of the Minister may be revoked by the Minister by notice in writing.

(3) No appointment of a fire control officer shall have effect unless notice of the appointment is published in the *Government Gazette*.

(4) If the Minister is satisfied that any council has not appointed fire control officers sufficient for its area, the Minister may appoint fire control officers for such area, and any person so appointed shall be deemed to have been appointed by the council. Notice of every such appointment shall be published in the *Government Gazette*.

(5) The general powers of the council with respect to other officers appointed by it, shall apply with respect to its fire control officers appointed under this section.

(6) Any fire control officer appointed by a council may be appointed subject to any conditions thought fit by the council, and if thought fit by the council, the council may allot the control of any part of its area to any fire control officer or officers.

(6a) Any councillor may be appointed as a fire control officer by any council or, in exercise of the powers conferred by subsection (4), by the Minister, if, under the conditions of the appointment, no payment is to be made to the councillor by any council as fees, salary, or wages for his services as fire control officer.

Inserted by
30, 1942,
s. 7.

Notwithstanding the provisions of the Local Government Act, 1934-1941, no such appointment shall disqualify any councillor so appointed from being or continuing a councillor.

In this subsection "councillor" means mayor, alderman, or councillor in any council.

(6b) If any person (whether a person such as is referred to in subsection (6a) or not) is appointed as a fire control officer by a council or by the Minister in exercise of the powers conferred by subsection (4), and, under the conditions of his appointment, no payment is to be made to the fire control officer as fees, salary, or wages for his services as fire control officer, then for the purposes of any Act relating to the liability of employers in respect of injury to or the death of workmen employed by them, the person so appointed

Inserted by
30, 1942,
s. 7.

shall not be deemed to be employed as a workman by the council by which he is appointed or, as the case may be, deemed to be appointed and the provisions of any such Act shall not apply upon the injury or death of any such person.

A council by which any such person is appointed or, as the case may be, is deemed to be appointed, shall obtain from an insurance office a policy of insurance under which the following benefits shall be payable to such person or his personal representatives on the death or total or partial incapacity of such person when such death or incapacity is brought about by accident arising out of and in the course of such person's duties as a fire control officer, namely:—

- (a) On the death or total incapacity of such person—
an amount not less than five hundred pounds:
- (b) On the partial incapacity of such person—an amount
not less than two pounds per week to be payable
during such partial incapacity for a period of at
least six months:
- (c) If any such person suffers any of the injuries mentioned in the first column of the table in section 26 of the Workmen's Compensation Act, 1932-1941—
an amount being such ratio of the sum of five hundred pounds as is shown in the second column of the said table as being payable in respect of such injury: Provided that any amount payable in pursuance of paragraph (b) hereof shall be deducted from any amount payable under this paragraph.

(7) Every forester and assistant forester employed in the Woods and Forests Department of the State, and every foreman in charge of any Government forest, shall *ex officio* be deemed to be a fire control officer under this Act, and shall have and may exercise throughout the whole State all the powers of a fire control officer under this Act.

(8) The Minister may appoint any person to be a fire control officer for any portion of the State not comprised within an area, and any person so appointed shall have and may exercise within such portion of the State all the powers of an officer under this Act.

(9) The Governor may make regulations prescribing—

- (a) the duties and powers of fire control officers:
- (b) the form of badges to be issued to fire control officers:
- (c) any other necessary matters.

29a. In the month of August in every year every council shall forward to the Minister—

Annual return of fire control officers.

Inserted by 27, 1939, s. 14.

- (a) a statement of the names, addresses, and occupations of each fire control officer of the council:
- (b) a statement of the means of transport available to each such officer and a telephone number whereby he may be communicated with:
- (c) if any fire control officer or officers are by their appointment by the council appointed to control any part of the area of the council, a statement of the particulars of such part and any order of priority of control given to such officers:
- (d) a statement of the names and addresses of every occupier of land within the area who owns suitable fire-fighting appliances which are available within the area generally for the control or extinguishing of bush fires and of the telephone numbers whereby the said occupiers may be communicated with.

29b. (1) Any fire control officer shall, subject to such (if any) directions as are given by the council, and subject to anything prescribed by regulations, take any measures which appear to him to be necessary or expedient, and practicable, for—

Duties and powers of fire control officers.

Inserted by 27, 1939, s. 14.

- (a) preventing the outbreak of fire;
- (b) protecting life and property in the case of any such outbreak; and
- (c) controlling and extinguishing any fires or preventing the spread thereof.

(2) On the outbreak of any fire at any place within the area, any such officer shall proceed with all possible speed to such place, and, subject to anything prescribed by regulations, shall have control and the direction of the measures taken to control and extinguish such fire or to prevent it from spreading.

(2a) Notwithstanding any other provision of this Act, a fire control officer appointed for any area may on the outbreak of any fire at any place outside that area have control and the direction of the measures taken to control and extinguish such fire or to prevent its spreading as if he had been appointed a fire control officer for the area in which the outbreak of fire occurred; but the powers hereby given to any such fire control officer shall be exercised only until such time as a fire control officer appointed for the area in which the outbreak of fire occurred assumes the control and direction of the measures aforesaid.

Inserted by 30, 1942, s. 8.

(3) For the purpose of controlling or extinguishing any fire or preventing the spread thereof, a fire control officer may, after consulting with the occupier of the land if he is present, do all or any of the following things:—

- (a) exercise any of the appropriate powers of the Chief Officer of Fire Brigades under the Fire Brigades Act, 1936, in so far as the same may be necessary or expedient, for extinguishing a fire which is already burning or for preventing the spread or extension thereof:
- (b) enter any land or building whether private property or not:
- (c) pull down, cut, and remove fences on any land, whether private property or not, when in his opinion the same is necessary or expedient for the purpose of taking effective measures for extinguishing a fire which is already burning, or for preventing the spread or extension thereof:
- (d) cause firebreaks to be ploughed or cleared on any land, whether private land or not, and take any other appropriate measures on any such land as he may deem necessary for the purpose of controlling or extinguishing a fire which is already burning or for preventing the spread or extension thereof:
- (e) light any fire on any land, whether private land or not, for the purpose of clearing any strip of land to act as a firebreak for the purpose of controlling or extinguishing a fire which is already burning or for preventing the spread or extension thereof:
- (f) take and use water, other than that for use as an occupier's domestic supply contained in a tank at his dwelling house, and any other fire extinguishing material from any source whatever on any land, whether private property or not:
- (g) take charge of and give directions to any fire-fighting organization present at any fire with respect to its operations or activities in connection with the extinguishment or control of such fire, or the prevention of the spread or extension thereof:
- (h) any other thing which in his opinion is incidental to the exercise of any of the foregoing powers; and
- (i) employ any person or use the voluntary services of any person to assist him, subject to his directions, in the exercise of any of the foregoing powers.

(4) If any fire is within any Government forest and any forester or assistant forester or foreman in charge of a Government forest is present at the fire, the said powers and authorities shall not be exercised within the Government forest by any other fire control officer except with the approval of and subject to the directions of the forester or assistant forester or foreman, whilst he continues to be present at the fire.

(5) This section shall only apply to fires which—

- (a) have been lighted or are maintained unlawfully (whether in contravention of this Act or not); or
- (b) have occurred accidentally; or
- (c) have ceased to be under control or are not adequately controlled,

and to such other fires as are prescribed by regulation.

(6) This section shall not apply within any locality wherein the Fire Brigades Act, 1936, applies.

29c. A fire control officer may at any reasonable time enter any land, whether private property or not, for the purpose of examining any measures taken or proposed to be taken on the land for protection from fire.

Power of fire control officer to enter land.
Inserted by 27, 1939, s. 14.

29d. (1) Upon or after the outbreak of any fire any member of the police may give any direction to any person to prevent such person from driving or passing along any road near the fire.

Power of police to block traffic.
Inserted by 27, 1939, s. 14.

(2) Any person who fails to obey any such direction of any member of the police force shall be guilty of an offence and liable to a penalty of not more than five pounds.

30. Nothing in this Act shall be construed as taking away or affecting any right of action or other remedy, whether civil or criminal, which any person may have in respect of any loss or damage occasioned by fire, or for any trespass committed.

Act not to affect other remedies.
1123, 1913, s. 25.

31. (1) The Governor may make all such regulations as may be necessary or convenient for giving effect to the provisions of this Act or more fully carrying out its objects.

Regulations.
1123, 1913, s. 26.

s. 30. ROBERTS v. WEBB (1887) 21 S.A.L.R. 96; 9 A.L.T. 59; 9 Austn. Digest 127. Civil and criminal remedies are available against a person lighting a fire even if the fire is lighted in accordance with the provisions of this Act.

Inserted by
24, 1941,
s. 4.

(1a) Without limiting the effect of subsection (1), the Governor may, for the purpose of preventing the outbreak of fire, make regulations prescribing the conditions under and the manner in which producer gas equipment or any type of producer gas equipment may be used or operated or charged or emptied and prohibiting the use or operation or charging or emptying thereof except as prescribed in the regulations.

(2) Any regulation made under this Act may prescribe a penalty not exceeding twenty pounds in any case, for the breach of such regulation or of any other regulation under this Act.

Appropriation
of
penalties.
1123, 1913,
s. 27.

32. (1) Subject to subsection (2) all moneys received for or on account of penalties imposed for offences against this Act, shall be paid to the Treasurer for the public uses of the State.

(2) Moneys received in respect of an offence committed within any area the complaint for which was laid by the council thereof or any officer of the council, shall be paid over to, and for the use of, the council.

Evidence in
proceedings.
1123, 1913,
s. 28.

33. (1) In any proceedings for an offence against this Act the allegation in the complaint—

(a) that a fire was lighted or maintained with the intention or for the purpose mentioned in such complaint; or

(b) that any stubble was not burned, or that any fire was not lighted, for the purpose mentioned in such complaint,

shall, if it is shown that the fire was lighted, or maintained, or that the stubble was burned (according to the nature of the charge), be taken to be proved, until the contrary is proved.

(2) In any proceedings for an alleged offence against this Act the burden of proving the observance of the conditions which would excuse the matter alleged in the complaint shall lie upon the defendant.

Inserted by
24, 1941,
s. 5.

(3) In any proceedings for an offence against this Act, the allegation in the complaint that any specified apparatus or equipment is producer gas equipment shall be taken to be proved, until the contrary is proved.

34. All proceedings in respect of any offence against this Act shall be disposed of summarily.

Procedure for offences.
1123, 1913,
s. 29.
Amended by
27, 1939,
s. 15.

35. Wherever in this Act there is a prohibition of the doing of anything, such prohibition shall be read as including a prohibition of the assisting in or in any way aiding or abetting the doing of such thing, and of the causing or suffering of the doing thereof, and of any attempt to do such thing, or cause it to be done, or to assist in or aid or abet the doing thereof.

Prohibition of any act to include assisting, etc., and attempts.
1123, 1913,
s. 5.

36. Any notice required to be given to any person pursuant to this Act may be given in writing or orally to such person personally or may be given by leaving written notice thereof at the place of residence of such person.

Giving of notices.
Amended by
27, 1939,
s. 16.

THE SCHEDULE.

No. of Act Repealed.	Title of Act Repealed.
No. 1123 of 1913	The Bush Fires Act, 1913.
No. 1768 of 1926	Bush Fires Act Amendment Act, 1926.
No. 2023 of 1931	Bush Fires Act Amendment Act, 1931.
No. 2027 of 1931	Bush Fires Act Amendment Act (No. 2), 1931.



MARRIAGE ACT, 1936-1944.

BEING

MARRIAGE ACT, 1936, No. 2325 OF 1936
[ASSENTED TO 26TH NOVEMBER, 1936.]

AS AMENDED BY

MARRIAGE ACT AMENDMENT ACT, 1941, No. 18 OF 1941
[ASSENTED TO 30TH OCTOBER, 1941.]

MATRIMONIAL CAUSES ACT AMENDMENT ACT, 1941, No. 51 OF 1941
[ROYAL ASSENT PROCLAIMED 26TH MARCH, 1942.]

AND

MARRIAGE ACT AMENDMENT ACT, 1944, No. 7 OF 1944
[ASSENTED TO 19TH OCTOBER, 1944.]

An Act to consolidate and amend the law relating to marriage.

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
and com-
mencement.

1. This Act may be cited as the "Marriage Act, 1936-1944," and shall come into operation on a day to be fixed by proclamation.

Repealing
provision.

2. The Acts mentioned in the first schedule are hereby repealed to the extent therein mentioned.

Arrangement.

3. The provisions of this Act are arranged as follows:—

PART I.—Preliminary.

PART II.—Qualifications of celebrants.

PART III.—Celebration of marriages.

PART IV.—Validity of marriages.

PART V.—Offences.

PART VI.—Miscellaneous.

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

“district registrar” means a district registrar of marriages:

“deputy registrar” means the Deputy Registrar of Births, Deaths, and Marriages:

“Minister” means the Minister of the Crown to whom the administration of this Act is for the time being committed by the Governor:

“officiating minister” means a person enrolled as an officiating minister pursuant to this Act:

“officiating registrar” means a person enrolled as an officiating registrar pursuant to this Act:

“principal registrar” means the Principal Registrar of Births, Deaths, and Marriages:

“recognized head,” when used with reference to any religious denomination, means—

(a) when any part of South Australia is comprised within any diocese, the recognized head of the religious denomination within that diocese:

(b) in every other case, the recognized head in South Australia of the religious denomination:

“repealed Act” means any Act repealed by this Act or any other repealed Act relating to marriage.

5. (1) The office in the city of Adelaide at the commencement of this Act for keeping a general register of births, deaths, and marriages in South Australia shall continue to be the office in the city of Adelaide for keeping a general register of marriages.

Register.
15, 1867, s. 6.
Cf. U.K.
6 & 7 Will. 4
c. 85, s. 23.
Cf. U.K.
61 & 62
Vict. c. 58,
s. 7.

(2) The Minister may, by notice in the *Government Gazette*, appoint any other building in the city of Adelaide to be the office for keeping the general register of marriages.

6. (1) All districts which at the commencement of this Act are districts within the meaning of any Act relating to the registration of births and deaths and all such districts which are from time to time so constituted, shall be the districts of district registrars under this Act.

District
registrars.
15, 1867, s. 7.

(2) All district registrars of births and deaths appointed or acting under any such Act shall be district registrars of marriage under this Act for the respective districts for which they are appointed or act as aforesaid.

PART I.

Powers of
deputy
registrar.
Cf. 243,
1882, s. 4.

7. The deputy registrar may exercise such of the powers of the principal registrar as the Minister from time to time directs, and shall, in the exercise of those powers, be subject to the same liabilities, penalties, and forfeitures as the principal registrar.

PART II.

PART II.

QUALIFICATIONS OF CELEBRANTS.

Persons
authorized to
celebrate
marriages.
15, 1867,
s. 15.

8. The following persons and none other, may celebrate marriages in South Australia—

I. Any officiating minister duly registered under this Act:

II. Any officiating registrar duly registered under this Act:

III. The principal registrar and the deputy registrar:

IV. Any district registrar within the district in respect of which he is appointed or acts.

Cf. U.K.
6 & 7 Will. 4
c. 85, s. 21.

Continuance
of certain
enrolments.

9. All officiating ministers and officiating registrars who at the commencement of this Act were enrolled as such pursuant to the provisions of any repealed Act shall, subject to this Act and without further or other authority than this Act, be and be deemed to be registered as officiating ministers or officiating registrars, as the case may be, who may celebrate marriages.

Application
for
registration
as officiating
minister.
Cf. Vic.
3726, 1928,
s. 8.

10. (1) Any minister of religion over the age of twenty-one years who exercises the function of a minister of religion in South Australia may make application in writing to the principal registrar for registration as an officiating minister under this Act.

(2) Every such application shall be signed by the applicant and by the recognized head of the religious denomination to which the applicant belongs.

(3) If there is no such recognized head, the application shall be signed by two officiating ministers who shall specify the religious denomination of which they are ministers of religion.

(4) The application shall state—

- (a) the full name of the applicant:
- (b) the date of his birth:
- (c) the religious denomination to which he belongs:
- (d) his designation:
- (e) that he exercises in South Australia the function of a minister of religion of the said denomination:
- (f) his usual place of residence:
- (g) the church, chapel, or other place of worship or building in which he ordinarily officiates as a minister of religion in South Australia:
- (h) whether or not he is a British subject:
- (i) such other particulars as are prescribed by regulation.

(5) Any minister of religion living in any State contiguous to South Australia and who exercises the functions of a minister of religion in South Australia may make an application as aforesaid for registration as an officiating minister. Every such application shall be signed by the applicant and by the recognized head of the religious denomination to which the applicant belongs and shall in all other respects comply with this section.

11. (1) The principal registrar may require proof to his satisfaction of any application as aforesaid and, if he thinks fit, may require the same to be verified by declaration—

Verification of application and registration of applicants.
Cf. Vic. 3726, 1928, s. 9.

- (a) that any person signing any application as the recognized head of any religious denomination is actually the recognized head of that denomination:
- (b) of any statement in the application:
- (c) of the authenticity of any signature in the application.

(2) The principal registrar may upon any such application recommend to the Governor that the applicant be registered as an officiating minister.

(3) Upon any such recommendation, the Governor may direct that the applicant be registered as an officiating minister and thereupon the principal registrar shall register the applicant as an officiating minister.

12. (1) Any person over the age of twenty-one years may make application in writing to the principal registrar for registration as an officiating registrar.

Officiating registrars.
Cf. 15, 1867, s. 11.

(2) The application shall state—

- (a) the full name of the applicant:
- (b) his occupation:
- (c) the date of his birth:
- (d) if made in respect of a religious body or society to which the applicant belongs, the name of the religious body or society:
- (e) his usual place of residence:
- (f) whether or not he is a British subject:
- (g) such other particulars as may be prescribed.

Verification
of application.

13. (1) The principal registrar may require proof to his satisfaction of any application under section 12 and, if he thinks fit, may require the same or any matter arising out of the same to be verified by declaration as to—

- (a) any statement in the application:
- (b) the authenticity of any signature in the application.

(2) The principal registrar may upon any such application recommend to the Governor that the applicant be registered as an officiating registrar.

(3) No such application shall be recommended by the principal registrar unless he is satisfied that there is not a minister of religion officiating as such in respect of the religious body or society or, if the application is not made in respect of a religious body or society, that there is no person authorized to celebrate marriages conveniently near the place of residence of the applicant and that in either case it is in the public interests that the applicant should be registered as an officiating registrar.

(4) Upon any such recommendation, the Governor may direct that the applicant be registered as an officiating registrar and thereupon the principal registrar shall register the applicant as an officiating registrar.

Registration
confined to
British
subjects.

14. No person other than a British subject shall be registered as an officiating minister or officiating registrar unless the Minister approves in writing of the registration.

Publication of
registration.
Cf. 15, 1867,
s. 10.

15. (1) Within one month after the registration of any person as an officiating minister or officiating registrar, the principal registrar shall publish notice of registration in the *Government Gazette*: Provided that failure to publish any such notice with respect to any registration shall not affect the validity of the registration.

(2) Publication as aforesaid shall be *prima facie* evidence in all courts and before all persons acting judicially that the person therein named is an officiating minister or officiating registrar, as the case may be, for the purposes of this Act.

16. (1) If any officiating minister—

(a) dies or, except in a case provided for by subsection (5) of section 10, ceases to reside in South Australia; or

(b) ceases to exercise in South Australia the functions of a minister of religion of the religious denomination in respect of which he is registered; or

(c) is degraded or deprived of his authority as a minister of religion by his superior or by the recognized church court or tribunal of the religious denomination to which he belongs; or

(d) is a minister of religion registered on a certificate from two or more ministers of religion and the certificate is at any time withdrawn by the ministers of religion who granted or signed the same,

Loss of
qualification
to be
notified.
Cf. Vic.
3726, 1928,
s. 12.

a written notification of the fact of the death, departure, cessation of ministry, degradation, deprivation, or withdrawal shall within thirty days thereafter be given to the principal registrar by the recognized head of the denomination to which the minister belonged or by the said superior or church court or tribunal by whom he is so degraded or deprived of authority or by the ministers of religion so withdrawing their certificate. If in any religious denomination there is no such recognized head or superior or church court or tribunal or if the ministers of religion or one of them on whose certificate any officiating minister was registered are dead or out of South Australia, then any such notification may be so given by the surviving or remaining minister of religion or by any two ministers of religion of the denomination in respect of which the officiating minister is registered.

(2) On receipt of any such notification the Minister, on the recommendation of the principal registrar, and subject to section 17, may direct the principal registrar to remove the name of the officiating minister from the register of persons registered as officiating ministers.

(3) If within the said thirty days no notification is received by the principal registrar, it shall be the duty of the principal registrar to report to the Minister the fact of the death, departure, cessation of ministry, or degradation of any such officiating minister or the fact of any such

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withdrawal (if any such fact is known to the principal registrar) and thereupon the Minister on the recommendation of the principal registrar and subject to section 17, may direct the principal registrar to remove the name of the officiating minister from the register of persons registered as officiating ministers. For the purpose aforesaid the principal registrar may make any inquiries he may think fit.

Verification
of notification.
Cf. Vic.
3726, 1928,
s. 13.

17. (1) Before the name of any officiating minister is removed from the register on the notification of any person the principal registrar may require proof to his satisfaction, and if he thinks fit he may require the same to be verified by declaration—

(a) that any person signing any notification as the recognized head of any religious denomination is actually the recognized head of the religious denomination; or

(b) of any statement made in any notification.

(2) Before the name of any officiating minister (other than an officiating minister who has died or ceased to reside in South Australia) is removed from the register pursuant to section 16, the principal registrar shall give notice in writing to the officiating minister calling upon him within a time to be fixed in the notice to show cause why his name should not be so removed. The Minister shall consider any representations made by the officiating minister within the time fixed as aforesaid.

Annual list
of ministers
of each
denomination.
Cf. Vic.
3726, 1928,
s. 14.

18. In the month of January in every year the recognized head (if any) of every religious denomination shall make up and send to the principal registrar a full and complete list of the names of all ministers of religion of that denomination with their designations and residences registered for the time being by the principal registrar as officiating ministers for celebrating marriages in South Australia who are exercising the functions of ministers of religion in that denomination in South Australia and have not been degraded or deprived of their authority by their superior or the recognized church court or tribunal of the denomination.

Removal of
officiating
registrars
from register.

19. (1) If any officiating registrar—

(a) ceases to reside within the neighbourhood for the needs of which he was appointed: or

(b) ceases to be a member of the religious body or society in respect of which he was appointed,
or if the Minister is satisfied that the need for the appoint-

ment of any person as an officiating registrar has ceased to exist, the Minister may direct the principal registrar to remove the name of the officiating registrar from the register of persons registered as officiating registrars.

(2) If any officiating registrar dies the principal registrar shall remove his name from the register of persons registered as officiating registrars.

(3) The principal registrar may make any inquiries he thinks fit for the purpose of ascertaining whether the name of any officiating registrar should be removed from the register.

(4) Before the name of any officiating registrar (other than an officiating registrar who has died or ceased to reside in South Australia) is removed from the register as aforesaid, the principal registrar shall give notice in writing to the officiating registrar calling upon him within a time to be fixed in the notice to show cause why his name should not be so removed. The Minister shall consider any representations made by the officiating registrar within the time fixed as aforesaid.

20. (1) The Minister may direct the principal registrar to remove from the register of persons registered as officiating ministers or officiating registrars the name of any officiating minister or officiating registrar who—

Power to prohibit persons from celebrating marriages if guilty of felony, etc.

Cf. Vic. 3726, 1928, s. 16.

- (a) before or after the commencement of this Act is convicted of any felony or indictable misdemeanour; or
- (b) before or after the commencement of this Act is guilty of any misconduct or wilful irregularity in the celebration of any marriage; or
- (c) before or after the commencement of this Act is guilty of such impropriety as to the mode, manner, or place of celebrating marriages as renders it inexpedient that he should continue to celebrate marriages; or
- (d) commits any breach of this Act.

(2) Before the name of any person is removed from the register on account of any such misconduct or irregularity or impropriety or breach as aforesaid, he shall be charged

by the principal registrar with the misconduct or irregularity or impropriety or breach and the Minister shall appoint a special magistrate to inquire as to the truth of the charge. The special magistrate shall have authority to hear, receive, and examine evidence on oath and shall after fully hearing the case in the presence of the person charged or in his absence if after due notice he has neglected to attend, report to the Minister his opinion thereon. In the case of a person who is convicted of any felony or indictable misdemeanour, no inquiry under this subsection shall be necessary.

Effect of making business of celebrating marriages.
Cf. Vic. 3726, 1928, s. 17.

21. (1) The name of any officiating minister who, in the opinion of the Minister, makes a business of celebrating marriages for the purpose of profit or gain irrespective of carrying out the ordinary duties of a minister of religion, may by order of the Minister on the report of the principal registrar be removed from the register of persons registered as officiating ministers.

(2) Before the name of any officiating minister is removed from the register as aforesaid, the principal registrar shall give notice in writing to the officiating minister calling upon him within a time to be fixed in the notice to show cause why his name should not be so removed. The Minister shall consider any representations made by the officiating minister within the time fixed as aforesaid.

Publication of notice of cancellation, etc., of registration.

22. (1) The principal registrar shall forthwith after the removal from the register of the name of any officiating minister or officiating registrar pursuant to this Act, publish in the *Government Gazette* notice of the removal.

(2) Publication as aforesaid shall be *prima facie* evidence in all courts and before all persons acting judicially that the person therein named has been removed from the register of persons authorized to celebrate marriages in South Australia and that the said person has ceased to possess the qualification to celebrate marriages.

Register.
Cf. 15, 1867, s. 13.

23. (1) The principal registrar shall keep a register of all persons registered or deemed, pursuant to section 9, to be registered as officiating ministers or officiating registrars.

(2) Upon the removal of the name of an officiating minister or officiating registrar from the register, the officiating minister or officiating registrar, as the case may be, shall cease to possess the qualifications to celebrate marriages.

Publication
of names.
Of. Vic. No.
3726, 1928,
s. 15.

24. (1) The principal registrar may whenever he thinks fit and shall at least once in every two years cause to be published in the *Government Gazette* the names of all persons for the time being registered as officiating ministers who may celebrate marriages, with their designations, denominations, and residences and the names of all persons for the time being registered as officiating registrars who may celebrate marriages, with their residences and particulars of the religious denomination or society, if any, in respect of which they are registered.

(2) Every such publication shall be *prima facie* evidence in all courts and before all persons acting judicially that the persons named therein were at the time of the publication registered as officiating ministers or officiating registrars, as the case may be, for the celebration of marriages in South Australia.

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CELEBRATION OF MARRIAGES.

25. (1) No marriage shall be celebrated unless the parties to the marriage or one of them gives notice of the marriage in the form in the second schedule to the principal registrar or the deputy registrar or to a district registrar, officiating minister, or officiating registrar. Any such notice is in this Act referred to as a "marriage notice."

Marriage
notice.
Of. U.K.
19 & 20
Vict. c. 119,
s. 11.

(2) Forthwith after the receipt of any marriage notice by any district registrar, officiating minister, or officiating registrar, he shall forward the same to the principal registrar.

(3) Subject to subsections (4), (5), (6), and (7), no marriage shall be celebrated by or before any person until after the lapse of at least ten days after the marriage notice is given as provided by subsection (1).

s. 24. *Re* HARRIET WARREN (1870) 4 S.A.L.R. 25; 10 Austn. Digest 288. Held that where the name of a minister of religion was by mistake included in a list published in the *Gazette* pursuant to section 13 of The Marriage Act, 1867, the publication was conclusive evidence that he was authorized to celebrate marriages. (The said section 13 differs from section 24 of this Act in that under the said section 13 publication was provided to be "conclusive evidence.")

(4) In any case of emergency where the district registrar, officiating minister, or officiating registrar is of opinion that the marriage should be celebrated without delay, the district registrar, officiating minister, or officiating registrar may celebrate the marriage before the lapse of the said period of ten days, but in every such case he shall forthwith forward the marriage notice to the principal registrar and forthwith report the marriage to the principal registrar and the reasons for dispensing with compliance with subsection (3).

(5) If the marriage notice is delivered or forwarded to the principal registrar by the district registrar, officiating minister, or officiating registrar and the principal registrar indorses on the marriage notice a certificate that the statements therein contained have been examined and that such corrections (if any) as are necessary have been made thereto, or otherwise informs the district registrar, officiating minister, or officiating registrar that the statements therein contained have been examined as aforesaid (together with particulars of any such correction), the marriage may, subject to this Act, be celebrated before the lapse of the said period of ten days.

(6) If the Minister is of opinion that an officiating minister, in the exercise of his functions as a minister of religion, is ordinarily required to travel from place to place, the Minister may by notice in writing direct that the officiating minister may celebrate marriages at any time after the giving of a marriage notice and before the lapse of ten days from the giving of the notice. Any such direction may be for such period and subject to any conditions and restrictions thought fit by the Minister, and may be revoked at any time by the Minister. An officiating minister to which any such direction applies shall forward to the principal registrar the marriage notice as required by this section, but, if pursuant to any such direction, the officiating minister celebrates any marriage before the lapse of ten days after the giving of the marriage notice, he shall not be required to report the marriage to the principal registrar or the reasons for dispensing with compliance with subsection (3).

(7) Any marriage may, subject to this Act, be celebrated by the principal registrar or the deputy registrar before the lapse of the said period of ten days if he is satisfied that the statements contained in the marriage notice have been examined and that such corrections (if any) as are necessary have been made.

26. (1) If either party to a marriage, not having been previously married, is under the age of twenty-one years, the marriage shall not be celebrated without the production to the principal registrar, deputy registrar, district registrar, officiating minister, or officiating registrar, as the case may be, of the written consent of the parent or guardian of the said party, and the signature of any parent or guardian giving such consent shall be witnessed by the principal registrar or the deputy registrar or by a district registrar, officiating minister, officiating registrar, justice, or commissioner for taking affidavits in the Supreme Court.

Consent of parent or guardian.
Of. 15, 1867, s. 25.
Of. U.K. 6 & 7 Will. 4 c. 85, s. 10.
Of. U.K. 15 & 16 Geo. 5 c. 45, s. 9.
Subsec. (1) amended by 18, 1941, s. 2.

(2) Any such consent may be in the form No. 3 in the third schedule or in any other form to the like effect.

(3) The consent shall be that of the person mentioned in the fourth schedule.

(4) If the person by whom a marriage is proposed to be celebrated is satisfied by documentary evidence that any parent or guardian whose consent to the marriage is required by this section has in fact consented to the marriage, he may celebrate the marriage without the production of the consent of that parent or guardian in the form required by this section. In every such case the person celebrating the marriage shall forthwith report the marriage to the principal registrar and the reasons for not complying with subsection (1).

Substituted by 7, 1944, s. 2.

(5) If the Minister is satisfied—

Inserted by 7, 1944, s. 2.

- (a) that there is no parent or guardian resident in South Australia by whom consent can be given as required by this section; or
- (b) that any parent or guardian by whom consent is required to be given by this section is incapable of giving consent or is absent from South Australia, and that, in any such case, it is not practicable to obtain the consent of that parent or guardian; or
- (c) that the place of residence of any parent or guardian of any party to the marriage and by whom consent is required to be given by this section is unknown to that party; or
- (d) that the consent of any parent or guardian by whom consent is required to be given by this section is being unreasonably withheld,

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the Minister, if of opinion that in the circumstances of the case it is desirable that the marriage should be celebrated, may, by notice in writing given on the recommendation of the principal registrar, authorize the celebration of the marriage without the consent of that parent or guardian.

Caveat
against
celebration
of marriage.
Cf. 15, 1867,
s. 26.
Cf. U.K.
4 Geo. 4
c. 76, s. 11.
Cf. U.K.
6 & 7 Will. 4
c. 85, s. 13.

27. (1) Any person may enter a caveat with the principal registrar, or any district registrar, officiating minister, or officiating registrar, against the celebration of the marriage of any person named therein. Every caveat shall be in writing signed by or on behalf of the person entering the caveat and shall state the place of residence of the said person and the ground on which the caveat is founded.

(2) If the caveat is entered with a district registrar, officiating minister, or officiating registrar, he shall forthwith give notice thereof in writing to the principal registrar. The principal registrar may give notice in writing of any caveat to any district registrar, officiating minister, or officiating registrar.

(3) If any caveat is entered with the principal registrar, or any district registrar, officiating minister, or officiating registrar, the caveat being duly signed by or on behalf of the person who enters the same, together with the place of residence of that person, and the ground of objection on which the caveat is founded, no marriage shall be celebrated by the person with whom the caveat is entered or by any other person to whom notice of the caveat is given by the principal registrar, until the principal registrar has examined into the matter of the caveat, and is satisfied that it ought not to obstruct the celebration of the marriage, or until the caveat is withdrawn by the party entering the same.

Liability of
persons
vexatiously
entering
caveat.
15, 1867,
s. 27.
Cf. U.K.
6 & 7 Will. 4
c. 85, s. 37.

28. Every person who vexatiously and without any reasonable or probable cause, enters a caveat against the marriage of any person, shall be liable for the costs of the proceedings, and for damages and costs as aforesaid to be recovered as a personal action in any court of competent jurisdiction by the party against whose marriage the caveat is entered.

Duration of
marriage
notice.
Cf. 15, 1867,
s. 30.
Cf. U.K.
6 & 7 Will. 4
c. 85, s. 15.

29. Unless within three months after the giving of the marriage notice pursuant to section 25, a marriage is celebrated between the parties described in the notice, the notice shall be void and no marriage shall be celebrated in pursuance thereof.

30. (1) A marriage shall be celebrated by or in the presence of the person to whom the marriage notice is given and who is named in the marriage notice as the person by or in the presence of whom the marriage is to be celebrated: Provided that the said person is a person authorized under this Act to celebrate marriages.

By whom marriage to be celebrated.
Of. 15, 1867,
s. 28.

(2) In the case of death, illness, or absence of the person named in the marriage notice as the person by or in the presence of whom the marriage is to be celebrated, the marriage may be celebrated by any other person authorized under this Act to celebrate marriages: Provided that such other person shall not celebrate the marriage unless—

- (a) he is in possession of the marriage notice which has been indorsed by the principal registrar that the statements therein contained have been examined and that such corrections (if any) as are necessary have been made thereto; or
- (b) he is informed by the principal registrar or is satisfied that the principal registrar has informed the person to whom the marriage notice was given, that the statements therein contained have been examined and that such corrections (if any) as are necessary have been made thereto.

31. (1) A marriage shall not be celebrated unless and until each of the parties about to be married has made before the person celebrating the marriage a declaration in accordance with form No. 1 or form No. 2 in the third schedule indorsed upon one of the copies of the certificate of marriage or a declaration with such modifications as the circumstances may require. The declaration shall be signed by each of the parties about to be married and by the person celebrating the marriage.

Declaration.
Of. 243, 1882,
s. 11 (part).
Of. U.K.
61 & 62
Vict. c. 58,
s. 6.

(2) One of the copies of every certificate of marriage shall bear the following footnote printed in red ink:—

“NOTE.—The declaration on the back hereof must be duly made and signed, otherwise the person celebrating the marriage shall be guilty of an offence.”

(3) The principal registrar, deputy registrar, district registrar, officiating minister, or officiating registrar, as the case may be, is hereby authorized to take any such declaration.

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Method of
celebration.

243, 1882,
ss. 5 and 15
(part).
Of. U.K.
4 Geo. 4
c. 76, ss. 2,
10.
Of. U.K.
6 & 7 Will. 4
c. 85, s. 20.
Of. U.K.
49 & 50
Vict. c. 14.
Of. U.K.
24 & 25
Geo. 5 c. 13,
s. 1.

Cf. U.K.
4 Geo. 4
c. 76, s. 28.

Cf. U.K.
6 & 7 Will. 4
c. 85, s. 1.

32. (1) All marriages—

(a) shall be celebrated in the building and between the parties described in the marriage notice by or in the presence of the principal registrar, deputy registrar, district registrar, officiating minister, or officiating registrar according to such form or ceremony as the parties think fit to adopt:

(b) shall take place with open door:

(c) shall take place in the presence of at least two witnesses apparently of a mature age.

(2) Any marriage celebrated by an officiating minister may be celebrated according to the usage and forms of the religious denomination to which he belongs, and the signature of the officiating minister to the certificate of marriage in the form in the fifth schedule shall be conclusive evidence that the marriage was celebrated according to the said usage and forms.

(3) No officiating minister or officiating registrar shall be compelled to celebrate any marriage in any case where he has any conscientious objection to so doing.

(4) When any marriage is celebrated by the principal registrar or deputy registrar, or any district registrar or officiating registrar, in some part of the ceremony, in the presence of the principal registrar, deputy registrar, district registrar, or officiating registrar and the witnesses, each of the parties shall say unto the other:—"I call upon those persons here present to witness that I, A.B., do take thee, C.D., to be my lawful wedded wife (or husband)" or words to that effect.

(5) No person shall celebrate any marriage of any parties to the marriage of whom there is, in the knowledge of the said person, any lawful impediment.

Marriage
certificates.

15, 1867,
s. 33.
Of. U.K.
6 & 7 Will. 4
c. 85, s. 23.
Of. U.K.
61 & 62
Vict. c. 58,
s. 7.

33. (1) The principal registrar, deputy registrar, and every district registrar, officiating minister, or officiating registrar, shall make out in triplicate a certificate according to the form contained in the fifth schedule of every marriage celebrated by or before him.

S. 32. THE QUEEN V. GREEN (1880) 14 S.A.L.R. 10; 10 Austn. Digest 292. Observations as to (a) the satisfaction of the requirements of subsection (4) by the marriage service of the Church of England; (b) the presumption that a clergyman is authorized to celebrate marriages; and (c) the probable validity of a marriage even if the requirements of the Act are not strictly complied with.

R. v. HAYWARD, 22nd February, 1894, S.A. *Advertiser* (newspr.); 10 Austn. Digest 291. As to the probable invalidity of a marriage celebrated in a church with closed doors.

(2) The parties contracting the marriage, and also the witnesses thereto, shall sign or attest their full names and places of abode on all the certificates.

(3) The principal registrar, deputy registrar, district registrar, officiating minister, or officiating registrar, shall also sign his name on all the certificates, and shall deliver one of the certificates immediately after the marriage to one of the parties thereto, and shall also within seven days forward another of the certificates to the district registrar of the district in which the marriage is celebrated, and the third copy of the certificate, together with the declarations signed by the parties to the marriage, and the written consent of the parent or guardian (if any), to the principal registrar.

(4) The principal registrar and every district registrar shall preserve all such certificates, numbering them in consecutive series according to their dates, and shall from time to time cause them, so arranged, to be bound up in convenient volumes to constitute respectively the general and district registers of marriages. The principal registrar shall also preserve amongst the records of his office all such notices and declarations forwarded to him as aforesaid.

(5) The principal registrar may destroy any marriage notices deposited with him pursuant to this Act and any licences deposited with him pursuant to any repealed Act after the lapse of such period as is from time to time fixed by the Minister.

34. Every district registrar, officiating minister, and officiating registrar shall within fourteen days after each of the first days of January, April, July, and October in every year, forward to the principal registrar a report authenticated by his signature of all marriages by him performed during the preceding three months, or a *nil* account if no marriages have been performed by him within that period.

Quarterly
return of
marriages.
Cf. 15, 1867,
s. 34.

35. If any ceremony of marriage is performed between two persons who are already married to each other and whose marriage has not been dissolved, the person performing the ceremony of marriage shall not, if he has knowledge of the former marriage—

Procedure on
re-marriage.
Cf. N.S.W.
1, 1925, s. 3.

(a) use the form of certificate of marriage in the fifth schedule; or

(b) certify that a marriage has been celebrated by him between the said persons without in any certifi-

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cate he may give making reference to the fact that the said persons have already been lawfully married.

Fees for marriages.
Cf. U.K.
6 & 7 Will. 4
c. 85, s. 22.
Cf. U.K.
61 & 62
Vict. c. 58,
s. 9.

36. (1) There shall be payable for the giving of every marriage notice to and the celebration of every marriage by the principal registrar, the deputy registrar, or a district registrar the fees prescribed in the sixth schedule. No fee shall be payable to the principal registrar where a marriage notice is forwarded to him by a district registrar, officiating minister, or officiating registrar.

(2) Any charge or fee may be made or received by any officiating minister or officiating registrar for the celebration of any marriage and any such charge or fee may be retained by the officiating minister or officiating registrar.

PART IV.

PART IV.

VALIDITY OF MARRIAGES.

Celebration by person whose registration has been cancelled.
Vic. 3726,
1928, s. 29.

37. No marriage in fact shall be avoided by reason only of the same having been celebrated by a person whose registration has been cancelled pursuant to this Act if either of the parties to the marriage at the time *bona fide* believed that the said person was qualified to celebrate marriages.

Celebration of marriage by minister of religion who is not registered.
Vic. 3726,
1928, s. 31.

38. No marriage in fact celebrated by any minister of religion who is not registered as an officiating minister shall be avoided by reason only of such minister not being so registered if either of the parties to the marriage at the time *bona fide* believed that the minister was qualified to celebrate marriages.

Marriage celebrated without notice.
Vic. 3726,
1928, s. 32.
Cf. U.K.
4 Geo. 4
c. 76, s. 22.
Cf. U.K.
6 & 7 Will. 4
c. 85, s. 42.

39. No marriage in fact shall be avoided by reason of non-compliance with the provisions of section 25 or section 30, or by reason of non-compliance with the provisions of any repealed Act requiring the issue of a licence before the celebration of the marriage.

40. No marriage in fact (whether celebrated before or after the commencement of this Act) shall be avoided by reason of any mere defect or error in the declaration made respecting the same or by reason only of the fact that both or either of the parties to the marriage has not made the said declaration when the identity of the parties to the marriage is not in question.

Defect or error in declaration.
15, 1867, s. 37.
Of. U.K. 19 & 20 Geo. 5, c. 36.

41. It shall not be necessary in support of any marriage to give any proof that either of the parties previous to the marriage resided within the district wherein the marriage was celebrated or of the consent of any person thereto whose consent is required by law, and no evidence shall be given to prove the contrary in any proceedings touching the validity of the marriage.

Residence of parties to marriage.
15, 1867, s. 37.
Of. U.K. 3 & 4 Vict. c. 72, s. 2.

42. Every marriage in fact *bona fide* celebrated in South Australia before the first day of March, eighteen hundred and sixty-eight, shall be deemed a legal and valid marriage to all intents and purposes: Provided that no lawful impediment existed at the time of the marriage.

Validity of certain marriages.
15, 1867, s. 5.

43. All marriages between persons within the prohibited degrees of consanguinity or affinity shall be absolutely null and void to all intents and purposes whatsoever.

Marriages within prohibited degrees.
U.K. 5 & 6 Will. 4 c. 54, s. 2.

44. (1) The following and none other shall be the persons who shall be deemed to be within the prohibited degrees of consanguinity and affinity which shall affect at law the validity of a marriage in fact celebrated:—

Degrees of consanguinity and affinity.
U.K. 25 Hen. 8 c. 22.
U.K. 28 Hen. 8 c. 7, s. 7.
U.K. 32 Hen. 8 c. 38.
U.K. 2 & 3 Edw. 6 c. 23.
U.K. 1 Eliz. c. 1, s. 3.
U.K. 21 & 22 Geo. 5 c. 31, s. 1.

I. In relation to a man:—

Any ancestor or descendant of his.

His father's wife.

His grandfather's wife.

His wife's grandmother.

His father's sister.

His mother's sister.

His wife's mother.

His wife's daughter.

His son's wife.

His sister.

His son's sons's wife.

His daughter's son's wife.

His wife's son's daughter.

His wife's daughter's daughter.

His brother's daughter.

His sister's daughter.

II. In relation to a woman:—

Any ancestor or descendant of hers.

Her mother's husband.

Her grandmother's husband.

Her husband's grandfather.

Her father's brother.

Her mother's brother.

Her husband's father.

Her husband's son.

Her daughter's husband.

Her brother.

Her son's daughter's husband.

Her daughter's daughter's husband.

Her husband's son's son.

Her husband's daughter's son.

Her brother's son.

Her sister's son.

(2) For the purpose and in the construction of this section "wife" or "husband" means a person who has been a wife or husband (as the case may be) and there shall be no difference between relationship of the whole blood and of the half blood or between legitimate and illegitimate children.

Validity of
marriage with
deceased
wife's sister,
or the
daughter of
the sister.
21, 1870-71,
s. 1.
U.K. 7 Edw.
7 c.47, s. 1.

45. All marriages celebrated within South Australia (whether before or after the commencement of this Act) between any person and the sister of his deceased wife, or the daughter of the sister of his deceased wife, shall be deemed, and are hereby declared valid, and of full force and effect, any law or custom to the contrary notwithstanding: Provided that this section shall not render valid any such marriage in any case where either of the parties to the marriage have thereafter, before the seventh day of June, eighteen hundred and seventy-one, lawfully intermarried with any other person; nor shall the passing of this section, or the Act No. 21 of 1870-71, deprive or be held to have deprived any person of any property which that person may have lawfully inherited prior to the seventh day of June, eighteen hundred and seventy-one, or affect any *lis pendens* at the said date.

46. All marriages celebrated within South Australia (whether before or after the commencement of this Act) between any woman and her deceased husband's brother shall be deemed and are hereby declared valid and of full force and effect: Provided that this section shall not render valid any such marriage in any case where either of the parties to the marriage have thereafter, before the twelfth day of November, nineteen hundred and twenty-five, lawfully intermarried with any other person, nor shall this Act or the Deceased Husband's Brother's Marriage Act, 1925, deprive or be held to have deprived any person of any property which that person may have lawfully inherited before the twelfth day of November, nineteen hundred and twenty-five, or affect any *lis pendens* at the said date.

Validity of marriage with deceased husband's brother.
1672, 1925, s. 2.
U.K. 11 & 12 Geo. 5 c. 24, s. 1.

* * * * *

S. 47 repealed by 51, 1941, s. 12.

PART V.

PART V.

OFFENCES.

48. Any person who—

- (a) knowingly and wilfully makes any false declaration, or signs any false notice for the purpose of procuring any marriage; or
- (b) forges any signature to any document for the purpose of procuring any marriage; or
- (c) when entering a caveat pursuant to section 27 knowingly and wilfully makes or signs any false statement; or
- (d) falsely represents himself or herself to be a person whose consent to any marriage is necessary, knowing the representation to be false,

Penalty on making false declaration or statement.
Cf. 15, 1867, s. 39.
Cf. U.K. 1 & 2 Geo. 5 c. 6, s. 3 (1).

shall be guilty of felony and liable to imprisonment for any term not exceeding three years.

49. Any principal registrar, deputy registrar, or district registrar who knowingly and wilfully registers any marriage which has been celebrated in deliberate contravention of the provisions of this Act, and any principal registrar, deputy registrar, district registrar, officiating minister, or officiating

Registrar wilfully contravening the Act.
15, 1867, s. 41.

registrar who knowingly and wilfully celebrates any such marriage shall be guilty of felony and liable to imprisonment for any term not exceeding five years.

Furnishing
false
information
to be inserted
in certificate.
15, 1867,
s. 45.
Cf. U.K.
6 & 7 Will. 4
c. 85, s. 36.

50. (1) The principal registrar, deputy registrar, district registrar, officiating minister, or officiating registrar, to whom any marriage notice is given or before whom any marriage is celebrated according to the provisions of this Act, may ask the parties to be married the several particulars touching the marriage required to be entered in the marriage notice or certificate thereof, as in this Act provided.

(2) Any person who wilfully makes or causes to be made any false statement touching any of the particulars required to be known and entered as aforesaid shall be guilty of an offence and liable to a penalty not exceeding one hundred pounds.

Destruction
or alteration
or forgery of
register.
15, 1867,
s. 45.
Cf. U.K.
6 & 7 Will. 4
c. 85, s. 40.

51. Any person who—

- (a) wilfully destroys or injures or causes to be destroyed or injured, any register book of marriages, or any part or certified copy of any part thereof; or
- (b) falsely makes or counterfeits or causes to be falsely made or counterfeited, any part of any such register book or certified copy thereof; or
- (c) wilfully inserts or causes to be inserted, in any such register book or certified copy thereof, any false entry of any marriage; or
- (d) wilfully gives any false certificate relating to a marriage; or
- (e) certifies any writing to be a copy or extract of any such register book, knowing the same to be false in any part thereof; or
- (f) forges or counterfeits the seal or signature of the principal registrar, the deputy registrar, or of any district registrar,

shall be guilty of felony and liable to imprisonment for any term not exceeding five years.

Persons
wrongfully
obtaining
registration
as ministers
Vic. 3726,
1928, s. 51.

52. Any person who on the ground that he is a minister of religion exercising the functions of such causes his name to be registered as an officiating minister, he knowing at the time that he is not a minister of religion exercising the

functions of such, shall be guilty of a misdemeanour and liable to imprisonment for any term not exceeding three years.

53. Any minister of religion or person officiating as such who celebrates any marriage, he then not being registered as an officiating minister, shall be guilty of an offence and liable to a penalty not exceeding fifty pounds.

Unregistered minister celebrating marriage.
Vic. 3726, 1928, s. 52.

54. Any person who celebrates a marriage purporting to act as an officiating registrar he then not being qualified to act, shall be guilty of an offence and liable to a penalty not exceeding one hundred pounds.

Pretended officiating registrar celebrating marriage.
Vic. 3726, 1928, s. 53.

55. Any person who celebrates a marriage under the false pretence that he is the principal registrar, the deputy registrar or is a district registrar, officiating minister, or officiating registrar, shall be guilty of a misdemeanour and liable to imprisonment for any term not exceeding three years.

Penalty for pretended principal registrar, etc.

56. Any person duly authorized under this Act to celebrate marriage, who knowingly and wilfully celebrates any marriage in South Australia—

Persons unduly celebrating marriage.

(a) in any place other than the building specified in the marriage notice given in respect thereof; or

15, 1867, s. 40.
Cf. U.K. 4 Geo. 4 c. 76, s. 21.
Cf. U.K. 6 & 7 Will. 4 c. 85, s. 39.

(b) after the expiration of three months from the giving of the marriage notice; or

(c) except in the circumstances mentioned in section 25, before the lapse of ten days after the giving of the marriage notice,

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

57. Any person duly authorized under this Act to celebrate marriages who knowingly and wilfully celebrates or takes part in the celebration of any marriage in respect of which the marriage notice required by section 25 has not been given, shall be guilty of an offence and liable to a penalty not exceeding fifty pounds.

Penalty for celebrating marriage without marriage notice.

58. Any person duly authorized under this Act to celebrate marriages, who—

(a) knowingly and wilfully, without the written consent of any parent or guardian required to be given pursuant to section 26 (unless such consent has

Penalty for wilfully celebrating marriage without consent of parents or to which there is impediment.
15, 1867, s. 42.

been dispensed with as provided by section 26) celebrates or takes part in the celebration of any marriage wherein one or both of the parties has or have not attained the full age of twenty-one years; or

- (b) knowingly and wilfully purports to celebrate or to take part in the celebration of any marriage to which there is any lawful impediment,

shall be guilty of an offence and liable to a penalty of not less than fifty pounds and not more than five hundred pounds.

Penalty for neglecting to forward marriage notice or certificate.

59. Any district registrar, officiating minister, or officiating registrar, who—

- (a) neglects or refuses to forward to the principal registrar any marriage notice lodged with him, or any report required to be given pursuant to subsection (4) of section 25; or

- (b) neglects or refuses to forward to the principal registrar and district registrar the certificate of any marriage celebrated by him, as provided by this Act; or

- (c) neglects or refuses to furnish any statement required by section 34,

shall be guilty of an offence and liable to a penalty not exceeding ten pounds.

Penalty for not duly registering marriages and for losing registers.
15, 1867,
s. 44.

60. Every district registrar who refuses or without reasonable cause omits to register any marriage certificate forwarded to him, and every person having the custody of any register book who loses or injures the same, or wilfully allows the same to be injured whilst in his keeping, shall be guilty of an offence and liable to a penalty not exceeding fifty pounds.

Penalty for celebrating marriage without declaration.
243, 1882,
s. 11 (part).

61. Any principal registrar, deputy registrar, district registrar, officiating minister, or officiating registrar who celebrates any marriage without the declaration required by this Act having first been made and signed, shall be guilty of an offence and liable to a penalty not exceeding ten pounds.

Summary procedure for offences.
15, 1867,
s. 49.

62. All proceedings for offences against this Act, not being felonies or misdemeanours, shall be disposed of summarily.

PART VI.

PART VI.

MISCELLANEOUS.

63. The principal registrar shall furnish to every district registrar, officiating minister, and officiating registrar, such printed forms as may be necessary to enable them to celebrate and register marriages in conformity with, and otherwise to observe, the provisions of this Act.

Forms to be furnished to registrars, etc.
Of. 15, 1867, s. 32.

64. (1) The principal registrar and every district registrar shall cause indexes of the registry books in his office to be made and kept with the other records of his office.

Index of register.
Of. 15, 1867, s. 35.

(2) Subject to subsection (3), every person shall be entitled at all reasonable hours to require the said indexes to be searched, and to have a certified copy of, or extract from, any entry or entries in the said register books under the hand of the principal registrar or district registrar on payment of the fees mentioned in the sixth schedule.

(3) The principal registrar or the district registrar may, in any case he thinks fit, require the person seeking to have any such search made to disclose the reasons for the search and any other relevant matters and if the principal registrar or district registrar is of opinion that the search is required for improper reasons or that the person requiring the search has no proper reason for making the search, he may refuse to allow the search or to issue any such certified copy or extract.

65. (1) All certified copies of entries purporting to be under the hand and seal of the principal registrar or of any district registrar as aforesaid shall be received as *prima facie* evidence in any court or before any person acting judicially of the marriage to which the same relates without any further or other proof of the entry.

Certified copies to be evidence.
15, 1867, s. 36.
243, 1882, s. 13.
Of. U.K. 6 & 7 Will. 4 c. 85, s. 38.
Of. U.K. 61 & 62 Vict. c. 58, s. 11.

(2) Upon a certificate being made by the principal registrar that the register of marriages for any specified period, and for any particular district is lost or destroyed, then and in all such cases the certificate of the principal registrar under his hand and seal, shall be received as evidence in any court or before any person acting judicially of the matter to which the same relates without further proof being required.

66. (1) If the principal registrar is satisfied by declaration, or in any other manner he thinks fit, that any particular

Correction of errors.

in any register of marriages is incorrect, he may correct the register, which correction shall be signed by him and marked with the date upon which it is made.

(2) If the principal registrar is satisfied that any person whose marriage is registered in any register of marriage is lawfully using a name other than the name by which he is described in the register, the principal registrar may upon payment of the fee mentioned in the sixth schedule cause to be entered in the register a notice of the name first mentioned, which shall be signed by him and marked with the date upon which the entry is made.

(3) Notice of any such correction or entry shall be given by the principal registrar to any district registrar having possession of any register in which the marriage is registered, and the district registrar shall indorse on the relative entry in the register a copy of the correction or entry made as aforesaid by the principal registrar.

(4) Subject to subsection (6) of section 67, if any certified copy or extract from any entry so corrected or altered is issued by the principal registrar or a district registrar, the copy shall be of the entry as so corrected or altered: Provided that in any case in which the principal registrar thinks fit the certified copy shall be a copy of the original entry showing all corrections and alterations made thereon pursuant to this Act or any repealed Act.

Notice of
dissolution of
marriage to
be entered in
marriage
register.
Cf. N.Z. 65,
1920, s. 3.

67. (1) The Master of the Supreme Court shall forward to the principal registrar a certificate of any order made by the Supreme Court whereby any marriage celebrated in South Australia has been finally dissolved or decreed a nullity.

Any number of such certificates may be included in a return to be made by the Master to the principal registrar. The said return shall be made from time to time as thought fit by the Master. The first such return shall include certificates in respect of all orders to which this section applies made after the commencement of this Act, and every subsequent return shall include certificates in respect of all such orders made after the next preceding return.

(2) Every such certificate shall specify the names of the parties and the date and place of marriage, the date of the order, and such other relevant particulars as may be required by the principal registrar.

(3) On receipt of any such certificate the principal registrar shall cause to be entered on the certificate of the

marriage filed in his office a memorandum of the particulars disclosed in the certificate.

(4) If notice in writing is received by the principal registrar from an officer of any competent court within any part of the British dominions other than South Australia or from any officer in whose charge is placed the keeping of any principal register of marriages in that part, that any marriage registered in South Australia has been finally dissolved or decreed a nullity by a competent court in that part, the principal registrar, if satisfied that the marriage has been so dissolved or decreed a nullity, may cause to be entered on the certificate of marriage a memorandum of the particulars disclosed in the notice.

(5) The principal registrar shall forthwith give notice of any entry made pursuant to this section to the district registrar having possession of any register in which the marriage is registered, and the district registrar shall indorse on the relative entry in the register a copy of the entry made as aforesaid by the principal registrar.

(6) Every certified copy of the entry relating to any marriage which has been dissolved or declared a nullity, issued after the receipt by the principal registrar of a certificate or notice under this section, shall contain the particulars in the certificate or notice.

68. Any notice required by this Act to be given by the principal registrar to any officiating minister or officiating registrar may be given by post addressed to the place of residence shown in the register of officiating ministers or officiating registrars, as the case may be, as the usual place of residence of the officiating minister or officiating registrar. Notice.

69. The Minister may from time to time by general or special direction, direct that the whole or any part of any fees paid to any district registrar pursuant to this Act may be retained by the district registrar. Any such direction may be revoked or varied by the Minister. Power to direct retention of fees.

70. The Governor may make regulations—

Regulations.

- (a) prescribing fees to be paid to the principal registrar or district registrars either in addition to or in substitution for any fees mentioned in the sixth schedule:

Marriage Act, 1936-1944.

- (b) prescribing any duties of officiating ministers and officiating registrars under this Act and requiring the furnishing of information to the principal registrar by officiating ministers or officiating registrars:
- (c) prescribing any forms necessary or convenient, either in addition to, or in substitution for, any forms contained in the schedules:
- (d) prescribing particulars to be furnished pursuant to section 10 or section 12:
- (e) prescribing any matters which may be necessary or convenient for carrying this Act into effect.

SCHEDULES.

THE FIRST SCHEDULE.

Acts Repealed.

Number and Year of Act.	Title or Short Title.	Extent of Repeal.
No. 15 of 1867 ..	The Marriage Act, 1867	The whole.
No. 5 of 1868-9 ..	An Act to amend "The Marriage Act, 1867"	The whole.
No. 21 of 1870-71 .	An Act to legalize the Marriage of a Man with the Sister, or the Daughter of the Sister, of his Deceased Wife	The whole.
No. 243 of 1882 ..	The Marriage Act Further Amendment Act, 1882	The whole.
No. 929 of 1907 ..	Births, Marriages, and Deaths Registration Amendment Act, 1907	Section 2.
No. 1672 of 1925 .	Deceased Husband's Brother's Marriage Act, 1925	The whole.

THE SECOND SCHEDULE.

Marriage Notice.

To the Principal Registrar of Births, Deaths and Marriages, South Australia.
I HEREBY give you notice that a marriage is intended to be celebrated between the parties herein named and described. The marriage is intended to be celebrated on.....the.....day of.....19....

Full Name and Surname of Parties.	Date of Birth.	Where Born.	Full Name and Surname of Fathers of Parties.	Church or Building where Marriage to be Celebrated.	Name and Designation of Person Intended to Celebrate Marriage.

Dated this.....day of.....19....

.....

.....Signature(s) of person or persons giving notice.

Signed before me this.....day of.....19....

.....Officiating Minister.

.....Officiating Registrar.

.....District Registrar.

.....Principal Registrar.

.....Deputy Registrar.

NOTE.—(1) This notice should be given at least 10 days before the wedding is celebrated, except in the circumstances outlined in subsections (4), (5), (6) or (7) of section 25.

(2) If the wedding is not celebrated within three calendar months after this notice is given, the notice becomes void and of no effect and a further notice must be given.

(3) This notice must be forthwith forwarded to the Principal Registrar of Births, Deaths, and Marriages by the person before whom the notice is signed.

THE THIRD SCHEDULE.

FORM No. 1.

Declaration (when parties are above the age of twenty-one years).

I, _____ of _____ in the State of South Australia,
do solemnly and sincerely declare that, being about to
contract marriage with one _____ of _____, I believe
that there is not any impediment of consanguinity or affinity, or other lawful
hindrance, to the said marriage; and that I, the said _____ and the said
_____ are both above the age of twenty-one years, and I make
this solemn declaration conscientiously believing the same to be true.

Declared and subscribed by the above-named _____ at
_____, this _____ day of _____, 19 _____
before me,

(Principal Registrar, Deputy Registrar, District
Registrar, Officiating Minister, or Officiating
Registrar, as the case may be.)

I, the above-named _____, of _____
declare that I conscientiously believe the above declaration to be true, and hereto
subscribe my name.

Declared and subscribed by the above-named _____, at
this _____ day of _____, 19 _____, before me,

(Principal Registrar, Deputy Registrar, District
Registrar, Officiating Minister, or Officiating
Registrar, as the case may be.)

Marriage Act, 1936-1944.

FORM No. 2.

Declaration (when one or both parties are under twenty-one years of age).

I, _____ of _____, in the State of South Australia,
do solemnly and sincerely declare that, being about to contract
marriage with one _____ of _____, I believe
that there is not any impediment of consanguinity or affinity, or other lawful
hindrance, to the said marriage; and that I, the said _____ am*
the age of twenty-one years, and the said _____ is* _____ the age of
twenty-one years, but the written consent of _____ whose consent
to the said marriage is by law required, has been duly obtained. And I make this
solemn declaration conscientiously believing the same to be true.

Declared and subscribed by the above-named _____ at
_____, this _____ day of _____ 19 _____,
before me,

(Principal Registrar, Deputy Registrar, District
Registrar, Officiating Minister, or Officiating
Registrar, *as the case may be*).

I, the above-named _____, of _____,
declare that I conscientiously believe the above declaration to be true, and hereto
subscribe my name.

Declared and subscribed by the above-named _____, at
this _____ day of _____ 19 _____, before me,

(Principal Registrar, Deputy Registrar, District
Registrar, Officiating Minister, or Officiating
Registrar, *as the case may be*).

* Write in "under" or "above," as the case may be.

Amended by
18, 1941, s. 3.

FORM No. 3.

Consent of Parent or Guardian.

I, _____ of _____ do hereby give my full consent to the
proposed marriage between _____ and _____
in virtue of my character as _____ to the said _____
who was born at _____ on the _____ day of _____
19 _____, and for whose marriage with _____
my consent is by law required.

Dated this _____ day of _____, 19 _____.

Signed before me this _____ day of _____ 19 _____.

- Officiating Minister.
- Officiating Registrar.
- District Registrar.
- Principal Registrar.
- Deputy Registrar.
- Justice of the Peace.
- Commissioner for taking
affidavits in the
Supreme Court.

NOTE.—Consent is required to the marriage of a person under twenty-one years
of age who has not been previously married.

The consent is to be given by the following persons:—

I. Where the infant is legitimate—

Circumstances.	Person whose Consent is Required.
1. Where both parents are living— (a) if parents living together .. (b) if parents are divorced or separated by order of court or by agreement	Both parents. The parent to whom the custody of the infant is committed by order of any court or by the agreement, or, if the custody of the infant is so committed to one parent during part of the year and to the other parent during the rest of the year, both parents. The parent who has been deserted.
(c) if one parent has been deserted by the other (d) if one parent has been absent from South Australia for at least six months (e) if both parents have been deprived of custody of infant by order of court.	The other parent. The person to whose custody the infant is committed by order of the court.
2. Where there is one parent living— (a) if the infant is in the custody of the surviving parent (b) if the surviving parent has been deprived of the custody of infant by order of court (c) if the infant is in the custody of a guardian	The surviving parent. THE SURVIVING PARENT. The person to whose custody the infant is committed by order of the court. The guardian of the infant.
3. Where both parents are dead . . .	The guardian of the infant.

II. Where the infant is illegitimate—

Circumstances.	Person whose Consent is Required.
If the mother of infant is alive . . .	The mother, or if she has by order of a court been deprived of the custody of the infant, the person to whom the custody of the infant has been committed by the order of the court.
If the mother of the infant is dead .	The guardian of the infant.

III. Where the infant has been adopted pursuant to the Adoption of Children Act, 1925—Where an infant, whether of legitimate or illegitimate birth, has been adopted pursuant to the Adoption of Children Act, 1925, the infant shall be deemed to be an infant as referred to in paragraph 1 of above and the adopting parent or parents shall be deemed to be a parent or parents, as the case may require, as referred to in the said paragraph I.

IV. For the purposes aforesaid “guardian” means any person appointed as guardian of an infant pursuant to any order of a court or pursuant to will or deed and any person appointed as, or deemed to be, the guardian of an infant pursuant to or under any Act.

V. “Infant” in the above means a person under the age of twenty-one years.

Marriage Act, 1936-1944.

THE FOURTH SCHEDULE.

Cf. U.K.
15 & 16
Geo. 5 c. 45.
(schedule).

Consents required to the marriage of an infant who has not been previously married—

I. Where the infant is legitimate—

Circumstances.	Person whose Consent is Required.
1. Where both parents are living— (a) if parents living together .. (b) if parents are divorced or separated by order of court or by agreement	Both parents. The parent to whom the custody of the infant is committed by order of any court or by the agreement, or, if the custody of the infant is so committed to one parent during part of the year and to the other parent during the rest of the year, both parents.
(c) if one parent has been deserted by the other	The parent who has been deserted.
(d) if one parent has been absent from South Australia for at least six months	The other parent.
(e) if both parents have been deprived of custody of infant by order of court	The person to whose custody the infant is committed by order of the court.
2. Where there is one parent living— (a) if the infant is in the custody of the surviving parent	The surviving parent.
(b) if the surviving parent has been deprived of the custody of infant by order of court	The person to whose custody the infant is committed by order of the court.
(c) if the infant is in the custody of a guardian	The guardian of the infant.
3. Where both parents are dead . . .	The guardian of the infant.

II. Where the infant is illegitimate—

Circumstances.	Person whose Consent is Required.
If the mother of infant is alive . . .	The mother, or if she has by order of a court been deprived of the custody of the infant, the person to whom the custody of the infant has been committed by the order of the court.
If the mother of the infant is dead ..	The guardian of the infant.

III. Where the infant has been adopted pursuant to the Adoption of Children Act, 1925—Where an infant, whether of legitimate or illegitimate birth, has been adopted pursuant to the Adoption of Children Act, 1925, the infant shall be deemed to be an infant as referred to in paragraph I. of this schedule and the adopting parent or parents shall be deemed to be a parent or parents, as the case may require, as referred to in the said paragraph I.

IV. For the purposes of section 26 and this schedule “guardian” means any person appointed as guardian of an infant pursuant to any order of a court or pursuant to will or deed and any person appointed as, or deemed to be, the guardian of an infant pursuant to or under any Act.

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 1944 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 <i>see also</i> 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 (<i>As reprinted pursuant to the Amendments Incorporation Act, 1937</i>)	1939	371
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TABLE OF PUBLIC ACTS WHICH ARE OBSOLETE OR SUPERSEDED OR OF LOCAL OR RESTRICTED APPLICATION.

The following table contains a list of the public Acts of the Parliament of South Australia passed up to the end of 1944 which were unrepealed as at that time and which were of a local or restricted application or of which the operation had been superseded by Commonwealth legislation or wholly or partially exhausted. These Acts are not included in Volumes 1 to 8 of the South Australian Statutes, 1837-1936.

Title of Act.	Year.	Number.
Adelaide Electric Supply Company's Act, 1931.....	1931	2009
The Adelaide Electric Supply Company Act, 1944	1944	17
<i>See also</i> (in the Table of Private Acts) The South Australian Electric Light and Motive Power Company's Act, 1897 <i>and</i> The Adelaide Electric Supply Company's Act, 1922		
The Adelaide Gaol Reserve Alteration Act, 1911	1911	1039
Adelaide Park Lands Act, 1928	1928	1868
The Adelaide Park Lands Alteration Act, 1913	1913	1140
Adelaide Park Lands Alteration Act, 1917	1917	1275
Adelaide Park Lands Appropriation Act, 1880	1880	171
The Adelaide Show Grounds Act, 1913	1913	1136
Adelaide Show Grounds Act Amendment Act, 1923	1923	1590
Adelaide Show Grounds Act Amendment Act, 1925	1925	1706
Adelaide Show Grounds Act Amendment Act, 1935	1935	2202
Alberton Cemetery Act, 1938	1938	2396
Angas Recreation Park Act, 1937	1937	2347
Appropriation Act, 1936	1936	2295
Appropriation Act, 1937	1937	2349
Appropriation Act (No. 2), 1937	1937	2364
Appropriation Act, 1938	1938	2397
Appropriation Act, 1939	1939	10
Appropriation Act, 1940	1940	17
Appropriation Act (No. 2), 1940	1940	30
Appropriation Act, 1941.....	1941	9
Appropriation Act (No. 2), 1941	1941	33
Appropriation Act, 1942	1942	9
Appropriation Act, 1943	1943	10
Appropriation Act, 1944	1944	12
The Copyright Act, 1878	1878	95
The Drought Relief Act, 1914	1914	1165
Drought Relief Act Amendment Act, 1920	1920	1433
Drought Relief Act, 1919	1919	1397
Drought Relief Act, 1923	1923	1557
Drought Relief Act, 1926	1926	1731
Drought Relief Act, 1927	1927	1832
Drought Relief Act, 1928	1928	1886
Drought Relief (Extension) Act, 1929	1929	1926
The Encounter Bay, Goolwa, and Waitpinga Boundaries Act	1884	313

Title of Act.	Year.	Number.
Farmers Relief Act, 1931	1931	1996
Farmers Relief Act Extension Act, 1931	1931	2057
Farmers Relief Act, 1932	1932	2100
French Red Cross Fund Act, 1940	1940	26
Frost Relief Act, 1927	1927	1829
Funding Loan Act, 1932	1932	2086
Gladstone Park Lands Act, 1880	1880	178
Glenelg Soldiers' Memorial Site Act, 1921	1921	1468
Hailstorm Relief (Validation) Act, 1925	1925	1664
Henley and Grange Alignment Act, 1940	1940	8
Hummock Hill to Iron Knob Tramway Extension Act, 1927	1927	1821
<i>See also</i> (in the Table of Public General Acts) The Broken Hill Proprietary Company's Indenture Act, 1937, <i>and</i> (in the Table of Private Acts) The Broken Hill Proprietary Company, Limited's, Hummock Hill to Iron Knob Tramway and Jetties Act, 1900		
The Insolvent Act, 1886	1886	385
The Insolvent Act Amendment Act, 1887	1887	404
The Insolvent Act Amendment Act, 1896	1896	655
The Insolvent Act Further Amendment Act, 1914	1914	1162
Insolvent Act Further Amendment Act, 1915	1915	1191
Insolvent Act Further Amendment Act, 1918	1918	1340
Insolvent Act Amendment Act, 1925	1925	1709
Insolvent Act Amendment Act, 1942	1942	18
Jubilee Exhibition Act, 1885	1885	351
Lady Kintore Cottages Act, 1920	1920	1430
Largs Fort Encroachment Act, 1884	1884	330
Legislative Council Vacancy Act, 1943	1943	40
Main Roads Fund Act, 1920	1920	1424
Main Roads Fund Act, 1922	1922	1535
The Married Woman's Property Amendment Act, 1898 ..	1898	701
Mile End Overway Bridge Act, 1925	1925	1713
The Morphett Street Bridge Act	1881	222
Motor Spirit Vendors' Agreement (Validation) Act, 1927.	1927	1791
Mount Bold Waterworks Act, 1931	1931	2050
North Terrace and Railway Lands Act, 1926	1926	1742
North Terrace Alignment Act, 1925	1925	1715
North Terrace (Alignment) Act, 1929	1929	1928
Parliamentary Buildings Act, 1877	1877	87
Police Pensions Act, 1930	1930	1952
The Poonindie Exchange Act, 1895	1895	631
Port Adelaide Canal Supplementary Act, 1889	1889	473
<i>See also</i> (in the Table of Private Acts) The Port Adelaide Canal Act		
Port Adelaide Public Recreation Ground Act, 1878	1878	91
Port Adelaide Reserves Act, 1871	1871	6
Port Adelaide Water Frontage Act, 1886	1886	373
Port Adelaide Water Frontage Act, 1902	1902	810
The Port Adelaide Water Frontage Act, 1910	1910	1012
Port Augusta Park Lands Act, 1882	1882	258
The Port Lincoln Catholic Church Property Act	1879	134
Port Pirie Drill Hall Site Act, 1921	1921	1470
Port Pirie Laboratory Site Act, 1922	1922	1537
Port Pirie Park Lands Act, 1932	1932	2090

Title of Act.	Year.	Number.
Public Purposes Loan Act, 1933	1933	2109
Public Purposes Loan Act, 1934	1934	2146
Public Purposes Loan Act, 1935	1935	2226
Public Purposes Loan Act, 1936	1936	2262
Public Purposes Loan Act, 1937	1937	2345
Public Purposes Loan Act, 1938	1938	2386
Public Purposes Loan Act, 1939	1939	7
Public Purposes Loan Act, 1940	1940	6
Public Purposes Loan Act, 1941	1941	12
Public Purposes Loan Act, 1942	1942	7
Public Purposes Loan Act, 1943	1943	5
Public Purposes Loan Act, 1944	1944	8
The Public Service Superannuation Fund Act, 1902	1902	792
Public Service Superannuation Fund Act Amendment Act, 1919	1919	1360
Pyap Irrigation Trust Act Amendment Act, 1926	1926	1772
<i>See also</i> (in the Table of Private Acts) The Pyap Irrigation Trust Act, 1923		
The Railway and Corporation Lands Act, 1904	1904	853
Railway Acts—		
<i>See also</i> Railway Acts (in the Table of Private Acts)		
Adelaide and Gawler Town Railway Act, 1854	1854	18
The Adelaide and Gawler Town Railway Extension Act	1857-8	10
The Adelaide and Gawler Town Railway Further Extension Act	1858	2
Adelaide City and Port Railway Act, 1851	1851	1
Adelaide and Port Railway Loan Act, 1852	1852	12
Adelaide and Port Railway Loan Act, 1853	1853	18
The Adelaide and Port Adelaide Railway Extended Accommodation Act, 1873	1873	2
The Adelaide Loop-Line Railway Act, 1908	1908	966
The Adelaide Loop-Line Railway Act Amendment Act, 1909	1909	995
Adelaide to Nairne Railway Act, 1878	1878	117
Angle Pole Railway Act, 1887	1887	413
Barunga Gap Railway, 1877	1877	72
Blyth to Gladstone Railway Act, 1891	1891	522
The Brinkworth to Port Broughton Railway Act, 1910	1910	1015
Broadening of Gauge (Brinkworth to Gladstone) Act, 1925	1925	1667
Bumbunga to Lochiel Railway Act, 1923	1923	1595
Burra and Hallett Railway Act, 1876	1876	31
The Darke's Peak Railway Act, 1909	1909	982
The Darke's Peak Railway Act Amendment, 1911 ..	1911	1042
The District Railways Act, 1911	1911	1067
Dry Creek and Port Adelaide Railway Act, 1866 ...	1866-7	15
The Dry Creek and Port Adelaide Deviation Act, 1911	1911	1051
Farina Town and Hergott Springs Railway Act, 1881	1881	226
Forrester's to Burra Railway Act, 1867	1867	20
The Gawler to Angaston Railway Act, 1907	1907	942
The Gawler to Angaston Railway Act Amendment Act, 1909	1909	984

Title of Act.	Year.	Number.
<i>Railway Acts—continued.</i>		
The Gawler to Angaston Railway Act Amendment Act, 1910	1910	1016
The Gawler Town Railway Further Extension Act to Section 1403	1859	20
The Gladstone and James Town Railway Act, 1876 ..	1876	28
Gladstone and Laura Railway Act, 1882	1882	253
The Glenelg Railways Purchase Act, 1899	1899	726
The Goodwood to Willunga Railway Act, 1909	1909	993
The Goodwood to Willunga Railway Act, 1910	1910	1017
The Grange and Henley Beach Railway Act, 1898 ..	1898	698
The Grange and Henley Beach Railway Alteration Act, 1911	1911	1041
The Goolwa Loop Line Railway Act, 1913	1913	1145
The Guaranteed Railways Act Amendment Act, 1913	1913	1113
Hallett to Terowie Railway Act, 1878	1878	97
Hamley Bridge and Balaklava Railway Act, 1877 ..	1877	62
The Harbor and Railway Act, 1901	1901	765
The Harbor and Railway Extension Act, 1910	1910	1011
Hergott Springs and Primrose Springs Railway Act, 1883	1883	281
The Hundred of Solomon and Decres Bay Railways Act, 1912	1912	1080
The Hundred of Solomon and Decres Bay Railway Act Amendment Act, 1913	1913	1142
Kadina and Wallaroo Railway Act, 1877	1877	76
Kadina and Wallaroo Railway Act, 1879	1879	149
Kadina to Barunga Gap Railway Act, 1876	1876	40
Kapunda and North-West Bend Railway Act, 1876 ..	1876	27
Kielpa to Mangalo Hall Railway Act, 1916	1916	1265
Kimba to Buckleboo Railway Act, 1923	1923	1592
Kowulka Railway Act, 1922	1922	1536
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

Title of Act.	Year.	Number.
<i>Railway Acts—continued.</i>		
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
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 Forrester's 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 Tailm Bend and Brown's Well Railway Act, 1909	1909	980

Title of Act.	Year.	Number.
<i>Railway Acts—continued.</i>		
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
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
The Teachers Superannuation Act, 1890	1890	485
The Teachers Superannuation Amendment Act, 1897 ...	1897	684
The Teachers Superannuation Further Amendment Act, 1904	1904	868
Teachers Superannuation Act Further Amendment Act, 1922	1922	1508
Teachers Superannuation Act Amendment Act, 1928....	1928	1857
The Transcontinental Railway Grant Act, 1911	1911	1069
The Transcontinental Railway Land Grant Amendment Act, 1912	1912	1079

Title of Act.	Year.	Number.
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 1944 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.....	1922	—
<i>See also</i> The South Australian Electric Light and Motive Power Company's Act, 1897 <i>and</i> (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 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	—
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, Amend- ment Act, 1920	1920	—
The David Bower Estate Act, 1920	1920	—
The East-End Market Act, 1872	1872	—
Elders Executor Company's Act, 1910	1910	—
Elders Executor Company's Amendment Act, 1915.....	1915	—
Executors Company's Act, 1885	1885	—
Executors Company's Amendment Act, 1900	1900	—
Executors Company's Amendment Act, 1915	1915	—

Title of Act.	Year.	Number.
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	—
<i>See also (in the Table of Public Acts of Restricted Application) The Port Adelaide Canal Supple- mentary Act, 1889</i>		
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	—
<i>See also (in the Table of Public Acts of Restricted Application) The Pyap Irrigation Trust Act Amend- ment Act, 1926</i>		
Railways Acts—		
<i>See also Railway Acts (in the Table of Public Acts of Restricted Application)</i>		
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	—
<i>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</i>		
Glenelg Railway Act Further Amendment Act, 1889.	1889	—
Grange and Military Road Railway Act	1878	—
Largs Bay Railway Act	1882	—

Title of Act.	Year.	Number.
<i>Railway Acts—continued.</i>		
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 Peters Collegiate School Ordinance Amendment Act	1889	—
The Salvation Army (South Australian) 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	—
<i>See also</i> The Adelaide Electric Supply Company's Act, 1922, and (in the Table of Public Acts of Restricted Application) the Adelaide Electric Supply Com- pany'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 Amend- ment Act, 1882	1882	—
South Australian Gas Company's Act, 1912	1912	—
South Australian Gas Company's Act, 1919	1919	—
<i>See also</i> (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 ... The Adulteration of Wine and Brandy Act, 1907 The Amendments Incorporation Act, 1914 .	Statute Law Revision Act, 1937 Adulteration of Wine and Brandy (Repeal) Act, 1941 Amendments Incorporation Act, 1937
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
Juries Act, 1844.....	Statute Law Revision Act, 1937
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
Public Library, Museum, and Art Gallery, and Institutes Act, 1936	Libraries and Institutes Act, 1939
State Salaries (Commonwealth Taxation) Act, 1916	Statute Law Revision Act, 1937

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 17 South Australian Industrial Reports, and the cases reported up to page 193 of 1944 Appeal Cases, up to page 367 of 69 Commonwealth Law Reports, and up to page 130 of 1944 South Australian State Reports. Cases comprised in reports published before 1st April, 1937, are noted in footnotes to the relevant sections of the Acts printed in Volumes 1 to 8 of the South Australian Statutes, 1837-1936.

Act Affected.	How Affected.
Abattoirs Act, 1911-1936 (Vol. 1, p. 1)	s. 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 s. 48. Amended by No. 2421, s. 12, 1938, p. 193 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 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. <i>See also</i> the following paragraph

Table of Amendments and Cases.

Act Affected.	How Affected.
Aborigines Act, 1934-1939 (1939, p. 371)	s. 48. <i>Williams v. Wight</i> (1943) S.A.S.R. 301
Acts Interpretation Act, 1915-1936 (Vol. 1, p. 55)	s. 15. <i>Spiller v. Webb and another</i> (1940) S.A.S.R. 102 s. 22. <i>International Hotel Limited v. McNally</i> (1940) 64 C.L.R. 24; 14 A.L.J. 267 s. 37. <i>Day v. Hunkin</i> (1938) 61 C.L.R. 65; 12 A.L.J. 269, affirming <i>Day v. Hunkin</i> (1938) S.A.S.R. 121, which reversed <i>Day v. Hunkin</i> (1937) S.A.S.R. 453
Administration and Probate Act, 1919-1936 (Vol. 1, p. 79)	s. 21. <i>In re Knabenschuh</i> (1938) S.A.S.R. 136 <i>In re Smale</i> (1940) S.A.S.R. 391 <i>In re Bathern</i> (1941) S.A.S.R. 266 s. 52. <i>In re Hawker</i> (1939) S.A.S.R. 426 s. 55. <i>In re Gardiner</i> (1938) S.A.S.R. 6 s. 61. Amended by No. 2368, s. 2 (1), 1937, p. 102 s. 69. <i>In re Jackson</i> (1944) S.A.S.R. 82 s. 70. <i>In re Babbage. Cave v. Babbage</i> (1936) S.A.S.R. 356 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 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. 11. Amended by No. 21, s. 2, 1944, p. 51 s. 16. Amended by No. 21, s. 3, 1944, p. 51 s. 18. Amended by No. 21, s. 4, 1944, p. 51 s. 19. Amended by No. 21, s. 5, 1944, p. 52 s. 22. Amended by No. 21, s. 6, 1944, p. 52 s. 25. Amended by No. 21, s. 7, 1944, p. 52 s. 35. Amended by No. 21, s. 8, 1944, p. 53 s. 40. Amended by No. 21, s. 9, 1944, p. 53 s. 46. Amended by No. 21, s. 10, 1944, p. 53
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
Agent-General Act, 1901-1934 (Vol. 1, p. 206)	s. 6. Amended by No. 6, s. 3, 1941, p. 14
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
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

Act Affected.	How Affected.
Arbitration Act, 1891-1934 (Vol. 1, p. 273)	s. 3. <i>Anderson v. G. H. Michell & Sons Ltd.</i> (1941) 65 C.L.R. 543; 15 A.L.J. 255, reversing <i>Anderson v. G. H. Michell & Sons Ltd.</i> (1940) S.A.S.R. 285
The Bills of Sale Act, 1836-1935 (Vol. 1, p. 329)	s. 9. <i>Burns v. McFarlane</i> (1940) 64 C.L.R. 108 14 A.L.J. 264 s. 11 (2). <i>Riedel v. Freeman Motors</i> (1938) S.A.S.R. 261, affirmed by <i>Riedel v. Freeman Motors Limited</i> (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 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. 35. Amended by No. 11, s. 2, 1942, p. 25 s. 36a. Enacted by No. 21, s. 3, 1940, p. 57 and amended by No. 11, s. 3, 1942, p. 26 s. 36b. Enacted by No. 21, s. 3, 1940, p. 57 and amended by No. 11, s. 4, 1942, p. 26 s. 36c. Enacted by No. 21, s. 3, 1940, p. 58 and amended by No. 11, s. 5, 1942, p. 26 ss. 36d and 36e. Enacted by No. 21, s. 3, 1940, p. 58 ss. 36f to 36l. Enacted by No. 11, s. 6, 1942, pp. 27-29
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
Bread Act, 1936 (Vol. 1, p. 418)	s. 6. <i>Shephard v. Cashmore</i> (1937) S.A.S.R. 525
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 <i>Gazette</i> 12th December, 1940, p. 1441, and with notes of judicial decisions, is reprinted in the 1940 volume, p. 353
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 this volume, p. 187
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
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

Act Affected.	How Affected.
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. <i>In re Commonwealth Homes and Investment Company Limited</i> (1943) S.A.S.R. 211 <i>In re Riverton Sheep Dip</i> (1943) S.A.S.R. 344 s. 27a. Enacted by No. 46, s. 4, 1939, p. 349 s. 35. Amended by No. 46, s. 26, 1939, p. 356 s. 37. Amended by No. 46, s. 26, 1939, p. 356 s. 49. <i>Marshall v. Commonwealth Homes and Investment Company Limited. Elders' Trustee and Executor Company Limited v. Commonwealth Homes and Investment Company Limited</i> (1941) S.A.S.R. 74, reversed on other grounds by <i>Elders' Trustee and Executor Co. Ltd. v. Commonwealth Homes and Investment Co., Ltd.</i> (1941) 65 C.L.R., 603; 115 A.L.J. 252 s. 53. <i>Smith v. Commonwealth Homes Limited</i> (1937) S.A.S.R. 337, affirmed by <i>Commonwealth Homes and Investment Company Limited v. Smith</i> (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. <i>In re Colton, Palmer & Preston, Limited</i> (1936) S.A.S.R. 434 s. 100. <i>In re Lawson Constructions (Pty.) Limited</i> (1942) S.A.S.R. 201 s. 107. Amended by No. 46, s. 26, 1939, p. 356. s. 124. <i>Commonwealth Homes and Investment Company Limited v. Mackellar</i> (1939) 63 C.L.R. 351; 13 A.L.J. 382 s. 125. Amended by No. 46, s. 7, 1939, p. 350 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 <i>South Norseman Gold Mines No Liability v. MacDonald</i> (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. <i>Rex v. McDonnell</i> (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. <i>In re E. and B. Chemicals and Wool Treatment Proprietary Limited</i> (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) <i>In re E. and B. Chemicals and Wool Treatment Proprietary Limited</i> (1940) S.A.S.R. 267 s. 367. Amended by No. 46, s. 26, 1939, p. 356

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The Companies Act, 1934-1935 (Vol. 1, p. 597)— <i>continued</i> .	s. 368. Amended by No. 46, s. 25, 1939, p. 356 s. 377. <i>In re Lasscock's Nurseries Limited (In Liquidation)</i> (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. <i>Rex v. McDonnell</i> (1940) S.A.S.R. 388 s. 395. <i>In re Lasscock's Nurseries Limited (In Liquidation)</i> (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 <i>Re Lasscock's Nurseries Limited (In Liquidation)</i>; <i>McPhail v. Milton</i> 14 A.L.J. 270
Constitution Act, 1934-1936 (Vol. 2, p. 1)	s. 20. Amended by No. 31, s. 3, 1940, p. 89, and by No. 41, s. 3, 1943, p. 124 s. 20a. Enacted by No. 41, s. 4, 1943, p. 124 s. 21. Amended by No. 41, s. 5, 1943, p. 126 s. 22. Substituted by No. 41, s. 6, 1943, p. 126 s. 28. Amended by No. 2381, s. 3, 1937, p. 134, and by No. 49, s. 3, 1939, p. 368 s. 31. <i>Stott v. Parker</i> (1939) S.A.S.R. 98. s. 33. Amended by No. 31, s. 4, 1940, p. 90, and by No. 41, s. 7, 1943, p. 126 s. 33a. Enacted by No. 41, s. 8, 1943, p. 126 s. 43. <i>Stott v. Parker</i> (1939) S.A.S.R. 98 s. 46a. Enacted by No. 48, s. 3, 1939, p. 365 s. 51. Amended by No. 48, s. 4, 1939, p. 366 s. 54a. Enacted by No. 48, s. 5, 1939, p. 366 s. 55. Amended by No. 2381, s. 4, 1937, p. 134, and by No. 48, s. 6, 1939, p. 366 s. 69. Amended by No. 8, s. 3, 1942, p. 16 s. 70. Amended by No. 8, s. 4, 1942, p. 16 s. 72. Amended by No. 8, s. 5, 1942, p. 17
Control of Advertisements Act, 1916-1935 (Vol. 2, p. 40)	s. 4. <i>Miller v. Penfolds Wines Limited</i> (1937) S.A.S.R. 11 s. 10. <i>Miller v. Penfolds Wines Limited</i> (1937) S.A.S.R. 11
Cornsacks Act, 1938 (1938, p. 124) . . .	s. 9. Amended by No. 6, s. 3, 1939, p. 18
Criminal Law Consolidation Act, 1935 (Vol. 2, p. 81)	s. 14. <i>Rex v. Coventry</i> (1938) S.A.S.R. 79. Special leave to appeal to the High Court refused; <i>The King v. Coventry</i> (1938) 59 C.L.R. 633; 12 A.L.J. 67 s. 38. Substituted by No. 54, s. 3, 1940, p. 179 s. 46. <i>Rex v. Muirhead and Bracegirdle: Ex parte The Attorney-General and another</i> (1942) S.A.S.R. 226 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. 63. Amended by No. 54, s. 6, 1940, p. 180 s. 77. Substituted by No. 54, s. 7, 1940, p. 180 <i>Rex v. Clough</i> (1941) S.A.S.R. 51 s. 77a. Enacted by No. 54, s. 7, 1940, p. 181 s. 82. <i>R. v. Lindner</i> (1938) S.A.S.R. 412 s. 116. <i>Charlton v. Crafter</i> (1943) S.A.S.R. 158 s. 132. <i>Reece v. Harris</i> (1943) S.A.S.R. 127 s. 170. Substituted by No. 54, s. 8, 1940, p. 183 <i>Rex v. Andrews</i> (1943) S.A.S.R. 44 s. 184. <i>Dowl v. Dayman</i> (1939) S.A.S.R. 70 s. 195. <i>Brook v. Crafter</i> (1937) S.A.S.R. 366 s. 197a. Enacted by No. 54, s. 9, 1940, p. 183 s. 199. Amended by No. 54, s. 10, 1940, p. 184

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Criminal Law Consolidation Act, 1935 Vol. 2, p. 81)— <i>continued</i> .	s. 200. Amended by No. 54, s. 11, 1940, p. 184 s. 268. <i>Rex v. Sayers</i> (1943) S.A.S.R. 146 s. 300. <i>R. v. Costello and others</i> (1937) S.A.S.R. 150 s. 319. <i>R. v. Martin</i> (1937) S.A.S.R. 70 <i>Rex v. Tregaskis</i> (1937) S.A.S.R. 358 s. 328a. Enacted by No. 54, s. 12, 1940, p. 185 s. 352. <i>R. v. Burck</i> (1939) S.A.S.R. 270 s. 353. <i>R. v. Semaschko</i> (1936) S.A.S.R. 337 <i>Rex v. Butler</i> (1939) S.A.S.R. 265 s. 354. <i>R. v. Lindner</i> (1938) S.A.S.R. 412 s. 357. <i>Rex v. Pullman</i> (1942) S.A.S.R. 262 s. 367. <i>Rex v. Tregaskis</i> (1937) S.A.S.R. 358 s. 369. <i>R. v. McPherson</i> (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. <i>See also</i> the following paragraph
Crown Lands Act, 1929-1939 (1939, p. 414)	s. 5. Amended by No. 26, s. 3, 1944, p. 66 s. 9. Amended by No. 26, s. 4, 1944, p. 66 s. 11. Amended by No. 26, s. 5, 1944, p. 67 s. 22a. Enacted by No. 25, s. 3, 1941, p. 90 s. 22b. Enacted by No. 26, s. 6, 1944, p. 67 Part V., Division III.A. Heading amended by No. 26, s. 7, 1944, p. 67 s. 41d. Amended by No. 26, s. 8, 1944, p. 67 s. 41f. Enacted by No. 26, s. 9, 1944, p. 68 s. 44. Amended by No. 23, s. 3, 1940, p. 61 Part VI. Heading amended by No. 23, s. 4, 1940, p. 62 s. 50b. Enacted by No. 26, s. 10, 1944, p. 68 s. 53. Amended by No. 23, s. 5, 1940, p. 62 s. 53. 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

Act Affected.	How Affected.
Crown Lands Act, 1929-1939 (1939, p. 414)— <i>continued</i> .	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 <i>In re Symon : Public Trustee v. Symon and others</i> (1944) S.A.S.R. 102 s. 226. <i>Badenoch v. Nuske</i> (1940) S.A.S.R. 160 <i>In re Symon : Public Trustee v. Symon and others</i> (1944) S.A.S.R. 102 s. 227. <i>Badenoch v. Nuske</i> (1940) S.A.S.R. 160 <i>In re Symon : Public Trustee v. Symon and others</i> (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 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 <i>Chapman v. Strawbridge</i> (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
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Dairy Industry Act, 1928-1935 (Vol. 2, p. 349)	s. 4. Amended by No. 2378, s. 3, 1937, p. 129, by No. 37, s. 2 (2), 1939, p. 217, and by No. 31, s. 3, 1942, p. 95 s. 7. Amended by No. 31, s. 4, 1942, p. 95 s. 8. Amended by No. 37, s. 2 (2), 1939, p. 217, and by No. 31, s. 5, 1942, p. 96 s. 11. Amended by No. 37, s. 2 (2), 1939, p. 217, and by No. 31, s. 6, 1942, p. 96 s. 12. Amended by No. 31, s. 7, 1942, p. 96 s. 19. Amended by No. 31, s. 8, 1942, p. 96 s. 21. Amended by No. 31, s. 9, 1942, p. 96 s. 24. Amended by No. 31, s. 10, 1942, p. 96 s. 26. Amended by No. 31, s. 11, 1942, p. 97 s. 27. Amended by No. 31, s. 12, 1942, p. 97 s. 28. Amended by No. 31, s. 13, 1942, p. 97
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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, and No. 35, 1943, p. 104, and with notes of judicial decisions, is reprinted in the 1943 volume, p. 174. <i>See also</i> the following paragraph
Road Traffic Act, 1934-1943 (1943, p. 174)	s. 4. Amended by No. 20, s. 3, 1944, p. 47 s. 7. Amended by No. 20, s. 4, 1944, p. 47 s. 9. Amended by No. 20, s. 5, 1944, p. 48 s. 9a. Amended by No. 2, s. 3, 1944, p. 3 s. 42. Amended by No. 20, s. 6, 1944, p. 48 <i>Rudall and others v. Deacon and others</i> (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) s. 70b. Amended by No. 20, s. 7, 1944, p. 48 <i>Scroop v. Dayman</i> (1944) S.A.S.R. 51 s. 111. Amended by No. 20, s. 8, 1944, p. 48 s. 111a. Amended by No. 20, s. 9, 1944, p. 48 s. 122. <i>Flint v. Barker</i> (1944) S.A.S.R. 49 s. 123. Amended by No. 20, s. 10, 1944, p. 49 s. 125. <i>Rudall and others v. Deacon and others</i> (1943) S.A.S.R. 271. Appeal to the High Court dismissed (1943) 67 C.L.R. 641 (note); (1943) S.A.S.R. XXIII. (note) s. 130a. <i>Smallacombe v. Day</i> (1943) S.A.S.R. 368 s. 131. <i>Parker v. Dayman</i> (1943) S.A.S.R. 326 s. 139. Amended by No. 20, s. 11, 1944, p. 50
The Sale of Goods Act, 1895-1936 (Vol. 7, p. 474)	s. 4. <i>Clements v. Hoppo</i> (1937) S.A.S.R. 231. Leave to appeal to the High Court refused, 59 C.L.R. 807 (note) s. 13. <i>Clarke v. McMahon</i> (1939) S.A.S.R. 64 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 and by No. 7, s. 3, 1943, p. 15

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The Savings Bank of South Australia Act, 1929-1935 (Vol. 7, p. 526)	s. 5 Amended by No. 13, s. 3, 1942, p. 33 s. 8. Amended by No. 13, s. 5, 1942, p. 34 s. 16. Amended by No. 13, s. 6, 1942, p. 34 s. 17. Amended by No. 13, s. 7, 1942, p. 34 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. 31. Amended by No. 13, s. 12, 1942, p. 35 s. 33. Amended by No. 13, s. 13, 1942, p. 36 s. 38. Amended by No. 13, s. 14, 1942, p. 36 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 s. 42a. Enacted by No. 13, s. 19, 1942, p. 37 s. 42b. Enacted by No. 13, s. 19, 1942, p. 38 s. 43. Amended by No. 13, s. 20, 1942, p. 38 s. 44. Amended by No. 13, s. 21, 1942, p. 38 s. 45. Amended by No. 13, s. 22, 1942, p. 38 s. 48. Substituted by No. 13, s. 23, 1942, p. 38 s. 51. Amended by No. 13, s. 24, 1942, p. 39 s. 52. Substituted by No. 13, s. 25, 1942, p. 39 s. 53. Amended by No. 13, s. 26, 1942, p. 39 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 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. Amended by No. 13, s. 34, 1942, p. 41 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
Settled Estates Act, 1880 (Vol. 7, p. 590)	s. 34. Amended by No. 17, s. 3 (1), 1943, p. 36
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
Soil Conservation Act, 1939 (1939, p. 124)	s. 6. Substituted by No. 37, s. 2, 1943, p. 114 s. 10a. Enacted by No. 37, s. 3, 1943, p. 114 s. 12. Amended by No. 37, s. 4, 1943, p. 115 s. 13a. Enacted by No. 37, s. 5, 1943, p. 116 s. 18. Amended by No. 37, s. 6, 1943, p. 117 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. 14. Substituted by No. 21, s. 4, 1942, p. 59 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. 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

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South Australian Railways Commissioner's Act, 1936 (Vol. 7, p. 661)	s. 38. Amended by No. 47, s. 3, 1941, p. 202 s. 42. Substituted by No. 47, s. 4, 1941, p. 202 ss. 42a to 42f. Enacted by No. 47, s. 4, 1941, pp. 202, 203 s. 43. Repealed by No. 47, s. 4, 1941, p. 202 s. 44. Amended by No. 47, s. 5, 1941, p. 204 s. 44a. Enacted by No. 47, s. 6, 1941, p. 204 s. 47a. Enacted by No. 47, s. 7, 1941, p. 205 s. 49. Amended by No. 47, s. 8, 1941, p. 205 ss. 53a to 53x. Enacted by No. 2400, s. 3, 1938 pp. 67-73
South-Eastern Drainage Act, 1931-1935 (Vol. 7, p. 721)	s. 42. <i>The South-Eastern Drainage Board (South Australia) v. The Savings Bank of South Australia</i> (1939) 62 C.L.R. 603; 13 A.L.J. 421, varying <i>Savings Bank of South Australia v. South-Eastern Drainage Board and another</i> (1939) S.A.S.R. 339 s. 66. <i>The South-Eastern Drainage Board (South Australia) v. The Savings Bank of South Australia</i> (1939) 62 C.L.R. 603; 13 A.L.J. 421, varying <i>Savings Bank of South Australia v. South-Eastern Drainage Board and another</i> (1939) S.A.S.R. 339 s. 90. <i>In re Cameron and Ryder</i> (1937) S.A.S.R. 143 s. 98. <i>In re Cameron and Ryder</i> (1937) S.A.S.R. 143 s. 101. <i>In re Cameron and Ryder</i> (1937) S.A.S.R. 143
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. <i>See also</i> 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. 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, and by No. 30, ss. 3 and 4, 1944, p. 90
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
Stock and Poultry Diseases Act, 1934 (Vol. 8, p. 39)	s. 10a. Enacted by No. 31, s. 2, 1941, p. 115 s. 10b. Enacted by No. 31, s. 2, 1941, p. 116 s. 43a. Enacted by No. 31, s. 3, 1941, p. 116
Stock Foods Act, 1941 (1941, p. 118)	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. <i>Lake Beach Estate Limited v. Mitchell</i> (1939) S.A.S.R. 209, reversing <i>Lake Beach Estate Limited v. Mitchell</i> (1938) S.A.S.R. 280

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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. <i>See also</i> the following paragraph
Succession Duties Act, 1929-1942 (1942, p. 144)	s. 4. <i>Ashby and another v. The Commissioner of Succession Duties (South Australia)</i> (1942) 67 C.L.R. 284; 16 A.L.J. 259, reversing <i>Ashby and another v. The Commissioner of Succession Duties</i> (1942) S.A.S.R. 102 s. 10a. Enacted by No. 28, s. 2, 1943, p. 73 s. 46 (1). <i>In re Gebhardt</i> (1943) S.A.S.R. 380 s. 55b. Amended by No. 28, s. 3, 1943, p. 74
Superannuation Act, 1926-1935 (Vol. 8, p. 129)	s. 24a. Enacted by No. 29, s. 3, 1942, p. 87 s. 24b. Enacted by No. 29, s. 3, 1942, p. 88 s. 24c. Enacted by No. 29, s. 3, 1942, p. 89 s. 26c. Enacted by No. 2422, s. 3, 1938, p. 196 s. 26d. Enacted by No. 2422, s. 3, 1938, p. 197 s. 26e. Enacted by No. 14, s. 3, 1940, p. 35 s. 44. Amended by No. 29, s. 4, 1942, p. 89 s. 49. Amended by No. 29, s. 5, 1942, p. 89
Supreme Court Act, 1935-1936 (Vol. 8, p. 168)	s. 9. Amended by No. 38, s. 3, 1944, p. 178 ss. 13a to 13h. Enacted by No. 38, s. 4, 1944, pp. 178-181
Swine Compensation Act, 1936 (Vol. 8, p. 234)	s. 4. Amended by No. 29, s. 2, 1940, p. 82 s. 6. Amended by No. 29, s. 3, 1940, p. 82 s. 8. Amended by No. 29, s. 4, 1940, p. 82 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
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. <i>In re Harris</i> (1936) S.A.S.R. 497 <i>In re Whiting</i> (1938) S.A.S.R. 188 <i>In re Schwerdt</i> (1939) S.A.S.R. 333 <i>In re Gerloff</i> (1941) S.A.S.R. 156 <i>In re Naffin deceased, Naffin and others v. Naffin and others</i> (1941) S.A.S.R. 294 <i>In re Small, Harris v. Public Trustee and another</i> (1942) S.A.S.R. 183 s. 4. Amended by No. 29, s. 4, 1943, p. 76 s. 5. Amended by No. 29, s. 5, 1943, p. 77 s. 13. <i>In re Whiting</i> (1938) S.A.S.R. 188
Town Planning Act, 1929 (Vol. 8, p. 261)	s. 22. <i>Adelaide Development Company Proprietary Limited v. Pohlner</i> (1933) 49 C.L.R. 25, affirming <i>Pohlner v. The Adelaide Development Company Limited</i> (1932) S.A.S.R. 346 <i>Lake Beach Estate Limited v. Mitchell</i> (1939) S.A.S.R. 209, reversing <i>Lake Beach Estate Limited v. Mitchell</i> (1938) S.A.S.R. 280
Trading Stamp Act, 1924-1935 , (Vol. 8, p. 280)	s. 5a (2). <i>Rex v. Morgan. Ex parte Home Benefits (Proprietary) Limited</i> (1938) S.A.S.R. 266 <i>Home Benefits Proprietary Limited v. Crafter Household Benefits Proprietary Limited v. Crafter</i> (1938-1939) 61 C.L.R. 701; 13 A.L.J. 93

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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
University of Adelaide Act, 1935-1936 (Vol. 8, p. 352)	s. 12. Amended by No. 10, s. 3, 1942, p. 23 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. 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. 9a. Enacted by No. 36, s. 2, 1942, p. 126 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. 3, s. 2, 1943, p. 16 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 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
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
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

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Weights and Measures Act, 1934 (Vol. 8, p. 626)— <i>continued</i> .	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
Wild Dogs Act, 1931 (Vol. 8, p. 657)	s. 3. Amended by No. 2392, s. 3, 1938, p. 37 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 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. <i>In re Sanders. Hill v. Sanders</i> (1944) S.A.S.R. 22 s. 24. <i>In re Sanders. Hill v. Sanders</i> (1944) S.A.S.R. 22 s. 25. <i>In re Marrie</i> (1938) S.A.S.R. 289; 12 A.L.J. 238
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, and No. 50, 1941, p. 242, and with notes of judicial decisions, is reprinted in the 1942 volume, p. 249. <i>See also</i> the following paragraph
Workmen's Compensation Act, 1932-1941 (1942, p. 249)	s. 17. Amended by No. 33, s. 3, 1944, p. 108 s. 18. Amended by No. 39, s. 3, 1943, p. 120, and by No. 33, s. 4, 1944, p. 108 s. 18a. Enacted by No. 33, s. 5, 1944, p. 109 s. 19. Amended by No. 39, s. 4, 1943, p. 120, and by No. 33, s. 6, 1944, p. 110 s. 25. Amended by No. 39, s. 5, 1943, p. 121 s. 58a. Enacted by No. 39, s. 6, 1943, p. 121 s. 61. Amended by No. 39, s. 7, 1943, p. 122 s. 71. <i>Chappell v. Adelaide Electric Supply Co. Limited</i> (1943) S.A.S.R. 349 s. 97. Amended by No. 39, s. 8, 1943, p. 122 s. 97a. Enacted by No. 39, s. 9, 1943, p. 122, and substituted by No. 33, s. 7, 1944, p. 110
Workmen's Liens Act, 1893-1936 (Vol. 18, p. 733)	s. 6. <i>Metropolitan Brick Company v. Hayward and another</i> (1938) S.A.S.R. 462 s. 10. <i>In re Hawker</i> (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. <i>See also</i> the following paragraph
Wrongs Act, 1936-1940 (1943, p. 299)	s. 23a. <i>Richards and another v. Baker</i> (1943) S.A.S.R. 245 s. 23b. <i>Zoanetti v. Public Trustee</i> 18 A.L.J. 255 s. 28. <i>Richards and another v. Baker</i> (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 23rd April, 1945. 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.

Also included in the table are references to rules, proclamations, orders, or notices published in the *South Australian Government Gazette* and made or given by the Governor of South Australia or any authority of the State pursuant to powers derived under the National Security Act, 1939-1943, of the Commonwealth, or under subordinate legislation promulgated under that Act. The references given are limited to those above described and in this table no references are given to subordinate legislation promulgated under the National Security Act, 1939-1943, by the Governor-General or any Commonwealth authority.

The regulations, rules, by-laws, proclamations and notices referred to in this table are those in force as at 23rd April, 1945.

Abattoirs Act, 1911-1938.

Administration : Committed to the Minister of Agriculture *Gazette* 12th January, 1939, p. 74.
s. 12. Proclamation : *Gazette* 2nd March, 1922, p. 728.

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.
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.

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.
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.
(For details of proclamations, see the footnote in Volume 1, p. 136 of South Australian Statutes, 1837-1936.)
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.
Rules of Court were made on 23rd December, 1926, but have not been published in the *Gazette*.

Advances for Homes Act, 1928-1944.

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* 8th March, 1923, p. 537 ; 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.

Administration : Committed to the Minister of Local Government *Gazette* 20th December, 1934, p. 1218.

Regulations : *Gazette* 9th January, 1936, p. 27.

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) (b) : *Gazette* 23rd June, 1921, p. 1315 ; 7th January, 1926, p. 1 ; 4th March, 1926, p. 685 ; 3rd December, 1936, p. 1195.

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.

(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, p. 1425 ; 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.

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.

(For details of proclamations made prior to 9th June, 1937, see the footnotes in Volume 1, pp. 244-246 of the South Australian Statutes, 1837-1936.)

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.

(For details of proclamations under sections 11 and 13, made prior to 8th February, 1939, see the footnotes in Volume 1, pp. 267-268 of the South Australian Statutes, 1837-1936.)

Regulations : *Gazette* 21st January, 1932, p. 68 ; 6th April, 1933, p. 551 ; 20th February, 1936, p. 457.

Arbitration Act, 1891-1934.

Rules of the Supreme Court : Order XXXIV. of Rules of Court, 1913, dated 10th December, 1913, (not published in the *Gazette*).
 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.

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, 1921-1936.

Commencement : 29th March, 1923 ; *Gazette* 29th March, 1923, p. 690.
 Regulations : *Gazette* 31st October, 1940, p. 921 ; 15th April, 1943, p. 494.
 Regulations applicable to the South Australian Railways Commissioner : *Gazette* 16th March, 1944, p. 302.

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, 1936-1942.

Commencement : 1st May, 1937 ; *Gazette* 28th January, 1937, p. 188.
 Administration : Committed to the Chief Secretary ; *Gazette* 18th February, 1937, p. 334.

Botanic Garden Act, 1935-1940.

By-laws : *Gazette* 24th November, 1921, p. 1249 ; 26th November, 1925, p. 1408 ; 13th June, 1929, p. 1401.

Brands Act, 1933-1936.

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.

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, 1923-1940.

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.

Building Act, 1923-1940—continued.

s. 3 (1) (c). Proclamations:

- (i.) Municipalities: *Gazette* 6th March, 1924, p. 595; 17th April, 1924, p. 925; 30th June, 1927, p. 1406; 18th March, 1926, p. 793; 21st May, 1925, p. 945; 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.
- (ii.) District Council Districts: *Gazette* 29th May, 1924, p. 1207; 4th September, 1924, p. 1451; 24th July, 1924, p. 162; 16th October, 1924, p. 1018; 12th March, 1925, p. 433; 31st March, 1927, p. 741; 8th October, 1925, p. 846; 26th June, 1930, p. 1192; 22nd September, 1927, p. 712; 22nd March, 1928, p. 605; 17th May, 1928, p. 1033; 18th July, 1929, p. 113; 31st October, 1929, p. 1008; 14th November, 1929, p. 1085; 24th March, 1932, p. 547; 3rd November, 1932, p. 886; 30th August, 1934, p. 427; 13th August, 1936, p. 249; 8th March, 1934, p. 462; 5th December, 1935, p. 1333; 17th September, 1925, p. 680; 4th June, 1936, p. 1133; 14th January, 1926, p. 46; 29th April, 1937, p. 945; 16th September, 1937, p. 698; 10th February, 1938, p. 295; 8th December, 1938, p. 1451; 15th December, 1938, p. 1498; 9th March, 1939, p. 570; 15th June, 1939, p. 1418; 16th May, 1940, p. 1058; 11th July, 1940, p. 33; 24th October, 1940, p. 842; 6th March, 1941, p. 335; 25th September, 1941, p. 624; 26th August, 1943, p. 231; 3rd February, 1944, p. 145; 2nd November, 1944, p. 577; 18th January, 1945, p. 57; 15th February, 1945, p. 271.

s. 3 (3). Proclamation: *Gazette* 13th January, 1944, p. 17.

(For details of proclamations made prior to 28th April, 1937, see the footnote in Volume 1, pp. 425-426 of the South Australian Statutes, 1837-1936.)

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).

Regulations prescribing forms: *Gazette* 26th June, 1924, p. 1411; 27th February, 1930, p. 443.

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, 1933-1942.

Administration: Committed to the Minister of Agriculture *Gazette* 24th December, 1936, p. 1321.

s. 23. Proclamation: *Gazette* 27th February, 1936, p. 486.

Regulations: *Gazette* 11th July, 1940, p. 73; 8th March, 1945, p. 400.

Business Agents Act, 1938.

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.

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.

Citrus Marketing Act, 1931.

Commencement : At 23rd April, 1945, 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.

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.

Companies Act, 1934-1939.

Commencement : 1st March, 1935 ; *Gazette* 13th December, 1934, p. 1185.
 Regulations : *Gazette* 11th May, 1939, p. 1138 ; 8th May, 1941, p. 694 ; 3rd September, 1942, p. 362.
 Rules of Court : *Gazette* 8th February, 1940, p. 233 (Rule 147 and the fourth schedule disallowed, *Gazette* 19th September, 1940, p. 570).

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.

Constitution Act, 1934-1943.

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.

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* 15th July, 1943, p. 82.
 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.

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.
 (For details of proclamations made prior to 10th November, 1937, see the footnote in Volume 2, pp. 349-350 of the South Australian Statutes, 1837-1936.)
 General regulations : *Gazette* 21st August, 1930, p. 365 (regulations 42-58 of these regulations were disallowed by resolution of the Legislative Council *Gazette* 6th November, 1930, p. 946) ; 17th December, 1931, p. 1116 ; 5th May, 1932, p. 772 ; 27th April, 1933, p. 661 ; 2nd November, 1933, p. 934 ; 12th January, 1939, p. 116 ; 4th September, 1941, p. 509 ; 25th March, 1943, p. 387 ; 18th January, 1945, p. 78.
 Regulations as to payment for milk and cream : *Gazette* 2nd November, 1933, p. 934.

Dairy Produce Act, 1934-1944.

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.
 Regulations : *Gazette* 23rd September, 1937, p. 797 ; 9th December, 1937, p. 1588 ; 29th January, 1942, p. 145.

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.

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, 1933, 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.

Early Closing Act, 1926-1940.

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.
 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.
 (For details of proclamations and notices made prior to 16th February, 1938, under sections 14, 15, 23, 25e, 59, and 69, see the tables in Volume 2, pp. 521-523 of the South Australian Statutes, 1837-1936.)
 Regulations : *Gazette* 2nd June, 1927, p. 1217 ; 1st December, 1932, p. 1038 ; 23rd December, 1937, p. 1810.

Easter Act, 1929.

Commencement : At 23rd April, 1945, this Act had not been brought into operation.

Education Act, 1915-1942.

Commencement : 13th January, 1916 ; *Gazette* 13th January, 1916, p. 43.
 Regulations as to religious instruction in public schools ; *Gazette* 16th January, 1941, p. 38 ; 20th February, 1941, p. 234.
 Regulations as to private technical schools ; *Gazette* 13th May, 1943, p. 622.
 General regulations : *Gazette* 31st August, 1939, p. 616 ; 2nd November, 1939, p. 1256 ; 16th November, 1939, p. 1376 ; 21st March, 1940, p. 597 ; 30th May, 1940, p. 1164 ; 12th December, 1940, p. 1438 ; 9th January, 1941, p. 30 ; 27th February, 1941, p. 279 ; 27th March, 1941, p. 459 ; 10th April, 1941, p. 524 ; 14th August, 1941, p. 328 ; 18th September, 1941, p. 620 ; 18th September, 1941, p. 621 ; 27th November, 1941, p. 1188 ; 25th June, 1942, p. 881 ; 9th July, 1942, p. 27 ; 15th October, 1942, p. 677 ; 12th November, 1942, p. 1007 ; 3rd December, 1942, p. 1090 ; 21st January, 1943, p. 59 ; 28th October, 1943, p. 564 ; 29th June, 1944, p. 786 ; 26th October, 1944, p. 570 ; 9th November, 1944, p. 657 ; 9th November, 1944, p. 658 ; 7th December, 1944, p. 804 ; 14th December, 1944, p. 837.

Electoral Act, 1929-1943.

- 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* 12th August, 1937, p. 373.
 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.
 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.
 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.

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 ; 29th April, 1943, p. 550 ; 6th May, 1943, p. 600 ; 19th August 1943, p. 227 ; 26th August, 1943, p. 231 ; 20th January, 1944, p. 52 ; 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.

The above regulations relate to the following matters :—

- Administration : *Gazette* 18th December, 1941, p. 1499 ; 8th January, 1942, p. 53 ; 16th April, 1942, p. 575.
 Air raid shelters : *Gazette* 8th January, 1942, p. 53.
 Aliens, disqualification from holding office in councils or voting at council elections or polls : *Gazette* 14th May, 1942, p. 713.
 Animals, destruction of : *Gazette* 16th April, 1942, p. 575.
 Bank holiday cancellation : *Gazette* 18th December, 1941, p. 1503.
 Chaff supplies : *Gazette* 31st August, 1944, p. 268.
 Civil Defence Force : *Gazette* 18th December, 1941, p. 1499 ; 19th February, 1942, p. 326 ; 16th April, 1942, p. 575 ; 7th May, 1942, p. 673.
 District council elections and polls : *Gazette*, 9th April, 1942, p. 525 ; 14th May, 1942, p. 713 ; 25th March, 1943, p. 377 ; 6th May, 1943, p. 600 ; 30th March, 1944, p. 384 ; 4th May, 1944, p. 546 ; 29th March, 1945, p. 495 ; 19th April, 1945, p. 594.
 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.
 Emergency housekeepers : *Gazette* 20th January, 1944, p. 52.
 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.

Emergencies Powers Act, 1941—continued.

- Industrial associations, returns as to : *Gazette* 29th April, 1943, p. 550.
- 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.
- 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.
- Municipal councils' powers : *Gazette* 18th December, 1941, p. 1499 ; 25th December, 1941, p. 1512 ; 8th January, 1942, p. 53 ; 4th February, 1943, p. 133 ; 25th February, 1943, p. 222 ; 1st April 1943, p. 411 ; 31st August, 1944, p. 268.
- Protection of persons and property : *Gazette* 25th December, 1941, p. 1512 ; 8th January, 1942, p. 53 ; 5th February, 1942, p. 238 ; 19th February, 1942, p. 326 ; 16th April, 1942, p. 575 ; 18th February, 1943, p. 190 ; 19th August, 1943, p. 227.
- Roof spotting : *Gazette* 19th February, 1942, p. 326 ; 16th April, 1942, p. 575.
- Scrub and stubble burning : *Gazette* 16th April, 1942, p. 577.
- Shareholders' returns by companies : *Gazette* 22nd April, 1942, p. 499.
- Shipping : *Gazette* 16th April, 1942, p. 578.
- Sirens, restrictions on use of : *Gazette* 25th December, 1941, p. 1499.
- Special constables, duties of employers to : *Gazette* 2nd April, 1942, p. 497.
- Traders' plates, fees payable for under the Road Traffic Act, 1934-1944 : *Gazette* 18th January, 1945, p. 77.
- Uranium, mining and disposal of : *Gazette* 21st October, 1944, p. 876.
- Vaccination, compulsory : *Gazette* 19th February, 1942, p. 326.
- Water restrictions in metropolitan area : *Gazette* 20th January, 1944, p. 53 ; 3rd February, 1944, p. 146.
- Weirs, locks and dams : *Gazette* 16th April, 1942, p. 575.

Notices and orders given pursuant to regulations—

- Ambulances, order by the Premier exempting from certain provisions of the Road Traffic Act, 1934-1942 : *Gazette* 6th May, 1943, p. 560.
- Blackout on 7th July, 1942, order by Premier declaring : *Gazette* 2nd July, 1942, p. 23.
- Carriage of goods by primary producers, order by Premier as to : *Gazette* 18th March, 1943, p. 331.
- Carriage of hay by primary producers to certain depots, order by Premier as to : *Gazette* 30th November, 1944, p. 748.
- Carriage of wheat by primary producers to Wallaroo, order by Premier as to : *Gazette* 27th April, 1944, p. 530.
- Delegation by Premier of powers to take possession of land, etc., *Gazette* 19th February, 1942, p. 329.
- Headlamps on motor vehicles, notice by Premier fixing date after which must be screened : *Gazette* 29th January, 1942, p. 176.
- Sirens, notice by Commissioner of Civil Defence as to use of : *Gazette* 12th February, 1942, p. 245.
- Trailers, notice by Premier exempting certain, from registration fee : *Gazette* 25th June, 1942, p. 867.

Code for the construction of air raid shelters, published for guidance : *Gazette* 26th February, 1942, p. 358.

Employees Registry Offices Act, 1915-1939.

Administration : Committed to the Minister of Industry and Employment *Gazette* 24th June 1937, p. 1361.

Enfield General Cemetery Act, 1944.

Administration : Committed to the Minister of Local Government *Gazette* 11th January, 1945, p. 27.

Explosives Act, 1936.

Commencement : 1st July, 1937 ; *Gazette* 25th March, 1937, p. 644.

Administration : Committed to the Minister of Agriculture *Gazette* 25th March, 1937, p. 644.

- s. 6. Definitions of explosives : *Gazette* 28th September, 1899, p. 793 ; 24th December, 1903, p. 1242 ; 13th December, 1906, p. 1141 ; 20th January, 1910, p. 68 ; 13th March, 1913, p. 493 ; 26th February, 1914, p. 518 ; 9th July, 1914, p. 67 ; 30th November, 1916, p. 1045 ; 1st March, 1917, p. 370 ; 10th July, 1919, p. 40 ; 29th July, 1920, p. 168 ; 8th December, 1921, p. 1317 ; 21st July, 1921, p. 98 ; 22nd July, 1926, p. 147 ; 7th June, 1928, p. 1211 ; 7th February, 1929, p. 260 ; 23rd April, 1931, p. 683 ; 11th August, 1932, p. 246 ; 25th March, 1937, p. 649-650 ; 2nd December, 1937, p. 1565 ; 3rd February, 1938, p. 235.

(For details of definitions made prior to 1st December, 1937, see the footnote in Volume 2, p. 679 of the South Australian Statutes, 1837-1936.)

s. 20. Proclamation : *Gazette* 17th December, 1903, p. 1182.

s. 24. Notice : *Gazette* 1st September, 1938, p. 589.

s. 30. Notices : *Gazette* 1st September, 1938, p. 474 ; 11th May, 1939, p. 1086.

s. 48. Proclamation : *Gazette* 8th December, 1938, p. 1452.

Regulations : *Gazette* 1st September, 1938, p. 556.

Fair Prices Act, 1924-1935.

Administration : Committed to the Minister of Industry *Gazette* 29th January, 1925, p. 149.

Farmers Assistance Act, 1933-1943.

Commencement : 1st January, 1934 ; *Gazette* 21st December, 1933, p. 1239.

Administration : Committed to the Minister of Agriculture *Gazette* 18th May, 1944, p. 613.

s. 12. Proclamations : *Gazette* 23rd March, 1944, p. 355 ; 25th January, 1945, p. 86.

Regulations : *Gazette* 27th September, 1934, p. 646 ; 4th October, 1934, p. 682.

Fauna and Flora Reserve Act, 1919-1940.

Administration : Committed to the Minister of Agriculture *Gazette* 3rd July, 1924, p. 1.

s. 17. Proclamations : *Gazette* 20th September, 1923, p. 678 ; 24th February, 1927, p. 397.

s. 18. Proclamation : *Gazette* 5th July, 1923, p. 2.

By-laws : *Gazette* 11th January, 1923, p. 39.

Fees Regulation Act, 1927.

Regulations : *Gazette* 24th November, 1927, p. 1225 ; 24th November, 1927, p. 1226 ; 24th November, 1927, p. 1227 ; 24th November, 1927, p. 1228 ; 24th November, 1927, p. 1229 ; 17th May, 1928, p. 1036 ; 31st May, 1928, p. 1147 ; 12th July, 1928, p. 46 ; 19th December, 1929, p. 1311 ; 11th September, 1930, p. 531 ; 4th December, 1930, p. 1131 ; 22nd October, 1931, p. 776 ; 3rd December, 1931, p. 1033 ; 8th June, 1933, p. 974 ; 30th August, 1934, p. 428 ; 20th September, 1934, p. 596 ; 22nd August, 1935, p. 374 ; 11th November, 1937, p. 1307 ; 18th January, 1940, p. 73 ; 18th July, 1940, p. 86.

(For details of regulations made prior to 10th November, 1937, see the table of regulations in Volume 2, p. 770 of the South Australian Statutes, 1837-1936.)

Fertilisers Act, 1918.

Administration : Committed to the Minister of Agriculture *Gazette* 21st January, 1937, p. 85.

Regulations : *Gazette* 27th February, 1919, p. 436 ; 25th September, 1919, p. 724.

Fibre and Sponges Act, 1909-1937.

Regulations : *Gazette* 29th August, 1918, p. 501.

Financial Emergency Act, 1931-1939.

Commencement : 23rd July, 1931 ; *Gazette* 23rd July, 1931, p. 93.

Rules of Court : *Gazette* 17th September, 1931, p. 492.

Financial Emergency Act Extension Act, 1934.

s. 4. Notice : *Gazette* 29th November, 1934, p. 1113.

Firearms Registration Act, 1919-1934.

Commencement : 14th July, 1921 ; *Gazette* 14th July, 1921, p. 37.

s. 3. Proclamation : *Gazette* 29th September, 1928, p. 755.

Regulations : *Gazette* 24th February, 1921, p. 390.

Firearms Restriction (River Murray) Act, 1929.

Administration : Committed to the Minister of Agriculture *Gazette* 26th December, 1929, p. 1357.

s. 3. Proclamation : *Gazette* 26th December, 1929, p. 1357.

(For details of this proclamation, see the footnote in Volume 3, p. 75 of the South Australian Statutes, 1837-1936.)

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.

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.

s. 31 (1) x. Proclamation : *Gazette* 10th December, 1925, p. 1528.

(For details of notices and proclamation under sections 7 and 31 (1) x., see the footnotes in Volume 3, pp. 80 and 89, of the South Australian Statutes, 1837-1936.)

By-laws relating to conditions of service for firemen : *Gazette* 19th July, 1900, p. 121.

By-laws relating to allowances and pensions : *Gazette* 11th February, 1926, p. 297 ; 3rd June, 1926, p. 1445 ; 15th July, 1926, p. 87 ; 19th August, 1926, p. 474.

Regulations : *Gazette* 29th July, 1937, p. 258 (nomination of members of the board) ; 31st May, 1906, p. 949 (volunteer fire brigades) ; 26th March, 1914, p. 748 (functions, duties, and powers of the chairman).

Fisheries Act, 1917-1938.

Administration : Committed to the Minister of Agriculture *Gazette* 3rd July, 1924, p. 1.

s. 6. Proclamations : *Gazette* 11th March, 1937, p. 529 ; 17th June, 1937, p. 1305 ; 30th September, 1937, p. 850 ; 4th November, 1937, p. 1189 ; 2nd December, 1937, p. 1513 ; 17th February, 1938, p. 357 ; 28th April, 1938, p. 898 ; 8th September, 1938, p. 624 ; 13th October, 1938, p. 976 ; 23rd February, 1939, p. 465 ; 20th April, 1939, p. 915 ; 27th April, 1939, p. 980 ; 24th August, 1939, p. 494 ; 11th January, 1940, p. 34 ; 1st February, 1940, p. 169 ; 6th June, 1940, p. 1211 ; 5th June, 1941, p. 812 ; 9th July, 1942, p. 25 ; 5th November, 1942, p. 941 ; 26th November, 1942, p. 1047 ; 10th December, 1942, p. 1124 ; 28th January, 1943, p. 91 ; 8th July, 1943, p. 27 ; 17th February, 1944, p. 87 ; 4th May, 1944, p. 545 ; 31st August, 1944, p. 267 ; 5th October, 1944, p. 415 ; 5th October, 1944, p. 416.

Regulations : *Gazette* 11th March, 1937, p. 533 ; 5th January, 1939, p. 68 ; 21st December, 1939, p. 1706 ; 29th May, 1941, p. 805.

Food and Drugs Act, 1908-1943.

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

s. 30a. Proclamation : *Gazette* 25th July, 1935, p. 138.

s. 39. Proclamation : *Gazette* 29th July, 1909, p. 190.

General regulations : *Gazette* 19th May, 1910, p. 916 (paragraph (1) (g) of regulation 11 disallowed 31st August, 1910) ; 25th February, 1915, p. 550 ; 5th May, 1932, p. 787 (partly disallowed *Gazette* 29th September, 1932, p. 646) ; 3rd November, 1932, p. 886 ; 2nd February, 1933, p. 170 ; 21st September, 1933, p. 626 ; 12th September, 1935, p. 626 ; 26th May, 1938, p. 1143 (partly disallowed *Gazette* 8th September, 1938, p. 624) ; 14th July, 1938, p. 54 ; 12th January, 1939, p. 115 ; 17th September, 1942, p. 444 ; 11th February, 1943, p. 161.

Regulations relating to the sale of poisons : *Gazette* 19th May, 1938, p. 1041 (regulations 4 and 35 partly disallowed ; *Gazette* 29th September, 1938, p. 873) ; 14th July, 1938, p. 56 ; 4th August, 1938, p. 227 ; 5th January, 1939, p. 69 ; 25th January, 1940, p. 121 ; 5th February, 1942, p. 226 ; 16th July, 1942, p. 76.

Food and Drugs Act, 1908-1943—continued.

- Regulations relating to county board elections and attendance fees of the Advisory Committee : *Gazette* 12th August, 1909, p. 318.
 Regulations relating to certain "Suppository" drugs : *Gazette* 23rd September, 1915, p. 925 ; 10th February, 1916, p. 268.
 Regulation under the Fees Regulation Act, 1927, relating to the fee for a licence as a dealer in poisons : *Gazette* 24th November, 1927, p. 1226.

Footwear Regulation Act, 1920.

- Regulations : *Gazette* 12th May, 1921, p. 1020.

Friendly Societies Act, 1919-1940.

- s. 5. Proclamations : *Gazette* 5th May, 1921, p. 981 ; 7th June, 1928, p. 1209 ; 15th January, 1931, p. 65 ; 14th May, 1936, p. 1002.
 (For details of these proclamations, see the footnote in Volume 3, p. 212 of the South Australian Statutes, 1837-1936.)
 Regulations : *Gazette* 2nd August, 1894, p. 243 ; 25th May, 1933, p. 882.
 Regulation under the Fees Regulation Act, 1927, relating to the fee payable to the Crown Solicitor for perusing and settling rules : *Gazette* 19th December, 1929, p. 1311.

Fruit and Vegetables (Grading) Act, 1934.

- Administration : Committed to the Minister of Agriculture *Gazette* 28th January, 1937, p. 187
 s. 4. Proclamation : *Gazette* 14th February, 1935, p. 463.
 (For details of this proclamation see the footnote in Volume 3, p. 216 of the South Australian Statutes, 1837-1936.)
 Regulations : *Gazette* 22nd July, 1937, p. 182 ; 14th July, 1938, p. 53 ; 15th September, 1938, p. 699 ; 29th May, 1941, p. 809.

Fruit and Vegetables (Prevention of Injury) Act, 1927.

- Administration : Committed to the Minister of Agriculture *Gazette* 26th January, 1928, p. 149
 Regulations : *Gazette* 19th April, 1928, p. 821 ; 25th July, 1940, p. 181.

Garden Suburb Act, 1919-1936.

- Commencement : 19th February, 1920 ; *Gazette* 19th February, 1920, p. 493.
 Administration : Committed to the Minister of Housing *Gazette* 29th May, 1924, p. 1208.

Gas Act, 1924.

- Administration : Committed to the Attorney-General *Gazette* 15th January, 1925, p. 59.
 s. 32. Proclamations : *Gazette* 3rd September, 1925, p. 571 ; 2nd February, 1928, p. 205 ; 8th August, 1929, p. 329.
 Regulations : *Gazette* 19th November, 1925, p. 1346.

Gold Buyers Act, 1916-1935.

- Commencement : 1st August, 1935 ; *Gazette* 11th July, 1935, p. 38.
 Regulations : *Gazette* 19th December, 1935, p. 1477 ; 5th March, 1936, p. 537 ; 23rd December, 1937, p. 1809 ; 29th June, 1939, p. 1541 ; 21st September, 1939, p. 855.

Goods (Trade Descriptions) Act, 1935.

- Commencement : 1st March, 1937 ; *Gazette* 28th January, 1937, p. 187.
 Administration : Committed to Minister of Industry and Employment *Gazette* 28th January, 1937, p. 187.

Guardianship of Infants Act, 1940.

- Rules of Court : *Gazette* 1st May, 1890, p. 1215.

Hairdressers Registration Act, 1939.

- Commencement : 1st March, 1940 ; *Gazette* 11th January, 1940, p. 33.
 Administration : Committed to the Minister of Industry and Employment *Gazette* 11th January, 1940, p. 33.
 Regulations : *Gazette* 21st March, 1940, p. 605 ; 28th November, 1940, p. 1215 ; 11th December, 1941, p. 1402 ; 9th December, 1943, p. 755.

Harbors Act, 1936-1943.

Commencement : 1st April, 1937 ; *Gazette* 25th March, 1937, p. 641.

Administration of Parts II. and III. : Committed to the Minister of Marine *Gazette* 25th March, 1937, p. 642.

s. 87. Proclamations (made under the Marine Board and Navigation Act, 1881) : *Gazette* 15th June, 1899, p. 1280 ; 8th September, 1904, p. 449 ; 22nd April, 1915, p. 1001 ; 10th June, 1926, p. 1462 ; 13th June, 1929, p. 1399.

s. 121. Proclamation (made under the Marine Board and Navigation Act, 1881) : *Gazette* 10th June, 1926, p. 1462.

s. 153. Proclamation : *Gazette* 13th February, 1936, p. 397.

s. 191. Proclamations : *Gazette* 10th September, 1914, p. 623 ; 24th September, 1914, p. 707 ; 26th November, 1914, p. 1145 ; 17th December, 1914, p. 1266 ; 25th March, 1915, p. 775 ; 3rd June, 1915, p. 1284 ; 15th July, 1915, p. 331 ; 16th June, 1921, p. 1267 ; 18th March, 1926, p. 793 ; 3rd June, 1926, p. 1421 ; 16th December, 1926, p. 1512 ; 14th April, 1927, p. 842 ; 28th April, 1927, p. 934 ; 3rd April, 1930, p. 649 ; 13th November, 1930, p. 985 ; 12th February, 1931, p. 262 ; 25th August, 1932, p. 342 ; 19th January, 1933, p. 70 ; 26th January, 1933, p. 109 ; 26th October, 1933, p. 899 ; 25th January, 1934, p. 130 ; 26th April, 1934, p. 1095 ; 12th July, 1934, p. 39 ; 25th October, 1934, p. 846 ; 14th March, 1935, p. 777 ; 30th January, 1936, p. 270 ; 10th September, 1936, p. 490 ; 21st October, 1937, p. 1053 ; 29th September, 1938, p. 871 ; 18th December, 1941, p. 1461.

(For details of the above proclamations made prior to 20th October, 1937, under sections 87, 121, 153, and 191, see the footnotes in Volume 3, pp. 369, 379, 395, 405, and 406, of the South Australian Statutes, 1837-1936.)

Regulations made under the Marine Board and Navigation Acts, 1881-1933, relating to matters provided for in the Harbors Act, 1936—

General harbor regulations : *Gazette* 26th April, 1883, p. 1429 ; 1st July, 1886, p. 2 ; 10th November, 1887, p. 928 ; 12th March, 1891, p. 768 ; 24th March, 1892, p. 724 ; 30th November, 1893, p. 1326 ; 4th November, 1897, p. 1384 ; 26th June, 1902, p. 1283 ; 3rd July, 1902, p. 2 ; 2nd April, 1903, p. 618 ; 2nd August, 1906, p. 212 ; 18th October, 1906, p. 817 ; 18th July, 1907, p. 115 ; 3rd October, 1907, p. 813 ; 10th October, 1907, p. 854 ; 21st January, 1909, p. 115 ; 28th January, 1909, p. 166 ; 17th June, 1909, p. 1121 ; 8th July, 1909, p. 43 ; 25th August, 1910, p. 393 ; 22nd September, 1910, p. 617 ; 30th March, 1911, p. 561 ; 15th June, 1911, p. 1177 ; 27th July, 1911, p. 159 ; 3rd August, 1911, p. 211 ; 2nd November, 1911, p. 911 ; 10th April, 1913, p. 680 ; 30th October, 1913, p. 1140 ; 4th December, 1913, p. 1619.

Moorings regulations : *Gazette* 26th April, 1883, p. 1429 ; 9th October, 1890, p. 894 ; 4th June, 1891, p. 1462 ; 5th May, 1892, p. 986 ; 30th November, 1893, p. 1326 ; 18th June, 1896, p. 1253.

River Murray navigation regulations : *Gazette* 30th October, 1884, p. 1641 ; 26th January, 1893, p. 157 ; 4th October, 1906, p. 714 .

Pilotage regulations : *Gazette* 26th September, 1889, p. 1354 ; 4th June, 1891, p. 1462 ; 16th February, 1899, p. 301 ; 15th June, 1899, p. 1280 ; 8th October, 1903, p. 737 ; 8th September, 1904, p. 449 ; 27th October, 1904, p. 771 ; 31st October, 1907, p. 975 ; 3rd June, 1909, p. 1042 ; 19th October, 1911, p. 813 ; 3rd April, 1913, p. 633 ; 8th May, 1913, p. 1002 ; 5th June, 1913, p. 1221 ; 15th January, 1914, p. 132 ; 2nd October, 1924, p. 825.

Regulations to leasing lands and construction of jetties and slips : *Gazette* 26th April, 1883, p. 1429 ; 2nd April, 1903, p. 618.

Lifesaving regulations : *Gazette* 26th April, 1883, p. 1429 ; 10th November, 1892, p. 1269.

Miscellaneous regulations : *Gazette* 11th November, 1897, p. 1446 ; 15th February, 1900, p. 302 ; 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.

Regulations made under the Harbors Acts, 1913-1933, and the Harbors Act, 1936—

General harbor regulations : *Gazette* 26th August, 1915, p. 745 ; 23rd September, 1915, p. 925 ; 6th July, 1916, p. 2 ; 4th January, 1917, p. 8 ; 21st August, 1919, p. 383 ; 21st April, 1921, p. 759 ; 23rd February, 1922, p. 641 ; 12th October, 1922, p. 834 ; 22nd March, 1923, p. 641 ; 25th October, 1923, p. 954 ; 11th June, 1925, p. 1136 ; 25th June, 1925, p. 1213 ; 28th January, 1926, p. 154 ; 14th October, 1926, p. 923 ; 21st March, 1935, p. 877 ; 25th June, 1936, p. 1257 ; 13th August, 1936, p. 250 ; 15th July, 1937, p. 115 ; 12th March, 1942, p. 395 ; 9th July, 1942, p. 26 ; 22nd October, 1942, p. 682 ; 1st March, 1945, p. 340.

Moorings regulations : *Gazette* 28th May, 1914, p. 1167 ; 24th December, 1914, p. 1314 ; 15th June, 1916, p. 1250 ; 12th December, 1918, p. 1309 ; 23rd December, 1920, p. 1593 ; 13th May, 1926, p. 1234 ; 21st January, 1932, p. 68.

Harbors Act, 1936-1943—continued.

- River Murray navigation regulations : *Gazette* 20th January, 1916, p. 94; 11th June, 1925, p. 1135.
- Pilotage regulations : *Gazette* 22nd April, 1915, p. 1001; 14th September, 1916, p. 500; 14th December, 1916, p. 1155; 19th April, 1917, p. 635; 12th May, 1921, p. 1019; 2nd October, 1924, p. 825; 10th June, 1926, p. 1462; 5th May, 1927, p. 995; 13th June, 1929, p. 1399; 4th July, 1929, p. 3; 25th August, 1932, p. 343; 28th June, 1934, p. 1520; 20th May, 1937, p. 1150.
- Regulations for adjustments of compasses : *Gazette* 30th May, 1935, p. 1433.
- Regulations for survey, &c., of vessels : *Gazette* 23rd June, 1921, p. 1318; 30th May, 1935, p. 1433; 8th August, 1935, p. 237.
- Regulations for helm orders : *Gazette* 22nd December, 1932, p. 1188.
- Wharfage regulations : *Gazette* 7th October, 1915, p. 1022; 16th December, 1915, p. 1602; 4th January, 1917, p. 7; 27th September, 1917, p. 747; 20th December, 1917, p. 1320; 24th January, 1918, p. 140; 24th January, 1918, p. 141; 7th June, 1923, p. 1246; 30th October, 1930, p. 893; 12th March, 1931, p. 471; 1st September, 1938, p. 472; 8th July, 1943, p. 28.
- Storage regulations : *Gazette* 7th March, 1918, p. 442; 23rd September, 1915, p. 925; 4th April, 1929, p. 751; 12th March, 1942, p. 395; 17th September, 1942, p. 406.
- Haulage regulations : *Gazette* 6th July, 1916, p. 2; 1st April, 1926, p. 935; 28th July, 1927, p. 216; 17th January, 1929, p. 105; 22nd July, 1943, p. 115.
- Port dues regulations : *Gazette* 30th October, 1930, p. 891.
- Tonnage rates regulations : *Gazette* 30th October, 1930, p. 892; 18th December, 1930, p. 1230.
- Flag and sound signals at Port Adelaide : *Gazette* 5th December, 1940, p. 1289; 5th March, 1942, p. 370.
- Fishing and other boats at Port Pirie : *Gazette* 12th September, 1940, p. 567.
- Miscellaneous regulations : *Gazette* 26th August, 1915, p. 744; 23rd September, 1915, p. 925; 20th January, 1916, p. 94; 23rd March, 1916, p. 570; 20th April, 1916, p. 827; 12th October, 1916, p. 662; 4th January, 1917, p. 7; 4th January, 1917, p. 8; 25th January, 1917, p. 203; 5th September, 1918, p. 565; 30th January, 1919, p. 232; 8th May, 1919, p. 832; 3rd July, 1919, p. 2; 26th August, 1920, p. 456; 2nd September, 1920, p. 528; 23rd June, 1921, p. 1318; 9th February, 1922, p. 524; 28th June, 1923, p. 1377; 27th November, 1924, p. 1405; 11th December, 1924, p. 1513; 22nd April, 1926, p. 1088; 10th February, 1927, p. 298; 24th February, 1927, p. 400; 2nd June, 1927, p. 1216; 27th October, 1927, p. 1008; 15th December, 1927, p. 1566; 19th July, 1928, p. 90; 29th August, 1929, p. 522; 5th September, 1929, p. 570; 26th September, 1929, p. 756; 21st August, 1930, p. 350; 30th October, 1930, p. 895; 11th August, 1932, p. 235; 22nd December, 1932, p. 1188; 11th January, 1934, p. 42; 30th August, 1934, p. 428; 30th May, 1935, p. 1433; 3rd November, 1938, p. 1214; 3rd October, 1940, p. 744.

Rules of Court : *Gazette* 19th April, 1917, p. 639.

Hawkers Act, 1934-1941.

Regulations : *Gazette* 14th February, 1935, p. 523.

Health Act, 1935-1943.

- s. 5 (1). Proclamations : *Gazette* 18th January, 1940, p. 69; 8th February, 1945, p. 243.
- s. 5 (2). Proclamations : *Gazette* 25th November, 1937, p. 1434; 8th September, 1938, p. 623; 8th February, 1945, p. 243.
- s. 29. Proclamations : *Gazette* 13th July, 1899, p. 57; 2nd November, 1899, p. 1089; 19th December, 1940, p. 1552.
- s. 38. Proclamations : *Gazette* 2nd November, 1899, p. 1039; 19th December, 1940, p. 1552.
- s. 89. Proclamations : *Gazette* 17th August, 1899, p. 344; 24th August, 1899, p. 407; 4th July, 1901, p. 1; 5th September, 1901, p. 503; 21st November, 1901, p. 1009; 20th March, 1902, p. 675; 9th January, 1908, p. 33; 23rd January, 1908, p. 107; 27th February, 1908, p. 358; 16th September, 1909, p. 561; 13th January, 1910, p. 31; 1st June, 1916, p. 161; 10th August, 1916, p. 237; 7th September, 1916, p. 460; 7th June, 1917, p. 944; 23rd June, 1938, p. 1485.

(For details of proclamations made prior to 22nd June, 1938, under sections 29, 38, and 89, see the footnotes in Volume 3, pp. 439, 440, and 452, of the South Australian Statutes, 1837-1936.)

Model regulations for the guidance of local boards : *Gazette* 29th June, 1899, p. 1442.

General regulations : *Gazette* 21st December, 1899, p. 1378.

Health Act, 1935-1943—continued.

- Regulations as to the licensing of private hospitals and maternity homes: *Gazette* 20th February, 1941, p. 231.
- Regulations relating to cattle and pigs: *Gazette* 11th December, 1902, p. 1142; 3rd October, 1907, p. 813.
- Regulations relating to cowsheds, dairies, and milk shops: *Gazette* 21st May, 1908, p. 929.
- Regulations relating to septic tanks: *Gazette* 24th September, 1908, p. 633; 27th October, 1921, p. 1012.
- Regulations relating to infectious diseases and tuberculosis: *Gazette* 3rd November, 1938, p. 1215; 8th February, 1945, p. 268.
- Regulations relating to rag dealers and flock makers: *Gazette* 5th September, 1940, p. 511.
- Regulations as to the fumigation of premises with cyanide: *Gazette* 7th December, 1944, p. 798.
- 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, Skin, and Wool Dealers Act, 1915-1935.

- Regulations: *Gazette* 26th November, 1936, p. 1150.

Highways Act, 1926-1944.

- Commencement: 3rd February, 1927; *Gazette* 3rd February, 1927, p. 258.
- Administration: Committed to the Minister of Local Government *Gazette* 10th February, 1927, p. 297.
- s. 30. Proclamations: *Gazette* 9th June, 1938, p. 1285; 8th December, 1938, p. 1452; 2nd February, 1939, p. 334; 9th March, 1939, p. 569; 30th March, 1939, p. 739; 14th September, 1939, p. 746; 21st September, 1939, p. 814; 26th October, 1939, p. 1157; 23rd November, 1939, pp. 1379 and 1380; 4th January, 1940, p. 2 (republished 18th January, 1940, p. 70), 15th February, 1940, p. 369; 22nd February, 1940, pp. 409 and 410; 23rd 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.

Hire-Purchase Agreements Act, 1931.

- Rules of Local Court under section 5: *Gazette* 18th February, 1932, p. 312.

Homes Act, 1941.

- Regulations: *Gazette* 15th January, 1942, p. 67.

Homestead Act, 1895-1935.

- Regulations: *Gazette* 6th February, 1896, p. 289.

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. 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.
- 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.
- s. 48. Proclamations: *Gazette* 8th January, 1931, p. 26; 30th November, 1939, p. 1436. (For details of the proclamations and notices made prior to 30th June, 1937, under sections 5, 37, 43, and 48, see the footnotes in Volume 3, pp. 532, 543, 545, 549, and 550, of the South Australian Statutes, 1837-1936.)

Hospitals Act, 1934-1941—continued.

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.

Bedford Park Sanatorium: *Gazette* 15th March, 1934, p. 788.

Lady Weigall Hospital, Barmera: *Gazette* 8th October, 1936, p. 735.

The Morris Hospital, Northfield: *Gazette* 30th August, 1934, p. 431.

Mount Gambier Hospital: *Gazette* 27th January, 1938, p. 217.

Port Augusta Hospital: *Gazette* 8th September, 1938, p. 662.

Port Lincoln Hospital: *Gazette* 4th November, 1937, p. 1269.

Port Pirie Hospital: *Gazette* 11th October, 1928, p. 806.

Wallaroo Hospital: *Gazette* 21st January, 1937, p. 162.

General regulations relating to the powers of the Inspector-General of Hospitals: *Gazette* 27th September, 1923, p. 727.

Regulations relating to rating for hospital purposes: *Gazette* 19th August, 1920, p. 383.

Housing Improvement Act, 1940-1943.

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. 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, 1920-1938.

Administration: Committed to the Minister of Local Government *Gazette* 22nd April, 1937, p. 849.

Income Tax Assessment Act, 1936-1941.

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, 1920-1943.

Rules of the Industrial Court: *Gazette* 24th August, 1944, p. 229.

Regulations as to Industrial Boards: *Gazette* 28th April, 1921, p. 939; 2nd June, 1921, p. 1179; 18th August, 1921, p. 320; 28th January, 1937, p. 188; 13th January, 1944, p. 43.

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 Act, 1922-1943.

Commencement : 17th October, 1929 ; *Gazette* 17th October, 1929, p. 889.
Administration : Committed to the Chief Secretary *Gazette* 31st October, 1929, p. 1005.
s. 4. Proclamations : *Gazette* 5th October, 1933, p. 738 ; 12th December, 1935, p. 1389.
(For details of proclamations see the footnote in Volume 6, p. 84 of the South Australian Statutes, 1837-1936.)
General regulations . *Gazette* 27th July, 1933, p. 142 ; 8th February, 1940, p. 359.
Regulations for election of members of the board : *Gazette* 8th March, 1945, p. 401.
Regulations relating to instalments payable by constituent local boards for the period from 1st December, 1934, to 30th June, 1935 : *Gazette* 7th March, 1935, p. 686.

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.
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.

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.
(For details of the above proclamations see the footnote in Volume 4, p. 43 of the South Australian Statutes, 1837-1936.)
Regulations : *Gazette* 27th April, 1911, p. 720.

Irrigation Act, 1930-1941.

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.
Regulations : *Gazette* 20th June, 1928, p. 1642 ; 3rd July, 1930, p. 2.

Irrigation on Private Property Act, 1939.

Commencement : 5th January, 1940 : *Gazette* 4th January, 1940, p. 1.
s. 9. Proclamations : *Gazette* 12th December, 1940, p. 1425; 6th February, 1941, p. 148.

Juries Act, 1927-1937.

Commencement : 6th January, 1928; *Gazette* 5th January, 1928, p. 1.
s. 9. Proclamation : *Gazette* 27th October, 1938, p. 1100.
s. 77. Proclamation : *Gazette* 15th July, 1943, p. 53.

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 (referred to in sections 158, 159) as to payment to witnesses and others for attendance at courts of summary jurisdiction : *Gazette* 15th July, 1943, p. 81.
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.

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, 1925-1936.

Commencement : 7th January, 1926; *Gazette* 7th January, 1926, p. 1.
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; 24th October, 1929, p. 954; 15th July, 1937, p. 115; 11th January, 1940, p. 67; 14th March 1940, p. 540.

Landlord and Tenant Act, 1936.

Commencement : 1st May, 1937; *Gazette* 25th March, 1937, p. 645.

Landlord and Tenant (Control of Rents) Act, 1942.

Commencement : 1st January, 1943; *Gazette* 3rd December, 1942, p. 1089.
Administration : Committed to the Attorney-General; *Gazette* 10th December, 1942, p. 1123.
Rules of Local Court : *Gazette* 14th January, 1943, p. 32.

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.

Regulations : *Gazette* 5th April, 1945, p. 500.

Land Tax Act, 1936-1942.

Commencement : 7th January, 1937; *Gazette* 7th January, 1937, p. 1.
s. 45. Proclamations : *Gazette* 26th August, 1937, p. 498; 27th July, 1939, p. 214.
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.

Commencement : 1st November, 1937; *Gazette* 25th March, 1937, p. 646.

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Legal Practitioners Act, 1936-1943.

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.

Leigh Creek Coal Act, 1942.

Administration : Committed to the Treasurer ; *Gazette* 14th January, 1943, p. 29.

Libraries and Institutes Act, 1939.

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.

Regulations relating to the Public Library and other premises : *Gazette* 5th December, 1940, p. 1288.

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.

Licensing Act, 1932-1936.

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.

(For details of proclamations made prior to 9th August, 1939, see the footnote in Volume 4, p. 439 of the South Australian Statutes, 1837-1936.)

s. 223. Proclamation : *Gazette* 28th July, 1938, p. 166.

s. 230. For table of resolutions carried at local option polls see the footnote in Volume 4, p. 502 of the South Australian Statutes, 1837-1936.

Regulations as to polls under section 62 : *Gazette* 22nd December, 1932, p. 1187 ; 17th February, 1944, p. 87.

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* 23rd January, 1936, p. 208 ; 9th April, 1936, p. 813 ; 29th April, 1937, p. 945.

Regulations as to proof of notices : *Gazette* 14th October, 1937, p. 1027.

Regulations as to licensing districts : *Gazette* 28th July, 1938, p. 168.

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 23rd April, 1945, this Act had not been brought into operation.

Loans for Fencing and Water Piping Act, 1938-1940.

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.

Regulations : *Gazette* 21st July, 1927, p. 126 ; 6th March, 1930, p. 484.

Local Courts Act, 1926-1936.

Commencement : 7th March, 1927 ; *Gazette* 10th February, 1927, p. 297.

s. 294. Proclamation : *Gazette* 5th November, 1936, p. 1005.

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.

Rules of Court as to bailiffs' fees : *Gazette* 20th October, 1932, p. 802.

Local Courts Act, 1926-1936—continued.

- Rules of Court as to transferring judgments : *Gazette* 26th December, 1935, p. 1635.
- 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 under the Landlord and Tenant (Control of Rents) Act, 1942 : *Gazette* 14th January, 1943, p. 32.
- Rules of Court as to procedure under the Landlord and Tenant (Rent Reduction) Act, 1932-1936 : *Gazette* 22nd December, 1932, p. 1209.
- 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 in aid of the National Security (War Service Moratorium) Regulations : *Gazette* 26th June, 1941, p. 926.
- 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 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.
- Rules of Court 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, 1934-1941.

- 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. Proclamation : *Gazette* 23rd December, 1943, p. 810.
- s. 75. Proclamation : *Gazette* 18th May, 1939, p. 1206.
- 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.
- (For details of proclamations under section 179, see the footnote in Volume 5, p. 86 of the South Australian Statutes, 1837-1936.)
- 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.
- s. 625. Proclamation : *Gazette* 7th December, 1944, p. 779.
- 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.
- Regulations as to the Clerks' Appeal Board : *Gazette* 25th May, 1939, p. 1320 ; 29th August, 1940, p. 453.
- 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.
- Regulations relating to the West Terrace Cemetery : *Gazette* 2nd October, 1930, p. 662 ; 31st October, 1940, p. 960 ; 5th February, 1942, p. 237.
- Model by-laws : *Gazette* 17th September, 1936, p. 562. Amendments of model by-laws : 13th May, 1937, p. 1089 and 13th October, 1938, p. 976, (amendments 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.) ; 4th September, 1941, p. 453 (amendment of model by-law No. XXV.) ; 12th September, 1940, p. 515 (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.).

Local Government (Forestry Reserves) Act, 1944.

Administration : Committed to the Minister of Forests *Gazette* 25th January, 1945, p. 86.

Lottery and Gaming Act, 1936-1943.

Commencement of the Lottery and Gaming Act Amendment Act (No. 2), 1938 ; 19th December, 1938 : *Gazette* 15th December, 1938, p. 1497.

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.

(For details of proclamations made prior to 20th October, 1937, see the footnote in Volume 5, p. 415 of the South Australian Statutes, 1837-1936.)

Rules and regulations as to the totalizator : *Gazette* 27th May, 1937, p. 1207. (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.) ; 7th December, 1939, p. 1556.

Regulations as to betting tickets : *Gazette* 20th December, 1933, p. 1231 ; 6th March, 1941, p. 337.

Rules as to bookmakers : *Gazette* 5th March, 1936, p. 553 ; 30th April, 1936, p. 964 ; 16th July, 1936, p. 105 ; 3rd September, 1936, p. 487 ; 10th September, 1936, p. 542 ; 17th September, 1936, p. 622 ; 19th November, 1936, p. 1148 ; 26th November, 1936, p. 1191 ; 21st January, 1937, p. 181 ; 11th February, 1937, p. 289 ; 4th March, 1937, p. 518 ; 11th March, 1937, p. 583 ; 25th March, 1937, p. 693 ; 15th April, 1937, p. 837 ; 29th July, 1937, p. 304 ; 9th September, 1937, p. 694 ; 16th September, 1937, p. 745 ; 2nd December, 1937, p. 1570 ; 9th December, 1937, p. 1696 ; 17th February, 1938, p. 406 ; 24th March, 1938, p. 694 ; 2nd June, 1938, p. 1256 ; 28th July, 1938, p. 197 ; 1st September, 1938, p. 621 ; 22nd December, 1938, p. 1591 ; 12th January, 1939, p. 116 ; 9th February, 1939, p. 412 ; 27th July, 1939, p. 286 ; 3rd August, 1939, p. 346 ; 10th August, 1939, p. 418 ; 7th December, 1939, p. 1548 ; 11th April, 1940, p. 811 ; 1st August, 1940, p. 219 (amendment to rule 22 disallowed) ; *Gazette* 26th September, 1940, p. 620 ; 31st October, 1940, p. 913 ; 27th November, 1941, p. 1190 ; 11th December, 1941, p. 1396 ; 18th December, 1941, p. 1487 ; 4th November, 1943, p. 582 ; 3rd August, 1944, p. 137 ; 2nd November, 1944, p. 581.

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, 1926-1941.

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.

s. 153. Proclamations : *Gazette* 3rd August, 1922, p. 217 ; 17th December, 1942, p. 1150.

(For details of proclamations made prior to 16th December, 1942, under sections 152 and 153, see the footnotes in Volume 5, p. 517 of the South Australian Statutes, 1837-1936.)

Regulations : *Gazette* 24th February, 1927, p. 400 ; 7th April, 1927, p. 793 ; 15th April, 1943, p. 495.

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.

(For details of proclamations made prior to 9th April, 1941, see the footnote in Volume 5, p. 548 of the South Australian Statutes, 1837-1936.)

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, 1939-1941.

Regulations : *Gazette* 29th February, 1940, p. 490 ; 8th January, 1942, p. 55.

Marketing of Eggs Act, 1941-1942.

Regulations : *Gazette* 4th June, 1942, p. 818.

Marine Act, 1936.

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 :—
River Murray navigation : *Gazette* 30th October, 1884, p. 1641 ; 26th January, 1893, p. 157 ; 4th October, 1906, p. 714.

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.

Court of Survey (Rules) : *Gazette* 19th November, 1885, p. 1328.

Court of Marine Inquiry (Rules) : *Gazette* 27th February, 1936, p. 506.

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.

Regulations made under the Marine Act, 1936, relating to River Murray navigation : *Gazette* 15th January, 1942, p. 64.

The Marine Stores Act, 1898-1935.

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.

The Markets Clauses Act, 1870-1937.

s. 49. Proclamation : *Gazette* 24th October, 1889, p. 1584.

Marriage Act, 1936-1944.

Commencement : 1st May, 1937 ; *Gazette* 28th January, 1937, p. 187.

Administration : Committed to the Chief Secretary *Gazette* 18th February, 1937, p. 334.

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, 1919-1935.

Regulations : *Gazette* 29th April, 1920, p. 1137 ; 26th May, 1921, p. 1111.

Mental Defectives Act, 1935-1941.

Commencement : 2nd January, 1936 ; *Gazette* 2nd January, 1936, p. 1.

Commencement of Part VIIA. : 1st January, 1942 ; *Gazette* 17th July, 1941, p. 83.

Administration : Committed to the Chief Secretary *Gazette* 5th March, 1936, p. 537.

s. 12. Proclamations : *Gazette* 23rd March, 1922, p. 876 ; 2nd May, 1929, p. 903 ; 17th August, 1939, p. 421 ; 17th August, 1939, p. 422.

s. 16. Proclamation : *Gazette* 24th October, 1940, p. 841.

s. 122. Proclamations : *Gazette* 21st January, 1915, p. 127 ; 26th October, 1922, p. 941.

(For details of proclamations under section 12 and 122, made prior to 16th August, 1939, see the footnotes in Volume 5, pp. 752 and 798 of the South Australian Statutes, 1837-1936.)

Mental Defectives Act, 1935-1941—continued.

- 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, 1936-1937.

- 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.
- 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.
- ss. 10, 11, and 15. Notices : *Gazette* 16th June, 1938, p. 1458 ; 28th March, 1940, p. 649.
- Regulations : *Gazette* 7th July, 1938, p. 2.

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.
- General regulations : *Gazette* 6th February, 1930, p. 227 ; 17th November, 1932, p. 954 ; 9th September, 1943, p. 298.
- Regulations as to lead and gas poisoning : *Gazette* 19th November, 1925, p. 1343.
- Regulations as to use of electric power : *Gazette* 10th February, 1927, p. 298.
- Regulations as to miners' inspectors and inspection : *Gazette* 7th August, 1930, p. 238.

Mining Act, 1930-1941.

- Regulations : 28th December, 1939, p. 1725 ; 15th January, 1942, p. 71.

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, 1935-1940.

- 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.
- 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* 5th November, 1936, p. 1061.

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.

- General by-laws : *Gazette* 17th November, 1892, p. 1298.
- By-laws as to plying for hire : *Gazette* 15th March, 1906, p. 443.

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.

National Security Act, 1939-1943 (Commonwealth Act).

The following rules, orders, notices, etc., have been made or issued by the Governor of South Australia or other State authority, and published in the *South Australian Government Gazette* pursuant to powers conferred by the National Security Act, 1939-1943, of the Commonwealth or otherwise under the authority of that Act. No reference is here given to any subordinate legislation promulgated by the Governor-General or any Commonwealth authority.

Air raid shelters—

- Order by the Premier of South Australia under the National Security (General) Regulations as to the provision and construction of air raid shelters in large buildings : *Gazette* 1st May, 1942, p. 669.

Air raids—

- Order by the Premier of South Australia under the National Security (General) Regulations regulating traffic and the taking of shelter during air raids : *Gazette* 14th May, 1942, p. 715.

Betting—

- Orders by the Premier of South Australia under the National Security (General) Regulations prohibiting betting in licensed betting shops : *Gazette* 5th March, 1942, p. 370 ; 14th May, 1942, p. 716.

Coursing—

- Order by the Premier of South Australia under the National Security (Supplementary) Regulations prohibiting mid-week coursing and dog racing : *Gazette* 8th January, 1942, p. 52.

Emergency supplies of essential commodities—

- Rules made by the Governor pursuant to the National Security (Emergency Supplies) Regulations as to emergency supplies of essential commodities : *Gazette* 8th May, 1941, p. 671 ; 22nd January, 1942, p. 105 ; 21st January, 1943, p. 62.

- Notices to retailers and wholesale suppliers under rules 15 and 16 of above rules : *Gazette* 22nd May, 1941, p. 758.

- Proclamation made by the Governor pursuant to the above rules of a state of emergency : *Gazette* 21st August, 1941, p. 337.

Fire watching posts—

- Orders by the Premier of South Australia under the National Security (General) Regulations as to contributions to the cost of fire-watching posts : *Gazette* 4th March, 1943, p. 273 ; 6th May, 1943, p. 560.

National Security Act, 1939-1943 (Commonwealth Act)—continued.

Friendly societies—

Order by the Premier of South Australia under the National Security (Supplementary) Regulations relating to amendments of the constitutions of friendly societies : *Gazette* 26th March, 1942, p. 494.

Hotel trading and liquor consumption—

Orders by the Premier of South Australia under the National Security (Supplementary) Regulations restricting hours of hotel trading, regulating consumption of liquor in other premises, public places, etc., regulating the sale of liquor during armistice celebration periods, and restricting the supply of liquor to members of the fighting forces : *Gazette* 27th November, 1942, p. 1085 ; 3rd August, 1944, p. 138 ; 8th February, 1945, p. 245.

Lifts—

Order by the Premier of South Australia under the National Security (General) Regulations relating to the operation of lifts during emergencies : *Gazette* 12th March, 1942, p. 397.

Lights in buildings and streets—

Order by the Premier of South Australia under the National Security (General) Regulations restricting lighting in buildings and streets : *Gazette* 28th October, 1943, p. 545.

Oats—

Order by the Minister of Agriculture under the National Security (Food Control) Regulations for the conservation of the stocks of oats : *Gazette* 4th January, 1945, p. 20.

Producer gas equipment—

Orders by the Premier of South Australia under the National Security (General) Regulations prohibiting the driving of vehicles propelled by producer gas during January, February, and part of March, 1945, in certain parts of the State : *Gazette* 4th January, 1945, p. 3 ; 1st March, 1945, p. 345.

Racing control and prohibition—

Orders by the Premier of South Australia under the National Security (Supplementary) Regulations—

(a) prohibiting mid-week horse racing, trotting, coursing, and dog racing : *Gazette* 8th January, 1942, p. 52.

(b) limiting times for commencing horse racing : *Gazette* 12th February, 1942, p. 245.

(c) prohibiting horse racing and trotting throughout South Australia : *Gazette* 5th March, 1942, p. 370 ; revoking the provisions of such order relating to the prohibition of horse racing and trotting : *Gazette* 22nd July, 1943, p. 116.

Railway excursion tickets—

Direction by the South Australian Railways Commissioner under the National Security (Rail Transport) Regulations suspending the issue of certain railway excursion tickets : *Gazette* 8th January, 1942, p. 30.

Theatres and places of public entertainment—

Order by the Premier of South Australia under the National Security (General) Regulations providing a safety code for places of public entertainment : *Gazette* 16th April, 1942, p. 582.

Notice by the Commissioner of Civil Defence under paragraph 3 of above Order exempting places of public entertainment outside the metropolitan area, Port Pirie and Whyalla from the provisions of the Order : *Gazette* 21st May, 1942, p. 736.

War service moratorium—

Rules of the local court in aid of the National Security (War Service Moratorium) Regulations : *Gazette* 26th June, 1941, p. 926.

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.

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.

(For details of these proclamations see the footnote in Volume 6, p. 315 of the South Australian Statutes, 1837-1936.)

Regulations : *Gazette* 10th January, 1935, p. 264.

Noxious Trades Act, 1948.

Commencement : At 23rd April, 1945, this Act had not been brought into operation.

Administration : Committed to the Minister of Health *Gazette* 17th February, 1944, p. 88.

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

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.

Nurses Registration Act, 1920-1938.

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, 1913-1934.

Administration : Committed to the Chief Secretary *Gazette* 5th February, 1914, p. 319.

Regulations : *Gazette* 26th February, 1914, p. 516.

Opticians Act, 1920-1935.

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.

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, 1936-1944.

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.

(For details of proclamations made prior to 4th August, 1937, see the footnote in Volume 6, p. 426 of the South Australian Statutes, 1837-1936.)

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, 1935-1942.

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.

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, 1936-1937.

Commencement : 1st June, 1937 ; *Gazette* 25th March, 1937, p. 645.

Pistol Licence Act, 1929.

Commencement : 1st January, 1930 ; *Gazette* 19th December, 1929, p. 1305.

Regulations : *Gazette* 5th December, 1929, p. 1216.

The Places of Public Entertainment Act, 1913-1934.

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.

(For details of proclamations made prior to 8th September, 1937, see the table of proclamations in Volume 6, pp. 554-556 of the South Australian Statutes, 1837-1936.)

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.

Police Act, 1936-1938.

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, 1929-1943.

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.

Prevention of Cruelty to Animals Act, 1936.

Commencement : 1st June, 1937 ; *Gazette* 25th March, 1937, p. 644.

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.
 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, 1936-1942.

Commencement : 1st June, 1937 ; *Gazette* 25th March, 1937, p. 644.
 s. 6 (2). Proclamation : *Gazette* 22nd June, 1944, p. 735.
 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.
 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 ; 18th October, 1926, p. 965 (Nos. 2-10, inclusive, not now in force) ; 20th March, 1924, p. 711 ; 19th June, 1924, p. 1360 ; 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.

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, 1886-1939.

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.

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.

Redhill to Port Augusta Railway Agreement Act, 1935.

Commencement : 20th December, 1935 ; *Gazette* 19th December, 1935, p. 1445.

Registration of Business Names Act, 1928-1932.

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 : *Gazette* 13th February, 1919, p. 325.

Registration of Dogs Act, 1924-1929.

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.

Regulations : *Gazette* 22nd January, 1925, p. 100 ; 9th February, 1928, p. 261.

Renmark Irrigation Trust Act, 1936.

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.

Commencement : 1st June, 1937 ; *Gazette* 25th March, 1937, p. 645.

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.

Road and Railway Transport Act, 1930-1939.

Administration : Committed to the Minister of Railways *Gazette* 12th March, 1931, p. 471,

s. 10. Order : 16th July, 1942, p. 46.

s. 27e. Commencement : 14th March 1940 : *Gazette* 14th March, 1940, p. 538.

Regulations : *Gazette* 25th March, 1943, p. 379.

Roads (Opening and Closing) Act, 1932-1936.

Regulations : *Gazette* 30th March, 1933, p. 521.

Regulations under the Fees Regulation Act, 1927, relating to fees payable on issue of title
Gazette 31st May, 1928, p. 1147.

Road Traffic Act, 1934-1944.

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.

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.

Administration of Parts IIA. and VI. : Committed to the Treasurer *Gazette* 18th March,
1937, p. 586.

Administration of Part VII. : Committed to the Minister of Local Government *Gazette* 18th
March, 1937, p. 586.

s. 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.

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 ; 15th August, 1940, p. 278 ; 24th October, 1940,
p. 843 ; 28th November, 1940, p. 1218 ; 19th December, 1940, p. 1555 ; 20th Feb-
ruary, 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.

s. 130b. Notices : *Gazette* 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.

s. 143. Proclamation : *Gazette* 18th March, 1937, p. 586.

(For details of this proclamation see the footnote in Volume 7, p. 443 of the South Australian
Statutes, 1837-1936.)

s. 151. Proclamation : *Gazette* 19th October, 1939, p. 1094.

Regulations : *Gazette* 1st February, 1945, p. 161.

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.

Sale of Goods Act, 1895-1943.

s. 57a. Commencement : 1st July, 1938 : *Gazette* 9th June, 1938, p. 1270.

Sandalwood Act, 1930-1943.

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. 406 ; 23rd April, 1942, p. 613 ; 10th June, 1943, p. 706.

(For details of proclamations made prior to 25th January, 1939, see the footnote in Volume 7, p. 517 of the South Australian Statutes, 1837-1936.)

Regulations : *Gazette* 19th January, 1928, p. 91.

Savings Bank of South Australia Act, 1929-1942.

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.

Second-hand Dealers Act, 1919-1934.

Commencement : 12th August, 1920 ; *Gazette* 12th August, 1920, p. 315.

Administration : Committed to the Chief Secretary *Gazette* 19th August, 1920, p. 379.

Regulations : *Gazette* 26th March, 1936, p. 705 ; 26th May, 1938, p. 1151 ; 23rd June, 1938, p. 1533 ; 3rd August, 1939, p. 345 ; 9th November, 1939, p. 1262.

Settled Estates Act, 1880-1943.

Rules of Court : *Gazette* 5th April, 1883, p. 1174.

Sewerage Act, 1929-1936.

s. 79. Proclamation : *Gazette* 27th May, 1926, p. 1365.

Regulations : *Gazette* 15th August, 1935, p. 359 ; 10th September, 1942, p. 403.

Regulation under the Fees Regulation Act, 1927, fixing fees for services relating to sewers : *Gazette* 20th September, 1934, p. 596.

Shearers Accommodation Act, 1922-1942.

Administration : Committed to the Minister of Industry *Gazette* 18th January, 1923, p. 93.

Soil Conservation Act, 1939-1943.

Administration : Committed to the Minister of Agriculture *Gazette* 4th January, 1940, p. 3.

s. 9. Proclamation : *Gazette* 29th April, 1943, p. 549.

Regulations : *Gazette* 15th February, 1945, p. 273.

South Australian Housing Trust Act, 1936-1942.

Administration : Committed to the Treasurer *Gazette* 14th January, 1937, p. 33.

South Australian Railways Commissioner's Act, 1936-1941.

Commencement : 1st June, 1937 ; *Gazette* 25th March, 1937, p. 644.

s. 53n. Proclamation : *Gazette* 29th October, 1942, p. 889.

By-laws—

1. General by-laws governing passengers and public—By-law A : *Gazette* 16th August, 1906, p. 355 ; by-law D : *Gazette* 24th June, 1920, p. 1487.

2. Unauthorised crossings—By-law E : *Gazette* 5th March, 1931, p. 419.

3. Removal of goods from railway premises—By-law F : *Gazette* 7th January, 1932, p. 20.

4. Tickets covering combined services—By-law G : *Gazette* 12th July, 1934, p. 42.

5. Conduct of passengers—By-law H : *Gazette* 17th February, 1938, p. 359.

The South Australian Railways Commissioner's Act, 1936-1942—continued.

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 234 (barrier traffic) : *Gazette* 7th October, 1937, p. 917 ; 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.
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.
8. Use of railway facilities for loading and unloading merchandise other than rail-borne merchandise—By-law 230 : *Gazette* 23rd January, 1936, p. 218.

Regulations—

1. Employment, rules, duties, &c., of staff—Regulation No. 56 : *Gazette* 2nd November, 1922, p. 990 ; regulation No. 86 : *Gazette* 28th March, 1929, p. 652 ; regulation No. 88 : *Gazette* 27th June, 1929, p. 1495 ; regulation No. 90 : *Gazette* 23rd January, 1930, p. 139 ; regulation No. 105 : *Gazette* 7th March, 1935, p. 688 ; regulation No. 108 : *Gazette* 30th May, 1935, p. 1439 ; regulation No. 123 : *Gazette*, 13th March, 1941, p. 370 ; regulation No. 125 : *Gazette* 2nd April, 1942, p. 498 ; regulation No. 128 : *Gazette* 24th December, 1942, p. 1218.
2. Employment on other than railway duties—Regulation No. 120 : *Gazette* 9th May, 1940, p. 1054.
3. Locomotive workshop rules—Regulation No. 89 : *Gazette* 21st November, 1929, p. 1125.
4. Branches of railway service—Regulation No. 99 : *Gazette* 14th January, 1932, p. 32.
5. Classification of officers—Regulation No. 111 : *Gazette* 24th September, 1936, p. 643 ; regulation No. 114 : *Gazette* 14th October, 1937, p. 1029 ; regulation No. 115 : *Gazette* 14th October, 1937, p. 1030 ; regulation No. 119 : *Gazette* 28th November, 1940, p. 1211 ; regulation No. 127 : *Gazette* 15th October, 1942, p. 678.
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. 121 : *Gazette* 26th December, 1940, p. 1598 ; regulation No. 129 : *Gazette* 15th March, 1945, p. 412.
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.

South-Eastern Drainage Act, 1931-1935.

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, 1923-1944.

Regulations : *Gazette* 24th July, 1924, p. 169.

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.

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.
 Regulations relating to the Enginedrivers' Board and examinations : *Gazette* 2nd April, 1925, p. 578 ; 23rd September, 1937, p. 765.

Stock and Poultry Diseases Act, 1934-1941.

- Administration : Committed to the Minister of Agriculture *Gazette* 20th December, 1934, p. 1218.
 s. 5 (1). Notice under definition of "disease" : *Gazette* 5th April, 1945, p. 503.
 s. 5 (1). Notices under definition of "stock" : *Gazette* 27th May, 1937, p. 1211 ; 5th April, 1945, p. 503.
 s. 6. Proclamations : *Gazette* 4th March, 1926, p. 686 ; 20th September, 1928, p. 629 ; 15th December, 1932, p. 1143 ; 3rd June, 1937, p. 1254 ; 29th July, 1937, p. 257 ; 4th December, 1941, p. 1193 ; 10th December, 1942, p. 1124 ; 26th August, 1943, p. 230.
 s. 29 (2). Notice : *Gazette* 6th February, 1936, p. 303.
 s. 30. Notice : *Gazette* 6th February, 1936, p. 303.
 (For details of notices and proclamations made prior to 30th March, 1938, under sections 5, 6, 29, and 30, see the footnotes in Volume 8, pp. 41, 42, and 50 of the South Australian Statutes, 1837-1936.)
 s. 48. Proclamation : *Gazette* 5th April, 1945, p. 499.
 General regulations : *Gazette* 19th April, 1900, p. 939 ; 25th May, 1922, p. 1337 ; 8th February, 1934, p. 253.
 Regulations as to the introduction of stock and fodder for the prevention of anthrax : *Gazette* 30th July, 1903, p. 175.
 Regulations relating to swine : *Gazette* 3rd December, 1903, p. 1115 ; 28th January, 1943, p. 92.
 Regulations relating to returns of sheep dipped : *Gazette* 8th December, 1927, p. 1515.
 Regulations for the prevention of disease in stock : *Gazette* 12th April, 1945, p. 546.

Stock Foods Act, 1941-1944.

- 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.

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.
 Regulations : *Gazette* 21st March, 1940, p. 592.

Subdivided Land Debts Act, 1932-1934.

- s. 8. Notice : *Gazette* 26th January, 1933, p. 111.
 Regulations : *Gazette* 19th January, 1933, p. 72.

Succession Duties Act, 1929-1943.

- s. 6. Proclamations : *Gazette* 2nd July, 1925, p. 1 ; 16th June, 1932, p. 1067 ; 23rd January, 1936, p. 208 ; 12th November, 1942, p. 985.
 (For details of proclamations made prior to 11th November, 1942, see the footnote in Volume 8, p. 93, of the South Australian Statutes, 1837-1936.)
 Regulations : *Gazette* 16th November, 1893, p. 1209 ; 20th October, 1898, p. 987 ; 26th August, 1920, p. 457 ; 20th November, 1930, p. 1027 ; 16th March, 1933, p. 444 ; 26th October, 1933, p. 900.
 Regulation under the Fees Regulation Act, 1927, providing for the fee payable to the Public Trustee on the preparation of a certain succession duty form : *Gazette* 3rd December, 1931, p. 1033.

Superannuation Act, 1926-1942.

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.
 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.
 Rules of Court : *Gazette* 12th May, 1932, p. 869.

Supreme Court Act, 1935-1944.

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.
 (For details of proclamations made prior to 13th September, 1939, see the footnote in Volume 8, p. 185 of the South Australian Statutes, 1837-1936.)
 Rules of Court—
 Actions and other proceedings in the Court : Rules of Court, 1913, dated 10th December, 1913; amending rules dated 27th September, 1924. These rules are not published in the *Gazette*. Rules of Court, 1937 : *Gazette* 4th November, 1937, p. 1205.
 Administration and probate : *Gazette* 24th November, 1927, p. 1255; 11th March, 1937, p. 537; 14th October, 1937, p. 1021; 2nd June, 1938, p. 1265.
 Administration of Justice Act, 1922—Procedure : Rules dated 25th October, 1922. Not published in the *Gazette*.
 Adoption of Children Act, 1925—Procedure : Rules dated 23rd December, 1926. Not published in the *Gazette*.
 Companies Act, 1934 : *Gazette* 8th February, 1940, p. 233.
 Compulsory Acquisition of Land Act, 1925—Procedure : *Gazette* 10th May, 1928, p. 968.
 Costs—Increase : *Gazette* 7th October, 1920, p. 953; 1st October, 1931, p. 622; 17th June, 1937, p. 1312.
 Criminal appeals : Dated 1st September, 1925. Not published in the *Gazette*.
 Criminal sittings : *Gazette* 4th August, 1932, p. 191.
 Criminal trials : *Gazette* 15th June, 1944, p. 730.
 Crown practice : English rules of Hilary Term, 1844, kept alive by 8/1867, s. 28.
 Dentists Act, 1931—Appeals : *Gazette* 4th August, 1932, p. 183.
 Equitable proceedings : Rules at the end of Equity Act, 1866-7. [Probably superseded by subsequent Acts and rules.]
 Evidence on Commission Act, 1857 (Imp.) : *Gazette* 20th February, 1908, p. 313.
 Foreign tribunals—Service of citation and process : *Gazette* 23rd August, 1923, p. 418.
 Guardianship of Infants Act, 1887—Procedure : *Gazette* 1st May, 1890, p. 1215.
 Harbors Act, 1913—Appeals and other proceedings : *Gazette* 19th April, 1917, p. 639.
 Industrial and Provident Societies Act, 1924—Appeals : *Gazette* 2nd October, 1924, p. 830.
 Inebriates Act, 1908—Applications : *Gazette* 26th October, 1911, p. 864.
 Justices Act, 1921—Appeals : *Gazette* 22nd September, 1938, p. 776.
 Law Society Act, 1915—Procedure of Statutory Committee : *Gazette* 9th November, 1916, p. 943.
 Legal Practitioners—Admission : *Gazette* 19th November, 1925, p. 1359; 27th August, 1936, p. 357.
 Legal practitioners—Trust accounts and other matters : *Gazette* 31st August, 1939, p. 573.
 Local Courts Act, 1926—Appeals : *Gazette* 31st March, 1927, p. 745; rules dated 6th February, 1928 (not published in the *Gazette*); 22nd March, 1934, p. 853; 4th November, 1937, p. 1230.
 Maintenance Orders (Facilities for Enforcement) Acts, 1922 and 1925 : *Gazette* 16th February, 1928, p. 316.
 Master's jurisdiction : *Gazette* 30th May, 1929, p. 1106.
 Matrimonial Causes Act, 1929 : Rules in the second schedule to the Matrimonial Causes Act, 1929. Amendments *Gazette* 5th December, 1935, p. 1349.
 Mental Defectives Act, 1913—Applications : *Gazette* 3rd September, 1914, p. 585. [Rules made under the Lunatics Act, 1864, on 3rd September, 1869, and 10th August, 1875, may also be applied in any case where the court or judge so orders.]
 Prize Court Rules :—Proclamation as to war with Germany, *Gazette* 7th September 1939, p. 689.
 Proclamation as to war with Italy : *Gazette* 13th June, 1940, p. 1273.
 Application of rules to Supreme Court : *Gazette* 28th September, 1939, p. 865.
 Probate and letters of administration : see administration and probate.

Supreme Court Act, 1935-1944—continued.

Rules of Court—continued—

- Revenue jurisdiction : Schedule to Act, 7, 1867.
- Service and Execution of Process Act, 1901-1934 (Commonwealth) : *Gazette* 19th April, 1917, p. 646 ; 4th November, 1937, p. 1247.
- Settled Estates Act, 1880—Procedure : *Gazette* 5th April, 1883, p. 1174.
- Sheriff's rules : *Gazette* 4th November, 1937, p. 1234.
- Suitor's funds : *Gazette* 4th November, 1937, p. 1236.
- Superannuation Act, 1926—Appeals : Dated 26th August, 1930. Not published in the *Gazette*.
- Testators Family Maintenance Act, 1918—Applications : Dated 27th May, 1922. Not published in the *Gazette*.
- Trustee Act, 1936 : *Gazette* 4th November, 1937, p. 1225.
- Vice-Admiralty Jurisdiction : Order-in-council dated 23rd August, 1883 (not published in the *Gazette*), kept alive by the (Imperial) Colonial Courts of Admiralty Act, 1890.
- Workmen's Compensation Act, 1932—Appeals : *Gazette* 4th November, 1937, p. 1229.

Surveyors Act, 1935.

- Commencement : 26th March, 1936 ; *Gazette* 26th March, 1936, p. 689.
- Regulations as to examinations and licensing of surveyors : *Gazette* 5th February, 1942, p. 227.
- Regulations as to surveys, etc. : *Gazette* 16th November, 1939, p. 1367.
- 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, 1936-1940.

- 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.

Technical Education of Apprentices Act, 1917-1940.

- Administration : Committed to the Minister of Education *Gazette* 7th February, 1918, p. 232.
- s. 3. Proclamations : *Gazette* 29th May, 1919, p. 951 ; 12th January, 1922, p. 41 ; 29th October, 1942, p. 889 ; 19th October, 1944, p. 471 ; 25th January, 1945, p. 85.
- s. 5. Notices : *Gazette* 29th May, 1919, p. 953 ; 28th October, 1920, p. 1125 ; 21st July, 1921, p. 99.
- Regulations : *Gazette* 18th July, 1918, p. 94.

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 23rd April, 1945, 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, 1911-1936.

- 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, 1936-1942.

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.
(For details of proclamations made under section 5, see the footnotes in Volume 8, pp. 306 and 307 of the South Australian Statutes, 1837-1936.)
Rules of Court : *Gazette* 4th November, 1937, p. 1225.

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.

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, 1920-1935.

Commencement : At 23rd April, 1945, this Act had not been brought into operation.

Vermin Act, 1931-1944.

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.
s. 23 (3). Notice : *Gazette* 9th May, 1935, p. 1288.
s. 43 (1). Notice : *Gazette* 9th May, 1935, p. 1288.
Regulations 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.

Vine, Fruit, and Vegetable Protection Act, 1885-1936.

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